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**Summit Hill Borough**  
**Council Meeting**  
**November 14, 2011, 7:00PM**

The regular scheduled council meeting of Summit Hill Borough was held on Monday, November 14, 2011 with President Joseph Weber presiding.

**Roll Call** – Michael Alabovitz, William Chapman, Michael Kokinda, Kenneth Boyd, Harry Miller, Joseph Matika, solicitor and Susan Gibiser, Secretary were all in attendance.

**Minutes** – Motion was made by William Chapman, second by Michael Kokinda to approve the minutes from the council meeting on October 10, 2011. Motion was opened to the floor for comment; none made. All were in favor, motion approved.

**Floor Session**

1) **Ruth Gardner, 33 E. Holland Street and Diane Temples; 52 E. Summit Ave**

Stated there are major issues concerning residents with a pit bull dog that resides at **49 E. White Street**; Ruth stated the pit bull has attacked her mother-in-law's small dog and is very concerned about the welfare of her children visiting there; she has called the police several times and the police have responded to the home, then the home owners do not answer the door. Chief Fittos stated he had a meeting prior to this council meeting and he will contact the owners of the dog and if they are in violation of the dog ordinance, they will be cited. There was a lengthy discussion concerning this matter between council members, Solicitor Joseph Matika and the residents.

2) **Jeanie Robertshaw, 51 E. White Street**

Jeanie attended last month's meeting to complain about the tenants that resided at **49 E. White Street**; she again complained about the dog mess in the backyard, weeds & grass still not cut. She asked council to please pass the Landlord Ordinance to get this situation under control.

3) **William O'Gurek**

Stated the State has been processing new boundary lines of voting districts and Summit Hill Borough will be moved from the 120<sup>th</sup> District to the 124<sup>th</sup> District. Mr. O'Gurek has expressed to the board panel the districts do not agree with this process. He explained to council the procedures of re-districting, the outcome and what the Summit Hill Council can do at this point. He asked everyone to sign a petition, write letters and he would represent Summit Hill at the hearings for the next two weeks in Harrisburg **Council member, Michael Kokinda made a motion, second by William Chapman to post the petition and will write letters for him to take to the hearings; All were in favor, motion approved.**

4) **Michael and Joy Kipe, 141 E. White Street**

Asked the council about the water issue on White Street; was the work done correctly by UCC. Council stated they will contact the borough engineer and find out the status of overflow water to the system. The borough does not maintain the sewer system and has been considering a sewer maintenance fee through out the borough to help assist with the cost of overflow water issues.

**Mayor's Report** – Council received a copy of the Mayor's Report for the month of October 2011. Police Chief Joseph Fittos reported the magistrate income for the month of **October 2011 was \$1178.48. Motion was made by Michael Kokinda, second by Harry Miller to approve the Mayor's Report for October.** Motion was opened to the floor for comment; none made; All were in favor, motion approved.

**Police Report** – Council received copies of Chief Joseph Fittos Police report for the month of October 2011. Chief Fittos requested council to send Officer Brett Hannon to a two (2) day re-certified (for 4 years) shotgun training course. At this time, Council tabled any decisions on spending expenses for the police dept. until a finalized budget as been done for 2012. Chief asked for the Solicitor to write up a policy for the borough stating the police officers must wear a protective vest gear; the FOP state it under their policy.

Motion was made by Michael Kokinda, second by William Chapman to accept the Police Report for October. Motion was opened to the floor for comment; none made; All were in favor, motion approved.

**Planning and Zoning Report** – Council received copies of the Planning and Zoning report from Larry Marek, Zoning Officer for the month of October 2011. Larry Marek stated he was very upset with Council members about the comments that were made at the September meeting about apologizing on his behalf concerning the zoning permits for James and Kathleen Gieniec. Larry stated his side of what had happened between the Gieniec's and did send letters stating they did need permits for the shed and rebuilding of the back porch. Council members stated they were not aware of the situation and the next time will talk with Larry before making any comments and or decisions. Motion was made by Harry Miller, second by William Chapman to accept the Planning and Zoning Report for October 2011. Motion was opened to the floor for comment; none made; all were in favor; motion approved.

**Work Leader Report** – Council received copies of the Work Leader Report from Joseph Kosalko for the month of October 2011. Motion was made by William Chapman, second by Michael Kokinda to accept the Work Leader Report for October 2011. Motion was opened to the floor for comment; none made; all were in favor; motion approved.

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**Tax Collector Report** – Joseph Weber, President read the Tax Collector's Report for the month of October 2011. Alice Kane submitted total taxes revenue of \$4,448.02 with a commission of \$222.40. Motion was made by Harry Miller, second by William Chapman to accept the Tax Collector Report for October 2011. Motion was opened to the floor for comment; none made; all were in favor; Motion approved.

**Wage Tax Report** – Joseph Weber, President read Berkheimer's Wage Tax Report for the month of October 2011; total Earned Income Tax of \$17,287.77 with a commission of \$342.80; total LST for October was \$49.10 with a commission of \$1.02. Motion was made by Harry Miller, second by William Chapman to accept the Wage Tax Report for October 2011. Motion was opened to the floor for comment; none made; all were in favor; motion approved.

**Receipts** – Susan Gibiser, Secretary/Treasurer read the total General Fund receipts for the month of October 2011; were \$84,053.80 and the total Sanitation Account receipts were \$22,280.55. Motion was made by William Chapman, second by Harry Miller to accept the receipts for October 2011. Motion was opened to the floor for comment; none made; all were in favor; motion approved.

### **Committee Reports** –

**Streets**—The Christmas lights will be put up the week before Thanksgiving.

**Building**---Michael Kokinda stated they are still working on the kitchen at the recreation center.

**Fire and Emergency Services**----There will be a Chinese Auction on 11/20/11

#### **Recreation**

Monica Marshall from Recreation Committee stated there are still some issues with the kitchen; they got the floors stripped and cleaned for \$350.00 and asked the borough to pay for it. Monica asked for "No Parking" signs in the lot since residents are parking there when there are no activities, and then still parked there when there are activities.

Motion made by Michael Kokinda, second by Harry Miller to accept the Committee Report for October 2011. Motion was opened to the floor for comment; none made; all were in favor; Motion approved.

## Communications

- 1) Invitation to the Carbon County Economic Development Corporation Annual Meeting and Dinner at the Mahoning Valley County Club.....**Wednesday, December 7, 2011 @ 4:00PM**
- 2) Notice of Property Assessment and Revision of Taxes
  - Increase of Occupation.....12
  - Decrease of Occupation....16
  - Property Assessment Changes.....1----- Decreased.....1----Increased
- 3) Notice of Board of Assessment Appeals Determinations for Tax year of 2012
- 4) Survey from ICMA.....International City/County Management Association, pertaining to what local governments are doing that relates to the adoption of Solar Energy.
- 5) NEPA (Northeastern PA Alliance) Annual Report for July 2010 to June 2011

**Motion was made by William Chapman, second by Michael Kokinda to accept communications for October 2011. Motion was opened to the floor for comment; none made; all were in favor; motion approved.**

**Bills** – Secretary/Treasurer, Susan Gibiser read the total expenses for the General Account for the month of October 2011 were **\$110,823.12**; the total expenses for the Sanitation Account were **\$23,037.94**. **Motion made by Michael Kokinda, second by Harry Miller to approve payment of all bills for the month from October 2011. Motion was opened to the floor for comment; none made; all were in favor; motion approved.**

## Old Business

Joseph Matika, Solicitor stated he has revised the Landlord Ordinance per the Council's recommendations; Joseph requested Council members to review the ordinance prior to next month's council meeting; then ordinance can be reviewed again and possibly adopted. There were several public comments and questions about the ordinance; all questions and concerns were answered by Joseph Matika. Councilman, Harry Miller asked several questions concerning the ordinance; who will be the CEO and what fees will it cost the borough; the landlord being delinquent of taxes; the cost of inspections to the landlord. There was a lengthy discussion pertaining to the fees, CEO Officer; cost to the borough for administration fees. Council members decided to make some minor changes to the ordinance: the application fee will be \$75.00; CEO inspection will be done within ten (10) business days.

**A motion was made by Michael Alabovitz, second by Michael Kokinda to advertise for the intent to adopt Ordinance No. 3 of 2011, with the above changes, then to adopt at the December 12<sup>th</sup> council meeting; motion was opened to the floor.**

**VOTES: Joseph Weber---YES; Michael Alabovitz---YES; Harry Miller---NO; William Chapman---YES; Michael Kokinda---YES. Motion approved.**

## EIT, Tax Collections by Centax; Resignation from Workforce

Joseph Matika, Solicitor stated Council needs to pass the following motions concerning borough business:

1) To motion to advertise the intent to adopt the ordinance of reacting and amending the borough ordinance of EIT tax revenue and collections. **A motion made by William Chapman, second by Michael Alabovitz to advertise the intent to adopt an ordinance of reacting/amending the borough ordinance of EIT tax revenue and collections. Motion was opened to the floor; none made; all were in favor. Motion approved.**

2) To motion to advertise the new ordinance. **A motion made by William Chapman, second by Michael Kokinda to advertise the adoption of the Ordinance new EIT tax collector, Centax, motion opened to the floor; none made; motion approved.**

3) To motion to accept the resignation from Joseph William, Workforce worker, effective 09/01/2011 **A motion made by Michael Kokinda, second by William Chapman to accept Joseph Williams resignation, effective September 1, 2011; motion opened to the floor; none made; motion approved.**

## 66 New Business

### 1) Garbage Exemptions for October 2011---None

There was a discussion pertaining to the Garbage Exemption Ordinance; some Council members stated they wanted to stop offering any exemptions. Joseph Matika, Solicitor stated council can not change the ordinance pertaining to the exemption due to the fact of the contract with Tamaqua Transfer. Susan Gibiser, Secretary stated since the borough sends bills quarterly, exemptions should be quarterly; council agreed.

A motion was made by Michael Kokinda, second by William Chapman to amend the garbage ordinance to state exemptions will only be accepted quarterly (January, April, July, October) starting in 2012. All Council Members, except Harry Miller were in favor; Motion approved. Joseph Matika will need to review the previous ordinance and contract with Tamaqua Transfer to make sure this can be done without any issues.

### 2) Handicap Applications and or Renewals

#### 1) Richard Jones---New Application

A motion made by Harry Miller, second by Michael Kokinda to approve the above Renewal Handicap application. Motion was opened to the floor for comment; none made. Motion approved.

### 3) Resolution No. 2 of 2011---Corporate Resolution of Signatures for Nationwide Insurance

A motion made by William Chapman, second by Michael Kokinda to authorize the Council President's, Council Vice-President and Secretary/Treasurer signature for the Nationwide Insurance Resolution. Motion opened to the floor; none made; all were in favor; motion approved.

### 4) Letter from Summit Hill Water Authority---Reappointment of Patrick Kane

Council tabled this discussion since reappointments are done at the reorganization meeting in January

5) Joseph Matika, Solicitor was contacted by Attorney Robert Yurchak in September that there is an old bank account from 1987, under the Council of Governments which Lansford, Coaldale, Summit Hill and Nesquehoning were involved needs to be closed and the proceeds will be split among each borough.

A motion made by Michael Kokinda, second by Harry Miller to close the account and splits all proceeds among each borough; motion opened to the floor; none made; motion approved.

## BUSINESS FROM COUNCIL MEMEBERS

Susan Gibiser, Secretary, stated to Council members, dates for Budget Workshop/General Meetings needs to be set at this meeting. The following dates will be advertised as Budget Workshop/General Meetings:

November 29<sup>th</sup>, December 6<sup>th</sup>, December 13<sup>th</sup>, December 20<sup>th</sup>, starting at 6:30pm

Respectfully,

*Susan K. Gibiser*  
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Secretary/Treasurer  
Summit Hill Borough

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