

Summit Hill Borough Council
April 28, 2014, 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 Jesse Walck presiding.

Roll Call – President Jesse Walck, Vice President Michael Kokinda, Michael Alabovitz, Greg Kosciolk, John O’Gurek, Bill Chapman, William O’Gurek, and Solicitor Michael Greek were all in attendance. Mayor Paul McArdle was absent.

Minutes – Motion was made by John O’Gurek and second by Greg Kosciolk to approve the March 24, 2014 meeting minutes. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor Session

1. Maxine Vermillion, representing the Summit Hill Historical Society, reporting on the Ludlow Street Project. It is the 125th Anniversary of the Borough and the 100th Anniversary of Ludlow Park. She gave Council a handout of the update on Ludlow Park as well as the upcoming events. She stated that it was supposed to be a 3 year project but it is moving along quickly. They received half the money they need from SHCIO when they folded and had to put over \$60,000 into the park. They have depleted the treasury of the Historical Society but continue to work hard to raise money. There are questions as to what the borough is going to do with the old benches. The Historical Society was hoping that if they were to be sold that they could keep the profits to continue with the project. Maxine informed Council of the special events coming up:

June 26th – Civil War music program at the GAR Cemetery and Heritage Center, free admission (received a grant)

June 27th – Mule Driver’s Ball – Heritage Center

June 28th – 11:00 a.m. Ludlow Park Rededication and celebration of the 125th anniversary of the borough, dedication of the memorial tables and benches and Civil War re-enactor Ted Dombroski will be present

June 29th – Hootenanny and drawing for the lottery winner

Maxine stated that they are trying to raise more money and hoping that next year they can complete the project but would like help from Council. Jesse asked if she had estimates on the costs to complete the project. Maxine said that the benches and tables have arrived and will be put together this coming weekend. **Motion was made by Mike Alabovitz and second by William O’Gurek to allow the Summit Hill Historical Society to sell benches and tables at a price they see fit and keep the money.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

2. Joann Griffin, 20 West White Bear Drive, was wondering about the noise ordinance. Police are being called because a radio is playing. Mr. Mechling jumped in and stated that the police were called on him because he was playing music while he and his grandchildren were out working on his vehicle. Mrs. Griffin stated that a lawn mower is probably louder than his music.
3. Karen Ruzicka, 150 East Fell Street, is inquiring how to get rid of electronics because there is no clean-up for electronics. Electronics are still laying around from the last clean up. Kira stated that Larry Eidem will come and collect electronics for a small fee. Kira can put something in the newspaper and put the information on the website.

4. Monroe Mechling, 17 West White Bear Drive, is here to address the constant complaints made about him. He stated that every year the police are called to his home 10-12 times. There are video cameras pointing at his property and Mr. Gryzik's property instead of pointing at the street. There are cameras pointing at his back yard watching his grandchildren when they are playing. Has been harassed for the past 6 years. Police have already been called 5 times this spring about cars being parked the wrong way on his property. This is costing the Borough money and is harassment. As for the noise level complaint, he was working on his Jeep and his grandson had the radio playing on the porch; it was not that loud. Three days ago, the Kasprzak's had a tiller running on the front porch for hours, he did not call the police. Three weeks ago he was sent a letter about cleaning up his property. He has gotten tags for the vehicles and fixed the brakes. There has been a car sitting at the Kasprzak's residence for six years with a tree growing out of it and nothing has been done about that. Complaints about the pallets stacked in front of the house and the wood delivered and sitting in the back yard. That has been taken care of. He has never complained about the neighbors even though they are always complaining about him, it is not his place to do so. Mr. Mechling said the house at 11 West White Bear Drive has no electric meter, the line is gone and has frayed wiring. If his three year old touches that, he could be electrocuted. Lightning rods laying on the roof instead of being attached or removed. This is a fire hazard. Mr. Mechling will be fixing the problem with his septic by the end of the year and if it is not fixed by the end of the year, he will very gladly turn his house over to Council. The Kasprzak's property needs to be looked at by a structural engineer. There is a shed with busted cement blocks turned sideways holding up the side of the building which is going to crack and bust. Pictures are being taken of Mr. Mechling's house from up the street. They watch him from their windows. One of the pictures presented to Council is of the Kasprzak's sewage lines coming out of the house into the water drain line; this is not legal. Every time it rains the Sewage Enforcement Officer is called on Mr. Mechling to make sure he gets his property pumped. Mr. Mechling is working on getting the problem fixed as quickly as he can. The neighbors will not drive him out of here, he likes his home. He just wants to be left alone. Suggestion of sending the code officer down to the properties. Wayne Gryzik is also concerned. He thinks it would be a good idea to send Lehigh Engineering down to check out the Kasprzak property, the pictures speak for themselves. Mr. Mechling states there should be proper footers and a proper foundation and there is not. There has not been any citations written. Chief Fittos said that every time the police have been there, Mr. Mechling has been very cooperative. Pictures are of the yellow house at 11 West White Bear Drive (Fritz residence) and the white house at 10 West White Bear Drive (Kasprzak residence). Jesse Walck asked Mr. Mechling if this an official complaint. He said yes it is. Jesse asked Kira to get Mr. Mechling 2 complaint forms.
5. David Kasprzak stated that he has an issue. Jesse said that we will not sit here and listen to an argument again. He also stated that Mr. Kasprzak did not sign in and is not entitled to speak. Mr. Kasprzak said that according to the Sunshine Act, you have to explain why there is a time limit.

Mayor's Report – Chief Fittos reported the magistrate income for March 2014 was \$611.70. **Motion was made by Bill Chapman and second by Michael Kokinda to accept the Mayor's report for the month of March 2014.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Police Report – Chief Joe Fittos read the Police report for March 2014. Chief Fittos asked if Council had a chance to review the Weapon Light Policy. No questions from Council. **Motion was made by Mike Alabovitz and second by Greg Kosciolk to approve the Weapon Light Policy.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. A letter of resignation was received from Officer Bruce Broyles effective immediately. **Motion was made by Mike Alabovitz and second by Mike Kokinda to accept Officer Bruce Broyle's letter of resignation as a part-time police officer effective immediately.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Chief Fittos said there is a wiring issue on the Vascar system in the Crown Victoria.

The estimate if they come here is \$400 or \$200 if we take it to them. The issue could be in the head of the unit. Joe was wondering if the borough workers could run the car down for repair. Jesse said since it doesn't have to be fixed immediately, we will have the workers drive it down for repairs the next time they are going for training in the area. Chief Fittos had an interview with Chris Conarty and would like to hire him as a part-time officer. **Motion was made by Michael Kokinda and second by Bill Chapman to hire Chris Conarty as a part-time police officer.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. **Motion was made by William O'Gurek and second by Bill Chapman to accept the Police Report for the month of March 2014.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Planning and Zoning Report – Zoning Officer, Bill Kirklosky, read the zoning report for the month of March 2014. Plans to have a review for the planning and zoning boards. The Zoning Hearing Board meeting is May 14th and Planning Commission is May 21st. Bill will be changing his day he will be in the office from Monday to Wednesday; same hours 12-4, beginning May 7th. Tom Tkach stated that they are in need of another member on the Planning Commission and Wayne Gryzik is interested. **Motion was made by Michael Kokinda and second by Bill Chapman to appoint Wayne Gryzik to the Summit Hill Planning Commission for a 3 year term expiring 2016.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. John O'Gurek inquired about a property on the 200 block of East Ludlow Street that seems to be turning a garage into an apartment. A big bay window has been placed where there was a garage door. To him it seems that there are two residences on one property. Bill is already looking into the issue. The county tax office was not aware of the building even being there. The work needs to be presented to the planning board for approval. The work has been stopped until he has the proper permits. Bill was informed that this is being done for an elderly lady. Bill stated there is no record of any permits on file. The UCC gave a permit for building and electrical. He received copies of the permits in the mail, which is when he found out about it. The enforcement officer was not aware that Bill did not know about this. Kira said that in the past copies of anything Bill approves were sent to the inspector, so he knows what is going on. Bill still does this. Mike Alabovitz states that Lehigh Engineering needs to be checking with zoning before issuing any permits. **Motion was made by Bill Chapman and second by Michael Kokinda to accept the Planning and Zoning Report for the month of March 2014.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Work Leader Report - **Motion was made by John O'Gurek and second by Greg Kosciolk to accept the Work Leader Report for the month of March 2014.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Stone Property – Bill Chapman asked what the status of the property is. Michael Greek stated the estate is an insolvent estate, which means there is no money in the estate to make repairs, so an action will have to be filed against the estate to either take over the property and tear it down or it will go up for tax sale. The property can be condemned. Atty. Greek does not know how far behind it is in property taxes. A neighbor is possibly interested in buying the property. The property can be claimed for eminent domain, torn down and can be sold for more money, but then it will be a vacant lot and people will not want to pay the price for what it cost to tear it down. There could be an outstanding mortgage on the property. A title search for mortgage can be done but if there is a value, you must pay fair market value. If there are no liens, we can talk directly to the attorney for the estate and tell him you are interested in the property and it is in bad shape. Atty. Greek will find out more information before the next meeting.

Tax Collector Report – Tax Collector, Alice Kane, has submitted a total of \$93,203.49 with a commission of \$3,728.14 from April 1-15, 2014. **Motion was made by Bill Chapman and second by John O'Gurek to accept the Tax Collector Report from April 1-15, 2014.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Wage Tax Report – Borough Secretary, Kira Steber, read the Wage Tax Report for the month of March 2014. Berkheimer submitted a total EIT of \$15,240.87 with a commission of \$263.71 and postage charges of \$5.85. Total LST submitted was \$153.81 with a commission of \$3.15 commission and postage charges of \$10.05. **Motion was made by Bill Chapman and second by William O’Gurek to accept the Wage Tax Report for the month of March 2014.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Receipts – Borough Secretary, Kira Steber, read the receipts for the month of March 2014. General Fund receipts were \$54,532.33, Sanitation Account receipts were \$6,208.79 and Community Center receipts were \$375.00. **Motion was made by Bill Chapman second by Michael Kokinda to accept the receipts for the month of March 2014.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports

Streets – John O’Gurek stated that the paver is back. As soon as the streets are swept, paving can begin. Kira Steber said the street sweeper has broken down, a part has been ordered to fix it, hoping it will only take a day or two. Jack added that the State bidding for trucks is happening now. There is a truck in Lehighton that has similar mileage to what the borough has now; there are at least 3 that are close by. Mike Alabovitz would like to look at more than just one. This time you must enter the minimum bid, does not start with your bid. The auction will end on May 7th. When bidding on something from the turnpike, you are bidding against a tremendous amount of people. If it rains, they should go look at trucks.

Buildings – Mike Alabovitz explained that PPL has a program where they are willing to give up to 10 LED light fixtures as well as 10 occupancy sensors per building. They are 18 watt LEDs. The borough will have to pay up front but will be reimbursed through the program. **Motion was made by Mike Alabovitz and second by John O’Gurek to move forward with the electrical upgrades through the PPL program.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Kira gave an update on the Community Center. She said it is being rented out, but she is still fighting with the company who cleaned the vents because of the smell. Servpro has been there daily for the past week and she has been meeting with them. She has been back and forth with the insurance adjustor and is still fighting for some things, but it is mostly back up and running. Kira would like to personally thank Andy McFadden for moving the lift in and out of the building for her every couple of days, which is not an easy process to do.

Fire and Emergency Services – Nothing to report at this time.

Recreation – Jodi McAndrew, President of the Recreation Commission, said that Easter on the Hill had about 75 children in attendance. The 5K is coming along very well. They have received lots of donations and have about 15-20 registrations so far. She did mention that the track will not be ideal for their route but it should still be fixed. On June 10th, they will be meeting with the representative from DCNR to go over the layout of the park and see what types of grants they should be looking into. Kira said there is a copy of the letter requesting the Summit Hill Police and the Summit Hill Fire Police to help with the run as well as a map of the route. Michael Alabovitz stated that the 209 Fusion Volleyball Team is requesting borough permission to set up a stand at Vermillion’s Dental Office on Memorial Day to sell hot dogs and water while setting up for the parade, before the ceremony. **Motion was made by Mike Alabovitz and second by Greg Kosciolk to approve the request for 209 Fusion to set up a food stand at Vermillion’s Dental Office on Memorial Day.** The motion was opened to the floor for comment; none made. Motion was carried unanimously by Council. Jodi had stated that they will be selling breakfast sandwiches in front of the Community Center on Memorial Day before the parade. Kira said to make sure to check with the fire company to make sure that nothing will be conflicting with what the fire company does for the parade. Mike Alabovitz said that there should be no problems.

Motion was made by Bill Chapman and second by Michael Kokinda to accept the Committee Reports. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Tom Tkach feels that the ruts in the Ginder Field were made by the Breaker Boys. He said the ruts in the field are a foot deep. Kira said she told them about it after the last meeting. John O'Gurek stated that about a week ago he saw a vehicle on the field over by the bleachers. Kira will call one more time and tell them this is the last warning. Police Chief Joe Fittos said a sign stating No Unauthorized Vehicles needs to be put up in order to cite them.

Communications –

Communication for the Month of April 2014

1. Letter from St. Joseph's Church in regards to Annual Festival – Letter Attached – Needs Approval
2. Letter from Hazelton YMCA & YWCA in regards to 2014 edition of the Anthracite Triathlon – Letter Attached – Needs Approval
3. Letter from Jared Soto from POWER - Letter Attached
4. Notice of Assessment Appeal and Revision of Taxes
5. PSAB 2013 Annual Report
6. Letters from System Design Engineering, Inc. in regards to SHWA Line Replacement Project – Letters Attached

St. Joseph's Annual Festival – Motion was made by Michael Kokinda and second by Greg Kosciolk to allow St. Joseph's Parish the permission to hold their annual parish festival July 18-20, 2014, to hold the Two Saint Scamper and 1st Annual Horseshoe Tournament on Saturday, July 5, 2014 and to have the procession of the statue of St. Gabriel on Sunday, July 20, 2014 at 3:00 p.m., blocking off the proper street and allowing the assistance from the Summit Hill Police and Fire Police during these events. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

2014 Anthracite Triathlon – Motion was made by Mike Alabovitz and second by Greg Kosciolk to allow the Hazleton YMCA/YWCA Triathlon Race Committee to hold their 2014 edition of the Anthracite Triathlon in the Borough on Sunday, July 20, 2014 starting at 7:00 a.m. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Kira explained to Council that we were contacted by the POWER program to see if we would be interested in having a park bench built by the consumers of the program, free of charge. We are the 3rd on the list for a bench and we will be contacted when it is ready to be delivered.

Motion made by William O'Gurek and second by Bill Chapman to accept all communications for the month of April 2014. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Bills – Borough Secretary, Kira Steber, reported total expenses for the month of April 2014. General Fund bills were \$95,965.95, Sanitation Account bills were \$23,151.35 and Community Center Account bills were \$140.00. Motion made by Mike Kokinda and second by Bill Chapman to approve the bills for the month of April 2014 with the exception of the check for Barry Isett & Associates in the amount of

\$4,332.52. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Old Business

Demolition of Bleachers – Mike Alabovitz is working on a proposal for a pole building to replace the bleachers; it is more extensive than he thought. Jesse would like to get a date in mind because it is going to take some time to bid out proposals for a building.


New Business

1. SHWA Line Replacement Project – Michael Kokinda stated that there are two letters from Design Engineering on behalf of the water authority, who is applying for grant money to replace water lines from Elm Street to Chestnut Street. Roadways are going to be resurfaced and they are looking at about \$80 a foot to replace water lines. Would like to talk with the borough engineer to replace the sewer mains. There are other places in town that are worse, but if they are going to be doing repairs here already, we could start there too. We need to start improving the sewer system. When it rains, there are sewer issues; it needs work. Sewer and water cannot be in the same trenches. Mike Alabovitz said to do it right it will cost somewhere around \$200,000 per block. Suggested putting an assessment on the sewer bill for capital improvement; maybe \$25 a quarter. Even with adding this fee, it will still take at least 3 years to have some sort of funding to do this. We cannot use tax dollars to fix the sewer lines.
2. Ordinance No. 4 of 2014 – Ordinance to amend Ordinance No. 6 of 1997 to regulate winter parking in the borough. This ordinance will make sure everyone is parking in the right direction and in line with the state law. **Motion was made by William O’Gurek and second by Bill Chapman to approve Ordinance No. 4 of 2014.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
3. Sanitation Contract – Atty. Greek stated that we are due to put the contract out on bid. He said that one thing we may want to look at is eliminating the fluctuating schedule for an increase or decrease in the number of collectable units and use a set number. Currently we are basing it on the number of exemptions we have per month. We can also consider a contract extension price which will allow you to extend the contract based on the bid or place something in the contract for calculating a cost increase to allow you to extend the contract without needing additional bids. Council is not bound to extend the contract but can elect to do so. An extension may be a more reasonable alternative than rebidding. If the provisions for extension are in the specs and the contract, it is a valid way to bid. Another thing to think about is to consider a one day pick up instead of two, like we currently have. Kira said that the last time we bid, we asked for a 1 year, 2 year and a 4 year contract to compare the prices. Mike Alabovitz also said he would like to see something for an electronics pickup. **Motion was made by Bill Chapman and second by William O’Gurek to extend the contract for one year with the provision to go to a one day a week garbage pickup and would like one day of clean up for electronics per year.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
4. 2nd Quarter Garbage Exemptions – Kira stated that she has four properties with exemptions for the 2nd quarter. **Motion was made by Bill Chapman and seconded by William O’Gurek to approve the applications for garbage exemptions.** Motion was opened to the floor for comment, none made. Motion carried unanimously by Council. Kira asked Michael Greek how to handle the exemptions with the talk of a new contract. Michael Greek said it should stay the same.

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5. Handicap Applications – Marie O'Donnell is a renewal application. **Motion was made by William O'Gurek and second by Bill Chapman to approve the renewal of Marie O'Donnell's handicap sign.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Catherine Evans is a new application. **Motion was made by Bill Chapman and second by William O'Gurek to approve the handicap sign for Catherine Evans.** Motion was opened to floor for comment; none made. Motion carried unanimously by Council. Fred Hellmund is a new application. **Motion was made by Bill Chapman and second by William O'Gurek to approve the handicap sign for Fred Hellmund.** Motion was opened to floor for comment; none made. Motion carried unanimously by Council.
6. Web Site Service Agreement Renewal – Kira stated it is time to renew the contract with Bobby O'Gurek's Web Design; nothing is changing with the contract. **Motion was made by Bill Chapman and second by Greg Kosciolk to renew the contract with Bobby O'Gurek's Web Design.** Motion was opened to floor for comment; none made. Motion carried unanimously by Council. John O'Gurek and William O'Gurek abstained due to being related to Bobby O'Gurek.
7. Blood Drive – Kira informed Council that there will be a blood drive on Wednesday, April 30 at the Hilltop Community Center from 2-6 pm. She asked that anyone who can, please donate.
8. Bids for Road Material – Kira asked for a motion to advertise for road materials for 2014. **Motion was made by Mike Alabovitz and second by Bill Chapman to advertise for road materials for 2014.** Motion was opened to floor for comment; none made. Motion carried unanimously by Council.
9. Bridge Loan Payoff – Need a motion to pay off the "Bridge Loan", a construction loan for the new building project. **Motion made by Michael Kokinda and second by Bill Chapman to pay off the bridge loan with First Niagara Bank for not more than \$50,000.** Motion was opened to floor for comment, none made. Motion carried unanimously by Council.

Motion was made by Bill Chapman and second by William O'Gurek to adjourn at 8:32 p.m. until the next regular scheduled meeting on May 19, 2014 at 7:00 p.m. Motion opened to the floor for comment, none made. Motion carried unanimously by Council.



Jesse Walck
Council President



Kira Steber
Secretary/Treasurer