

Summit Hill Borough Council
November 12 2012, 7:00 p.m., Borough Hall

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

Roll Call – Michael Kokinda, John O’Gurek, Michael Alabovitz, William O’Gurek, Jesse Walck, William Chapman, Mayor Paul McArdle and Solicitor Michael Greek were all in attendance.

Minutes – Motion was made by John O’Gurek, second by William O’Gurek to approve the minutes from October 8, 2012 Council Meeting; all in favor; motion was opened to the floor for comments; none made; Motion approved.

At this time, President Michael Kokinda introduced Zachery Williard from PFM Group to review, discuss and present to Council Members an update on the Refinancing the 2008 Series Go Bonds. Zachery introduced Michael Gaul, from King, Spry; the Borough’s Bond Council. Zach reviewed the Bond Refinancing documents stating the figures and amounts of refinancing. Zach stated that Borough Council must decide tonight an amount that considered the “Savings Target” that must be met by bidding in order to proceed with the Bond Refinancing. Michael Gaul stated he has reviewed the documents and stated the Borough is in very good condition to refinance at this time; the market and rates are low. The Borough is refinancing the original Bond at this time, not obtaining another Bond. The Borough will need to pass a motion for Ordinance #3 of 2012 as Amended; stating to move forward with the Refinancing with an amount of saving projected by the Borough Council.

A motion made by Jesse Walck, second by William Chapman to adopt Ordinance #3 of 2012 as Amended and continue with the Bond Refinancing with PFM Group; with amount of savings to be at least \$60,000.00; Motion was opened to the floor for comments; none made; Motion approved.

Floor

President, Michael Kokinda stated to the public the Borough has advertised to adopt Ordinance No. 2 of 2012; which is the 2012 Edition of the International Property Maintenance Code Updates which pertains to regulating and governing the conditions and maintenance of all properties by standards for utilities, facilities, sanitary fit to occupation and use; the demolition of existing non compliance structures; collections of permits and fees for the Borough. Michael stated it is not Agenda 21 and was not aware of this procedure of action. Michael Greek, Borough Solicitor, reviewed and read Ordinance No. 2 of 2012 to the public and stated it has nothing to do with Agenda 21 or the International Property Maintenance Code; the Ordinance only references codes from the International Property Maintenance Code. The Borough has already adopted an Ordinance on file in 2003 for Property Maintenance.

Sandra Dellick, 99 West Mountaintop Rd; stated to Borough Council the UN Agenda 21 refers to municipalities adopting the International Property Maintenance Code and this violates a property owners rights to maintaining their property as they see fit. Michael Kokinda stated the Borough has adopted the previous ordinance to protect Borough property owners from other property owners who neglect their properties from maintaining it such as high grass, high weeds, dog feces, homes unfit for human occupancy, abandon homes left unattended and unmaintained. Michael Alabovitz stated he has read the International Property Maintenance Code and UN Agenda 21 is just a scare tactic stated to the borough residents to feel the Borough is taking over their property maintenance and this is not true. Sandra stated to Council to consider reviewing the ordinance and to adopt the Borough’s own property maintenance codes. Council Member, Jesse Walck asked Sandra if she was a lawyer; she stated she was not; Jesse stated Borough Council members take the advice of their borough solicitor when it ordinances for the Borough. Michael Greek, Solicitor stated the “International Property Maintenance Code” is a code book published for the purpose of property maintenance to following; each municipality can use and amend the codes to meet their needs for property maintenance. Borough Council members stated this ordinance is needed to make sure property owners maintain their property to meet safety standards in order for others not to get hurt if you don’t maintain the property.

The Borough can be liable for not enforcing borough codes for building falling apart, sidewalks torn up, debris falling on to sidewalks and other property; Jesse Walck stated: "No one has the right to put anyone in arms way of danger."

Ed; 12 West Fell Street: stated he has attended several rallies concerning the Agenda 21 and is untrue to the American citizens and their properties; it's a scare tactic.

Charles Ahrens, 211 East Fell Street: stated he is concerned for Borough residents if they don't maintain their property up to this ordinance's codes, what is the Borough going to do? Take the property. Council stated, letters would be sent to advise them of the violations, not to take the property. Residents would have a certain amount of time to do repairs to the property. Michael Greek again stated this Ordinance is to prevent property owners to neglect their property and become a nuisance to surrounding neighbors. Council stated the Borough can not afford to hire personnel to write a Property Maintenance Code book just for the Borough of Summit Hill, it would be too costly. Charles asked what would happen if Council did not pass this Ordinance? Council stated property owners would not maintain their property to meet UCC codes, Borough codes; health and safety for borough residents for be a big concerns and an issue for the Borough; residents would be complaining a lot more.

Mr. Thomas; 151 East Mountaintop Rd; stated he agreed with Council members needed to adopt an Ordinance to have property owners maintain their property to meet safety issues and concerns for residents; does it have to be stated as: International Property Maintenance Code. Michael Greek stated the Borough is on referencing the codes from the International Property Maintenance Code book, with amendments to the Borough's needs for property maintenance.

Robert Daze, Jim Thorpe: stated he does not like the International Property Maintenance Code book due to the fact it could be taken away independent freedoms from property owners.

Valerie Nirato, 14 Schoolhouse Rd, Jim Thorpe: read several amendments from the Constitution to Borough Council members; referring to freedoms, liberty and rights property owners have on their property.

At this time, President Michael Kokinda requested a motion from Borough Council members.

A motion made by Jesse Walck, second by William O'Gurek to adopt Ordinance No. 2 of 2012; motion was opened to the floor for comments; Pat Rabayda commented: if this ordinance does not work for the Borough, what then? The Borough Council stated: the Ordinance can be amended or repealed; no further comments were made; Motion Approved.

Tammy Hall, 21 East Amidon Street: stated she rented the Recreation Center two (2) weeks ago and when she went to decorate the hall for the party, it was a complete mess; food on the floor, buffet area had mold on it and in the water, sink was severely clogged and no water would drain down; the fridge was set on high temp and there was spoiled food left in it; oven was filthy and the entire kitchen area was a complete mess. Tammy stated she was glad that most of their food was prepared ahead of time since there was no area in the kitchen to put the food, since it was not clean at all. Monica stated he went over as soon as Tammy called and helped clean up for their party. Tammy stated that Monica really did a good job assisting her with cleaning the hall to get ready for the party. Borough Council stated the Recreation committee should be checking after each event to make sure the hall is clean after the event for the next event or keeps the deposit that is requested with the reservation. Monica stated that someone does check the hall after each event; Monica stated the Recreation Committee had a meeting last week and requested from Council if the Borough workers could clean the hall on a weekly basis, then the people who rent the hall are just responsible for tidy up the hall between each event. Council stated the Borough workers are very busy during most of the year and would not be able to provide cleaning services to the hall. It was suggested by Shawn Hoben to hire someone or a cleaning service to clean the hall on a bi-weekly basis. Borough Council members stated they will look for someone who can clean the hall and will take review this at the next meeting.

Shireen Parsons, 113 E. Holland Street; stated her house as been on the market for quick awhile now and her realtor has stated to her about the property located behind her home is in need of repairs, painting and up keep. Shireen asked Council if anyone from the Borough office can keep an eye on her property since she is not living there anymore to make sure the property is looked after. Council stated they are not responsible to look after properties; should consult your realtor or family or friends to look after the property.

Kandy Stevens, 116 E. Amidon Street; stated she lives and rents the home behind Shireen Parsons and feels Ms. Parsons is just picking on this property, her children since her home as not sold. Kandy stated the landlord is an excellent landlord and takes care of everything immediately if there is something wrong.

128e Borough secretary stated a letter has been sent to the landlord; received an immediate response and he will clean, paint the outside of the home and make sure tenants keep yard, trash and all areas clean. Kandy stated the yard is always keep clean of trash; the weekly trash bags are put in barrels; only toys, bikes are kept in the backyard for her children. Borough Council stated they feel there are no issues with this property since the landlord has contacted the Borough office and will comply with recent complaints.

Mayor's Report – Council received a copy of the Mayor's Reports for October 2012. The magistrate income for October was **\$ 837.83**; **Motion was made by Jesse Walck, second by William Chapman to approve the Mayor's Report for the month of October 2012**; all in favor; motion was opened to the floor for comment; none made; Motion approved. Paul stated he would like to thank Kevin Steber, Kira Michalik and all the volunteer firemen, Recreation Committee and borough residents for their help with sending supplies to residents in New Jersey.

Police Report – Council received a copy police reports for October 2012; Chief Fittos stated the AED is in needs of repairs or purchase a new one, possible thru a state contract vendor. Chief Fittos stated the cost for repairs would be approximately \$400.00 to \$700.00; a new one would be approximately \$1200.00 or more. Chief Fittos stated there was a meeting with the Mayor and himself to interview Joseph David as a Part-Time police officer; Chief would like to hire him; Melville Tomeo has turned in his uniform and resigned as a part-time officer. **A Motion was made by William Chapman, second by Jesse Walck to hire Joseph David as a new Part-time police officer for the borough effective immediately; motion was opened to the floor for comments; none made; Motion Approved.** Chief Fittos requested if he could attend a training session located in south Whitehall called "Officer Down 2012"; there is no cost for the training. **A Motion was made by William Chapman, second by William O'Gurek to allow Chief Fittos to attend the training on November 27th; motion opened to the floor for comments; none made; Motion approved.** **A motion was made by William O'Gurek, second by Jesse Walck to approve the Police Report for the month of October 2012; all in favor; motion was opened to the floor for comment; none made; Motion approved.**

Code Enforcement Report – Council received a copy of the Code Enforcement report for November 2012. Council member William Chapman stated he is not happy with the Code Enforcement report. Donald Smelle at 125 East Fell Street, does not own the property located at 14 North Chestnut Street anymore and would appreciate it if his name could be removed; the bank owns the home presently. William Chapman stated he has questions for Barry Isett & Associated concerning the abandoned properties. **Motion was made by Michael Alabovitz, second by Michael Kokinda to accept the Code Enforcement Report for October 2012**; motion was opened to the floor for comment; William Chapman stated he does not agree with making a motion to approve this month's report; Motion approved.

Planning and Zoning Report – Council received a copy of the Planning/Zoning report for October 2012. **Motion was made by William O'Gurek, second by Jesse Walck to accept the Planning/Zoning Report for the month of October 2012**; the motion was opened to the floor for comments; none made; Motion approved.

Work Leader Report – Council received a copy of the Work Leader Report for the month of October 2012. Susan Gibiser, Borough Secretary stated she received a request from the Borough workers to ask Council members if winter parking signs could be ordered; these will be permanent signs and will cost more. Council members stated it should be budgeted and workers should order the signs. **Motion was made by Michael Alabovitz, second by William O'Gurek to accept the Work Leader Report for the month of October 2012**; all in favor; motion was opened to the floor for comment; none made; Motion approved.

Tax Collector Report -- Borough Secretary, Susan Gibiser read the Tax Collector's Report for the month of October 2012; Alice Kane submitted total taxes as \$7,896.24; with a commission of \$394.82; **Motion was made by William Chapman, second by William O'Gurek to accept the Tax Collector Report for October 2012**; all in favor; motion was opened to the floor for comment; none made; Motion approved.

Wage Tax Report – Borough Secretary, Susan Gibiser, read the Wage Tax Report for the month of October 2012; Total submitted for EIT taxes from Berkheimer was \$16,643.34; Commission of \$249.65; LST was \$143.61, with a commission of \$6.37; **Motion was made by Jesse Walck, second by William Chapman to accept the Wage Tax Report for October 2012**; all in favor; motion was opened to the floor for comment; none made; Motion approved.

Receipts – Borough Secretary, Susan Gibiser, reported the General Account receipts for October 2012 were \$23,692.48; Sanitation Account receipts were \$14,139.29. **Motion was made by William Chapman, second by John O'Gurek to accept the receipts for October 2012**; all in favor; motion was opened to the floor for comment; none made; Motion approved.

Committee Reports –

Streets – John O’Gurek stated the pulley is in and will get it; install next week.

Building – Michael Kokinda stated the Borough will be looking to hire cleaning service or someone to clean the Recreation Center.

Fire and Emergency Services— Shawn Hoben stated the heating system in the fire company is still not working. Michael Alabovitz stated he will look to see if he can locate a company to look at it.

Recreation--- Monica Marshall requested three (3) keys for Officers only for the front door for the Recreation center. Council will need to review the keys sets and will advise Monica at next month’s meeting; Monica stated the back door of the Recreation center does not lock, might need to have someone look at it; Monica asked if there was any way to get a dumpster for behind the recreations center; since people there for parties, are just putting the trash out back and it’s getting very messing with a lot of trash being thrown out there. Borough Secretary will call Tamaqua Transfer and inquiry about a dumpster. Christmas on the Hill will be on Saturday, December 15th with Santa arriving at 10:30am and then will follow with having breakfast with Santa.

Motion was made by William Chapman, second by Jesse Walck to accept the Committee reports for October 2012; all in favor; motion was opened to the floor for comment; none made; Motion approved.

Communications—No Communications this month

Bills –Borough Secretary, Susan Gibiser, stated the expenses for the General Account for October 2012 were \$69,906.31; total expenses for Sanitation Account were \$22,989.37 for October 2012; **Motion was made by William Chapman, second by John O’Gurek to pay all bills for the month of October 2012; all were in favor; motion was opened to the floor for comments; none made; Motion approved.**

Old Business

1) **Proposal on Refinancing 2008 Go-Bond—Presented by Zach Williard, The PFM Group**

Zachery Williard from PFM Group to review, discuss and present to Council Members an update on the Refinancing the 2008 Series Go Bonds. Zachery introduced Michael Gaul, from King, Spry; the Borough’s Bond Council. Zach reviewed the Bond Refinancing documents stating the figures and amounts of refinancing. Zach stated that Borough Council must decide tonight an amount that considered the “Savings Target” that must be met by bidding in order to proceed with the Bond Refinancing. Michael Gaul stated he has reviewed the documents and stated the Borough is in very good condition to refinance at this time; the market and rates are low. The Borough is refinancing the original Bond at this time, not obtaining another Bond. The Borough will need to pass a motion for Ordinance #3 of 2012 as Amended; stating to move forward with the Refinancing with an amount of saving projected by the Borough Council. **A motion made by Jesse Walck, second by William Chapman to adopt Ordinance #3 of 2012 as Amended and continue with the Bond Refinancing with PFM Group; with amount of savings to be at least \$60,000.00; Motion was opened to the floor for comments; none made; Motion approved.**

2) **Handicap Parking Permits & Renewals**

Elaine Trudich, 333 W. Ludlow Street; This application had been previously denied by Borough Council due to there is a garage on the premises and off street parking in front of the home. John O’Gurek stated she came to his resident and requested to have Council Members review her application again; she stated her health is in very bad condition. John O’Gurek is requesting Council to review the application again; Council Members stated the doctor’s section is not legible to understand; she must submit another doctor’s reasoning for her handicap that is legible for another meeting and Borough Council will review it at the time and render a decision. **Motion made by Jesse Walck, second by William O’Gurek to table any decision at this time; no comments; motion approved.**

New Business**1) Discussion and Adoption of Ordinance No. 2 of 2012-Update of Property Maintenance Code**

This was discussed at the beginning of the meeting and adopted. A motion made by Jesse Walck, second by William O'Gurek to adopt Ordinance No. 2 of 2012; motion was opened to the floor for comments; Pat Rabayda commented: if this ordinance does not work for the Borough, what then? The Borough Council stated: the Ordinance can be amended or repealed; no further comments were made; Motion Approved.

2) S.H. Snow Emergency Plan

Borough Council members have reviewed this Snow Emergency Plan at their meeting with the Borough Workers

3) Letter Received for Planning Commission Board

The Borough Secretary, Susan Gibiser stated she received a letter of interest from Ryan Stoa stating he would be interested in serving on the Planning Commission Board.

Motion made by William Chapman, second by John O'Gurek to accept the letter of interest from Ryan Stoa to serve on the Planning Commission; motion opened to the floor for comments; none made; Motion approved.

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4) PenTeleData---New Contract Approval

Borough Secretary, Susan Gibiser received a three (3) contract renewal from PenTeleData; with better serve and upgrade to internet service

Motion made by William Chapman, second by Michael Kokinda to approve the contract renewal for three (3) years with PenTeleData; motion opened to the floor for comments; none made; Motion approved.

4) Handicap Parking Permits & Renewals

1) James Derby, 9 West Holland Street: A motion was made by William O'Gurek, second by William Chapman to APPROVE the handicap renewal application; motion was opened to the floor for comments; none made; Motion approved

2) Richard Jones, 19 N. Oak Street: A motion was made by William Chapman, second by Michael Alabovitz to APPROVE the handicap renewal application; motion was opened to the floor for comments; none made; Motion approved

3) Robert Murlo, 456 West White Street: A motion was made by Jesse Walck, second by William Chapman to APPROVE the handicap renewal application; motion was opened to the floor for comments; none made; Motion approved

EXECUTIVE SESSION

No Executive session. Borough Council will hold a Special Meeting to discuss Budget and General Purposes on Monday, November 26, 2012 at 6:30pm.

Adjournment

Motion made by William Chapman, second by Jesse Walck to adjourn at 8:45 p.m. until the next regular scheduled meeting on December 10, 2012



Susan K. Gibiser
Secretary/Treasurer