

Summit Hill Borough Council
February 14, 2011, 7:00 p.m., Borough Hall

The regular scheduled meeting of the Summit Hill Borough Council was held at the above time and place with President Joseph Weber presiding.

Roll Call – President Joseph Weber, Vice-President John O’Gurek, Mike Alabovitz, Harry Miller, Ken Boyd and William Chapman were all in attendance. Michael Kokinda and Solicitor Joseph Matika were absent. Mayor Paul McArdle was absent due to illness.

Minutes – Motion was made by Bill Chapman and second by Harry Miller to approve the minutes from the January 10 and January 31, 2011 Summit Hill Borough Council Meetings. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor –

1. Nanci Sarcinello, Sarcinello Planning & GIS, spoke to council briefly about the Joint Comprehensive Plan. She gave Council the website, communityplanning.biz, if they have any further questions. Joe Weber asked if the Borough can put the link on their website; Nanci said that the link is on their website and if Council wants they can put a link on the Borough’s site. She said that they are asking for participation and attendance from all Borough Council, Planning Commission members and anyone who is involved with the Borough. Nanci said that Thursday, February 17, 2011 at 6:30 p.m. they will be holding a meeting in Jim Thorpe, if anyone is interested in attending. Nanci informed Council that they are currently working on parks and recreation along with the comprehensive plan.
2. Daniel Reed, PV Breaker Boys, asked Council permission to use the Ginter field again for their football games. Bill Chapman said that there were issues last year with littering and urinating on the field. Daniel said that they are looking into getting a port-a-potty to use at the field. Monica said they may be able to work something out so they can use the bathrooms at the recreation building. Daniel also asked what they can use to line the field. Joe Weber said that as long as they use something that will wash away, there shouldn’t be any problems. Monica said she didn’t see any issues with the game schedule or with them using the field. **Motion was made by Harry Miller and second by Bill Chapman to give the PV Breaker Boys permission to use the Ginter Field with the understanding that they must keep the field clean and use some sort of bathroom facilities instead of the field.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Thomas Tkach said that Council should make it mandatory for them to have a porta potty. Monica said they will work something out so they can get a key to use the bathrooms at the recreation building.
3. Patrick Kane, 202 E. Holland Street, asked Council if appointments for the Water Authority were going to be made at the meeting. Joe Weber said that all of the appointments will be discussed later in the meeting.

Mayor’s Report – Chief Joseph Fittos read the Mayor’s Report for the month of January 2011. He reported the magistrate income for the month of January 2011 was \$1,385.19. **Motion was made by Harry Miller and second by Bill Chapman to approve the Mayor’s Report for the month of January 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Police Report – Council received copies of Chief Fittos’ Police report for the month of January 2011. Chief Fittos said on March 3, 2011 the District Attorney is sponsoring a 3 hour program called Cops in February 14, 2011 – Council Meeting

609606

Court dealing with court room procedures. He said that there is no cost for the training and he is looking for permission to send officers. Council briefly discussed training and agreed to allow full-time officers to attend the program. **Motion was made by Bill Chapman and second by Mike Alabovitz to allow full-time officers to attend the 3 hour Cops in Court program on March 3, 2011 with no cost to the borough.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Chief Fittos is also asking permission to attend the Active Shooter training sponsored by the Jim Thorpe Police Department on March 13, 2011. Chief Fittos said that this is a very important training for our department to continue to be involved with other Police Departments for this ongoing training. He said that the training will be conducted at different school districts including the Panther Valley School District. There will be no cost to the Borough with this training and it will be for all full-time officers. **Motion was made by Mike Alabovitz and second by Bill Chapman to allow full-time officers to attend the Active Shooter training on March 13, 2011 sponsored by the Jim Thorpe Police Department.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Chief Fittos told Council that on February 9, 2011, he attend a meeting at the County EOC with the County Commissioners. He said the meeting was to discuss the mandatory FCC regulations changing all radio frequencies from 25 kHz to 12.5 kHz, narrow banding. This is mandatory effective January 1, 2013. The Commissioners would like to know how many municipalities would be willing to go together and pursue a grant to cover what ever costs that can be covered for this major burden put on all involved. He said as it stands now the police department would only require one radio because we were able to get the other radios replaced through a grant. Chief Fittos said that the Fire Department will need to get all radios and pagers replaced as well. He said we will need to let the county know if we are willing to partner with them to cover all needs in the County. Joe said that the county will pay for a grant writer and other fees involved, he said we will also need to let the county know what the fire departments needs are as well. **Motion was made by Ken Boyd and second by Harry Miller to send a letter of interest to the County allowing them to apply for a grant on behalf of the Borough to upgrade the Narrow Banding to meet the FCC Regulations that will be in effect on January 1, 2013.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. **Motion was made by Bill Chapman and second by Mike Alabovitz to accept the Police Report for the month of January 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council

Planning and Zoning Report – Council received copies of Larry Marek’s Planning and Zoning report for the month of January 2011. **Motion was made by Bill Chapman and second by Harry Miller to accept the Planning and Zoning Report for the month of January 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Work Leader Report – Council received copies of the Work Leader Report for the month of January 2011. **Motion was made by Mike Alabovitz and second by John O’Gurek to accept the Work Leader Report for the month of January 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Tax Collector Report – Nothing at this time.

Wage Tax Report – Borough Secretary, Kira Michalik, read Berkheimer’s Wage Tax Report for the month of January 2011. They submitted total Earned Income Tax of \$19,855.22 with a commission of \$420.47. The total LST submitted for January was \$40.76 with no commission. **Motion was made by Bill Chapman and second by Harry Miller to accept the Wage Tax Report for the month of January 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Receipts – Borough Secretary, Kira Michalik, reported the total receipts for the month of January 2011 as \$44,827.81. **Motion was made by Mike Kokinda and Second by Bill Chapman to accept the receipts**

12 for the month of January 2011. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports –

Streets –

- John O’Gurek said there is a major problem with the streets. Some are getting plowed and some are not; some are getting tickets and some are not; some are posted and some are not. He said we need to have a meeting in the near future to work out all of these issues. O’Gurek stated that he feels that the ordinance was not followed and that tickets should not have been written. Chief Fittos said that it was agreed upon that if it stops snowing before 8:00 a.m. that the ordinance would be in effect and cars would be ticketed. John said he disagrees and it should be the day after the storm. Fittos again explained that it has always been that if it stops snowing before 8:00 a.m., then curb to curb plowing goes into effect that day. Joe also stated that the drivers need to start following the ordinance as well to create less confusion. Chief Fittos mentioned getting the committee back together to review the snow ordinance. John O’Gurek also mentioned an issue on West Fell Street with plowing snow into a driveway. He said we can not do much with the street but we have to stop plowing the snow into the driveway.

609606

Building – Nothing at this time.

Fire and Emergency Services-

- Bill Chapman said that he received the report from the Fire Company and that the Fire Company is currently holding its annual Fund Drive.
- Shawn Hoben again expressed that the exhaust system in the Fire Company needs to be fixed. Joe Weber said we need to call a special meeting to address this issue and will probably have to put it out on bid. Mike Alabovitz said we need to talk to the solicitor first before we can move forward.

Recreation –

- Monica Marshall informed Council that the meetings for the Recreation Commission have been moved to the 1st Monday of each month at 7:00 p.m. at the Community Center.
- She also informed Council that the Stay-At-Home Festival will be changed to 2 nights instead of 3 this year and the dates will be May 28 and May 29, 2011.
- She noted that the repairs of the basket ball courts and the Ginter Field is Receptions main focus right now.
- Bill Chapman asked where we stand with the kitchen in the Community Center. Monica said they will be meeting with Barry Isett to discuss the kitchen and will have a better idea after the meeting.

Motion was made by John O’Gurek and second by Bill Chapman to accept all Committee Reports for the month of January 2011. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Communications – See attached sheet.

1. Bill Chapman asked what we are going to do with the letter from Irene DeGiosio regarding her vehicle getting towed. Chief Fittos said the street was posted the day before and he even drove around announced that the streets were going to be cleared. He feels that everything was done properly. John O’Gurek said we need to send a letter back to her in response that everything was done properly. Joe Weber said we need to talk to our solicitor first before we send anything.

1. Notice of Property Assessments from the Board of Assessment and Revision of Taxes
2. PSAB will be holding the following seminars:
 - a. Redeveloping Blights Properties
 - b. Financing Solutions for Dealing with Blighted Properties
 - c. Confined Space Training
3. Governor's Center for Local Government Services will be holding the following seminars:
 - a. Spring Road Maintenance
 - b. 2011 Municipal Road Maintenance and Safety Symposium
4. PA Department of Transportation will be holding their 29th Annual Road and Bridge Safety Improvement Award Program
5. PSAB 100th Anniversary Conference, April 10-13, 2011 at the Hershey Lodge
6. Received a letter from Senator Yudichak introducing himself and listing his office with phone numbers
7. PSAB introduces their Energy Procurement Program
8. NEPA announces the Funding Opportunity – Transportation Enhancement Program
9. Letter from Carbon County Dept. of Solid Waste in regards to the Covered Device Recycling Act, Act 108 of 2010
10. PLGIT 4th Quarter 2010 newsletter
11. PIRMA 2010 newsletter
12. General Code Winter/Spring 2011 newsletter
13. Government Matters Winter 2010/2011 newsletter
14. Liquid Fuels Tax Fund for the two years ended December 31, 2009 from the Dept. of Auditor General

Motion was made by Bill Chapman and second by Harry Miller to accept communications for the month of January 2011. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Bills – Borough Secretary, Kira Michalik, reported total expenses for the month of January 2011 as \$43,654.09. **Motion was made by Bill Chapman and second by Joe Weber to pay all bills for the month of January 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Unfinished Business –

1. Joe Weber said we need a motion to adopt the Tax Rate Ordinance for 2011. Weber stated that this would be Ordinance #1 of 2011 with a tax rate for general purposes of 13.1 mills, lighting 1.5 mills and fire .5 mills. **Motion was made by Bill Chapman and second by Mike Alabovitz to adopt Ordinance #1 of 2011, the Tax Rate Ordinance.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Expiring Terms

1. **Motion was made by Mike Alabovitz and second by Ken Boyd to reappoint Marc Collevecchio as a member of the Sewer Authority for a five year term.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

2. **Motion was made by Mike Alabovitz and second by Bill Chapman to appoint James Yusella as a member of the Summit Hill Water Authority for a five year term.** The motion was opened to the floor for comment; none made. Ken Boyd, Harry Miller and John O'Gurek opposed. A roll Call Vote was taken.

Michael Alabovitz	Yes
Ken Boyd	No
Harry Miller	No
Bill Chapman	Yes
Vice President John O'Gurek	No
President Joe Weber	Yes

3. **Motion was made by Harry Miller and second by John O'Gurek to reappoint Chet Michalik as a member of the Summit Hill Water Authority for a five year term.** The motion was opened to the floor for comment; none made. Bill Chapman and Michael Alabovitz opposed. A roll Call Vote was taken.

Michael Alabovitz	No
Ken Boyd	Yes
Harry Miller	Yes
Bill Chapman	No
Vice President John O'Gurek	Yes
President Joe Weber	No

Joe Weber said that since Mayor Paul McArdle was not in attendance to break the tie no decision can be made for the appointment to the Water Authority. A special meeting would need to be held with the mayor to break the tie.

4. **Motion was made by John O'Gurek and second by Ken Boyd to reappoint Michael Kulick as a member of the Appeals Board for a three year term.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

6. **Motion was made by Harry Miller and second by Mike Alabovitz to appoint Tom Tkatch as a member of the Civil Service Commission for a six year term.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

7. **Motion was made by John O'Gurek and second by Bill Chapman to reappoint Carl A. Wolfe Jr. as the Summit Hill Sewage Enforcement Officer for a one year term.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

New Business -

1. Harry Miller reported that he has reviewed the list of residents who are applying for the first time for an exemption for the 2011 garbage collection fee. He presented the list to Council and asked that all 4 properties on the list be granted the exemption retroactive from the date of the application. **Motion was made by Harry Miller and second by Bill Chapman to grant the exemptions from the 2011 garbage collection fee for the Summit Hill Borough to all 4 properties retroactive from the date of application.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Larry Marek asked if these applications were submitted in a timely matter; Kira informed him that they were.

- 2. Joe Weber discussed the Carbon County Work Release Program. He said the funds for the program have been cut and they are asking all municipalities who want to utilize the program to pay \$12.00 an hour or \$96.00 a day. These fees will cover the cost for the corrections officer for the day. John O’Gurek said he feels this is not a bad price especially since we would only be calling them a couple times a year. **Motion was made by John O’Gurek and second by Bill Chapman to agree to the fees of \$12.00 an hour or \$ 96.00 a day for the Carbon County Work Release program on an as needed basis.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. A brief discussion took place regarding the work release program. Joe Weber did mention that we have to check with the union to make sure there are no issues.

- 3. Joe Weber talked about possibly creating an ordinance to enforce residents to remove the snow from their sidewalks in town. He said there have been complaints made to the office staff but would need to have Atty. Matika draw something up.

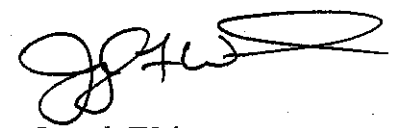
- 4. Joe Weber said Council received a letter from the Solicitor of the CLSH Sewer Authority extending an invitation to each Borough to meet informally with the representatives of the Authority’s Board. The meeting will be held on Wednesday, February 16, 2011 at the Summit Hill Borough Hall at 6:30 p.m. Harry Miller and Kira Michalik will attend the meeting to represent Summit Hill.

- 5. Kira presented Council with an invoice from Community Programs Inc. in the amount of \$4,800.00 for services provided during the month of January 2011. **Motion was made by Harry Miller and second by Ken Boyd to pay Community Programs, Inc. a total amount of \$4,800.00.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. John O’Gurek abstained because he is in the program.

Motion was made by Ken Boyd and second by Harry Miller to adjourn at 8:25 p.m. until the next regular scheduled meeting of the Summit Hill Borough on March 14, 2011. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.



Kira Michalik
 Summit Hill Borough
 Secretary/Treasurer



Joseph Weber
 Summit Hill Borough
 Council President