

Summit Hill Borough Council
November 24, 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, Michael Alabovitz, Greg Kosciolk, John O'Gurek, Bill Chapman, and William O'Gurek were in attendance. Vice President Michael Kokinda and Mayor Paul McArdle were absent. Solicitor Michael Greek arrived at 7:05 p.m.

Minutes – Motion was made by John O'Gurek and second by Bill Chapman to approve the October 27, 2014 minutes. 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 approve the minutes from November 18, 2014. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor Session

1. Alex Sommers, 204 West White Street, stated that his wife sent a letter addressing Council asking them to reconsider giving her a handicap parking spot. Mr. Sommers explained his wife's medical conditions to Council. President Jesse Walck said it was denied because all the information was not given the first time. Mr. Sommers said he went around looking at other properties that have a handicap spot and saw others who have a garage or other parking and he has pictures to prove it. Jesse Walck said we just needed medical documentation to approve the handicap spot. **Motion was made by William O'Gurek and second by Bill Chapman to approve the handicap parking spot at 204 West White Street.** Motion was opened to the floor for comment, none made. Motion was carried unanimously by Council.
2. Chet Michalik, 354 West Iron Street, said he is there representing the Hilltop Support Group and all handicap people. He asked why the people who have permanent disabilities and people with incurable diseases are required to reapply each year for a handicap spot. This is the only Borough that requires a doctor's note plus a fee to reapply for a handicap spot. He feels that the ordinance should be changed. Council agreed that if there is a doctor's not stating that it is a permanent disability, there should be no issues. Council will have Mike Greek look into redoing the ordinance.
3. Steve Heckman, Cleveland Brothers/Caterpillar, said he was asked by Bill from their maintenance department regarding the demo of the asphalt roller. He understands the demo went well and was here to present information on financing and other information on a roller. He said a lot of municipalities are making payments with liquid fuels money or tax money. He stated he has a few quotes for Council right now offering a 5 year, 7 year or 10 year financing option. Steve said in the folder is a credit application and other information and mentioned that they are part of the Co-Stars Program. Steve said there is a one year bumper to bumper warranty. The cost is around \$43,000.00. The interest rate for 5 years or less would be 2.25% and for 5 years or over it would be 2.75%. Jesse mentioned a demo model. Steve explained that since the discount is so strong with the Co-Stars Program that you would be better off buying new. Michael Alabovitz said we could buy one that has 400 hours already on it and all we are going to save is \$6,000. He feels it is worth buying a brand new one. Jesse said they will take a look at the information and if there are any questions, they will give Steve a call.

Mayor's Report – Chief Fittos reported the magistrate income for October 2014 as \$603.49 from the Magistrate and \$673.57 from the County. **Motion was made by Bill Chapman and second by William O'Gurek to accept the Mayor's report for the month of October 2014.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Police Report – Chief Fittos read the police report for the month of October 2014. He also asked Council if they ever heard of the drug Narcan. He explained it is a drug given by EMS and is used to save an overdose victim. Joe explained that it is a law that Governor Corbett signed that allows first responders to administer the drug. There is a company donated over a thousand units to certain areas. Our area is highest so we were target area for this drug. It would be an injection that would be given. Leighton Ambulance was selected as the health care provider to administer the units and train the first responders. There will be no costs to the agencies and an agreement would need to be signed with the Leighton Ambulance. Joe's question to Council is if this something they want the police to get involved with. Jesse asked if he means the police administering it or the police calling the ambulance to come and administer it; Joe said to have the police administer it. William O'Gurek said he read it as the ambulance would be the responders to administer the drug. Joe explained that right now the ambulance is the one doing it but this would allow the police to administer the drug as the first responders because they sometimes have to wait for the ambulance to arrive, especially if they are out of town. Joe said there is training but it is not extensive. He said the Kaleo unit talk you through everything, kind of like and AED. He said they cost around \$500.00 a piece and we are getting them for free and will replenish them for free as long as the supplies last. Once the supplies run out, there is a nasal injector that does the same thing and only cost about \$25.00 a piece, which is what they would transition to. While they are getting trained on the injection, they will also be trained on the nasal spray. Jesse asked if the training helps diagnose what the cause actually is. He said he doesn't want to see the borough get sued because we wrongfully injected someone. Chief Fittos said the law states that we cannot be sued and the department will be protected. Attorney Greek said he didn't get to review the act for the immunity. He is not concerned about administering the drug but what if we are trained and we don't replenish and we have the ability to administer the drug but we don't have it. Is there now a liability. Is there an immunity if we do not replenish the drug and now you have a cost involved. Joe explained that the nasal sprays are \$25.00 and we can get them from the ambulance. Greek said his concern is if you don't have it budgeted and you don't have the cost to replenish it but yet we are trained are we opening things up for liability. Council agreed to table this until Attorney Greek can review further. Chief Fittos said he also has information on electronic citation filing. He explained that the state police are currently using this when issuing traffic citations. We would be able to get all of the software for free to utilize this system. This would save time when an officer is issuing a citation; it normally takes 8 to 14 minutes and will cut the time back to 4 to 8 minutes. The citation will be directly electronically filed with the local magistrates and to the AOPC. This will also eliminate the borough purchasing the citations. Jesse asked if the magistrate is set up for this system as well. Joe said yes because the state police are already using them. Jesse also asked how many cars would we need to supply. Joe stated that it is portable so we would only need one and it can be transferred from vehicle to vehicle. We would need a scanner and a printer and can finally use the computers that we have in the cars again. The wireless card would be free from Verizon but there would be a \$40.00 a month fee. Joe said he is looking at about \$800.00 for the equipment and then the \$40.00 a month for the service. A plus is that they can use JNet in the cars again. Jesse asked that Joe find equipment that has a warranty. Chief Fittos said that this is the future of police work. **Motion was made by William O'Gurek and second by Bill Chapman to approve the Police report for the Month of October 2014.** Motion opened to the floor for comment, none made. Motion carried unanimously by Council. Chief Fittos said that he and the Police Committee interviewed Collin Libensberger and is asking that he be hired as a part-time police officer. **Motion was made by Michael Alabovitz and second by Bill Chapman to hire Collin Libensberger as part-time police officer.** 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 Planning and Zoning report. **Motion was made by Bill Chapman and second by Michael Alabovitz to approve the report for October 2014.** Motion was opened to the floor for comment, none made. Motion carried unanimously by Council.

Work Leader Report – Bill Frantz, Work Leader, stated that Council should consider replacing the Christmas lights with LEDs. Kira said that she will make a phone call to Display Sales and get prices. Jesse Walck asked if the plows are ready to go; Billy said everything is ready. John O'Gurek asked if they got any prices on tires. Bill said he got a price around \$400 for tires. Joe Fittos wanted to thank the guys for taking care of the police car. He said there was an incident with the car and it had some scratches and the guys did a great job with the car. **Motion was made by Bill Chapman and second by Michael Alabovitz to accept the Work Leader report for the month of October 2014.** Motion was opened to the floor for comment, none made. Motion carried unanimously by Council.

Tax Collector Report – Tax Collector, Alice Kane, submitted a total of \$2,104.83 with a commission of \$105.24 for the month of October 2014. **Motion was made by Bill Chapman and second by William O'Gurek to accept the Tax Collector Report for the month of October 2014.** 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 October 2014. Berkheimer submitted a total EIT of \$17,568.26 with a commission of \$304.45 and postage charges of \$6.74. Total LST submitted was \$106.32 with a \$2.18 commission and postage charges of \$3.76. **Motion was made by Bill Chapman and second by William O'Gurek to accept the Wage Tax Report for the month of October 2014.** 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 October 2014. General Fund receipts were \$69,941.76, Sanitation Account receipts were \$24,459.70 and the Community Center receipts were \$500.00. **Motion was made by Michael Alabovitz and second by Greg Kosciolk to accept the receipts for the month of October 2014.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports

Streets - John O'Gurek said that everything is pretty much in order. He asked Bill to make sure to check the storm drains. Bill said that they will be going out tomorrow to make sure they are clear.

Buildings - Michael Alabovitz said the doors were not on the new building yet. He would eventually like to get locks changed to match the other locks. Mike stated that we are going to have to put about another 2 feet of lumber up the walls to protect it from the salt. He asked Bill if he knew what the cost would be; Bill said he is waiting to get a call back. Ronnie Yurichuck said he will call 84 Lumber to order tongue and groove to finish it. Jesse stressed that it needs to get done. **Motion made by Bill Chapman and second by Michael Alabovitz to buy lumber to finish off the salt shed.** Motion opened to the floor for comment, none made. Motion carried unanimously by Council. Michael Alabovitz mentioned that the kitchen at the community center needs some work. He asked Billy and Ronnie to get the parts and get it done. The dishwasher needs new parts and some electrical stuff needs to be done; put it on a work order.

Fire and Emergency Services – John Poko said they had their Halloween Dance and it wasn't a great fundraiser and the dart tournament is scheduled for January 24, 2015. He also asked the status of the Fireman's Relief check. Kira said she will give it to him after the meeting.

Recreation – Kira Steber read an email from Jodi, who was not able to attend the meeting. Christmas on The Hill will be held on Sunday, December 14, 2014, with Santa arriving by helicopter at the Ginder field at noon. The Recreation Committee will also be setting up a meeting with Lorne Possinger regarding the DCNR grant coming up early next year. She will contact Council as soon as a date and time are set. They will be discussing park planning and the specifics of the application and will need guidance from Council for getting quotes and budgeting for the application.

Motion was made by Greg Kosciolk and second by Bill Chapman to accept the Committee Reports for the month of October 2014. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council

Communications –

Communication for the Month of November 2014

1. Letter from Robert “Ski” Siesputowski – Requesting to have something place in Ludlow Park to honor those who served in the water born services. (Navy-Marine Corp. Coast Guard and second World War Merchant Seamen)
2. Notice of addition to 2014 Tax Supplement from Board of Assessment and Revision of Taxes
3. Notice of Board Assessment appeals Determination
4. Letter from LTL Consultants, LTD – Specialize in Municipal Service

Motion made by William O’Gurek and second by Greg Kosciolk to approve the Communications for the month of October 2014. 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 November 2014. General Fund bills were \$58,355.57, Sanitation Account bills were \$24,113.29, the Community Center bills were \$120.00 and Street Account bills were \$8,147.02. **Motion was made by John O’Gurek and second by Greg Kosciolk to approve the bills for the month of November 2014.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Old Business –

1. Ordinance No. 5 of 2014 - UCC Ordinance. Kira asked Solicitor Greek if there was any word from L&I in regards to the changes made to this ordinance. Solicitor Greek explained that he still hasn't heard from anyone but will make another phone call. **Motion was made by Bill Chapman and second by Michael Alabovitz to table Ordinance No. 5 of 2014 until Solicitor Greek gets approval from L&I.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Ordinance No. 7 of 2014 – Water Authority Ordinance. Jesse Walck explained that by doing this there will be a fairly significant cost savings. Some of the items will be auditing services, equipment purchases, salaries and other expenses. There is a significant savings as far as the percentage of assets. It is not being done hastily. He has looked through the data and there is a real cost savings. There will not be an disruption to customers, rates will not be changing and there will not be anything different other than the taxpayers saving a little bit of money. Jesse asked for a motion to adopt Ordinance No. 7 of 2014. William O'Gurek stated that there was just a meeting held last month with the Water Authority and at the end of the meeting we agreed to hold another public meeting with them to go over some questions that were brought up. Are we going to take action before we have that meeting. He doesn't know if these questions have been answered since last week. Jesse said that the questions that

were brought up were grandstanding. He isn't inclined to humor them with that. If they are looking to be helpful as far as the transition, then we can have as many meetings as they like but that is not what it was about. William said that he feels we are moving ahead a little too quick because even our solicitor indicated that some of the questions wouldn't be answered for a couple of weeks so he feels we are getting a little ahead of ourselves by adopting the ordinance before we get the information. What happens if the authority's debts can't be transferred to the Borough; we are going to have to go to the bank and secure financing to pay them off. Jesse stated that his understanding is that the debts can be transferred the only thing that cannot be transferable is the litigation that he has been told is finished. William said that he feels we are being premature and need to take some time to look at things before we take action to resolve the authority. **Motion was made by William O'Gurek and second by Greg Kosciolek to table Ordinance No. 7 of 2014 until Council hears from the solicitors.** Greg said he feels we should wait until the solicitors meet and get things in order. Solicitor Greek asked if Council wants him to sit down with Attorney Velitsky. Michael Alabovitz said he is not willing to wait until Velitsky decides it is ok. We will schedule a date and that is all there is to it. William O'Gurek said we definitely need to sit down with him. Last week everyone left the meeting with a lot of questions and feels we are moving a little too quickly. He said we need to get answers before we take action. Alabovitz said that's fine, then pick a day. He tried the last time and everyone was himing and hawing about it and he is not ok with it. William stated that Michael was quoted in the newspaper stating that he is supporting this action because they are not cooperating. Michael jumped in and said that they are not. The night of their meeting is proof that they are not. He told them 4 or 5 years ago that they have to stop having their meeting in the back room and yet they continue to hold them in the back room instead of in a public place. William stated that cooperation is a two way street and he doesn't feel that we are working with them either. William reminded Council that a motion is on the table. Jesse said a motion was made an second to table Ordinance No. 7 of 2014. A roll call vote was taken.

Michael Alabovitz	No
Greg Kosciolek	Yes
John O'Gurek	No
Bill Chapman	No
William O'Gurek	Yes
President Jesse Walck	No

Motion to table the ordinance failed. Kira Steber questioned the date in the ordinance. She said the date for takeover is January 1, 2015 but we were not sure if everything will be cleared by then so are we going to keep the January 1st date or change it. Solicitor Greek said it is a minor change and sees no reason to re-advertise. Michael Greek said he needs to gather all the information and is not sure how long it is going to take. Everything needs to be done before we can take them over. We need to get deeds, know the assets and the debts. Jesse asked if 3 months is acceptable. John O'Gurek said if you have to do all the leg work, how long do you think it is going to take to get everything. Greek said it depends on if they cooperate or not. We have to get all the documents written, need to get all the deeds, get all the real property transferred and we need to know what needs to take place by contacting Harrisburg. Bill Chapman asked if March 1st is acceptable. John O'Gurek asked if they have to set an exact date. William O'Gurek said it states in section five of the ordinance, on or before January 1st, and from the discussion he doesn't feel that we are going to have all the information by January 1st. Jesse added that is because we have no cooperation. William stated again that cooperation is a two way street. Chapman asked what happens if we pass it and we don't have everything ready, then what. Greek said he then has to figure out how to get the titles to the properties over to the Borough. William added that we will then have to go to court to petition the deeds and spend more of the taxpayers money. Jesse again added not if we get cooperation. William said there are a lot of unknowns. Greek

explained that the reason he is saying to give a little more time is if there is cooperation then you will be able to get the deeds transferred. If Council dissolves the authority before the deeds are transferred, then you won't have anyone from the authority to sign off on them. John O'Gurek asked if we can change the ordinance to read that as of January 1st the transition will start. Greek said no because it is an ordinance to terminate the authority. Chapman said if it doesn't take place January 1st then we are dealing with two sets of books. Jesse said that we will not get the savings on the audit but it is only a small amount of money. Chapman asked Solicitor Greek what the worst case scenario if we pass this ordinance and not having things completed yet. Greek stated that he cannot say because he has never dissolved an authority before and is not done that often. We can terminate in January but getting the property transferred is the biggest issue. Michael Alabovitz said pass it with the effective date of June 1st. William O'Gurek stressed that everyone keeps talking about cooperation and the authority found out about this second hand. They heard rumors going throughout town and were never approached about it. So of course they are going to be upset when they find out we are voting to advertise and considering dissolving the authority. They are running the operations for the Borough. There are so many unknowns and if they are willing to sit down in a meeting then more power to them. Jesse said the only unknown is really if they are going to cooperate or not. William said we keep saying that but how many conversations have been had with any authority members within the last 3 or 4 months about this. Before last week meeting, they were not approached about any of this. There have been no dialogue that has been brought up between Council and the authority members about dissolving the authority. **Motion was made by Bill Chapman and second by John O'Gurek to pass Ordinance No. 7 of 2014 to dissolve the Summit Hill Water Authority with an effective date of June 1, 2015.** Motion was opened to the floor for comment; none made. Motion was carried unanimously by Council. William O'Gurek and Greg Kosciolk opposed.

3. Roller Purchase Discussion - Jesse Walck said that he feels we should look over the financing and see what is going to work best for the Borough. John O'Gurek asked how long it will take to get the unit; Steve Heckman said they are in stock. **Motion was made by John O'Gurek and second by Bill Chapman to table the purchase of a roller until the December 2014 meeting for further review of the Borough's finances.** Motion was opened to the floor for comment; none made. Motion was carried unanimously by Council.
4. PA System - John O'Gurek stated that when we first moved into the building we voted to purchase a PA system for the meeting room. He said when we have meetings you can hardly hear what people are saying. He knows that it was approved. Mr. Sediva agreed and said it is very hard for the people in the audience to hear what Council is talking about. John said when someone from the back of the room is talking, he can barely make out what they are saying. Chief Fittos said he thinks that Schuylkill Electronics gave a price and thinks that Mike Kokinda was going to run wires but nothing ever materialized.

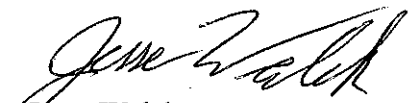
New Business

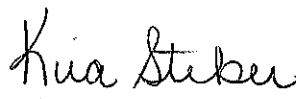
1. Auditing Services - Council received a letter from Joseph Collura to retain his auditing services for the 2014 fiscal year. **Motion was made by Michael Alabovitz and second by William O'Gurek to retain Joseph Collura as the auditor for the 2014 fiscal year.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. 2015 Budget - Jesse asked for a motion to approve the 2015 budget, which does include the Water Authority. Kira Steber asked what happens now that the date of takeover has been changed to June 1st. Mike Greek said that we would have to redo the budget. Since this is a tentative budget, you can make changes and not have to re-advertise. It can be adopted at the December meeting. **Motion was made by Michael Alabovitz and second by William O'Gurek to table the adoption of the 2015 budget**

until the December meeting to make changes. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

3. Pension Plan Ordinance - Kira Steber said that this needs to be tabled until the next meeting because the Chief had a few questions. She has a call into PMRS and hopes to have everything taken care of for the December meeting. She said if she needs to ask for an extension from the January 1st deadline, she can. **Motion was made by Michael Alabovitz and second by Greg Kosciolk to table advertising the Pension Plan Ordinance until further information is received from PMRS.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
4. Handicap Parking - Kira Steber said that we have one renewal and one new application for handicap parking. John O'Gurek said he sees no problem with Council approving the renew for 456 West White Street. **Motion was made by John O'Gurek and second by Michael Alabovitz to approve the renewal of a handicap parking place for 456 West White Street.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. John stated there is a second application for 4 East Fell Street. He stated that the property has a garage and the resident can walk 20 feet without rest and at least 500 feet with rest with the garage being less than 500 feet from the home and therefore feels this application should be denied. **Motion was made by Michael Alabovitz and second by Bill Chapman to deny the handicap application for 4 East Fell Street.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
5. Destroy Meeting Recordings - Solicitor Greek stated that the recordings that are taken at the meeting are not required by law to be saved. Since you have really good minutes and the minutes are the final representation of what took place at the meeting so you are not required to keep the tape. **Motion was made by Michael Alabovitz and second by William O'Gurek to destroy all tape recordings once the meeting minutes are approved.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
6. Letter of Resignation from the CLSH Sewer Authority - Council received a letter from William Jones stating his resignation from the CLSH Sewer Authority effective December 31, 2014. **Motion was made by Michael Alabovitz and second by John O'Gurek to accept the resignation of William Jones from the CLSH Sewer Authority effective December 31, 2014.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Council would like to thank Mr. Jones for his many year of service as a board member with the CLSH Sewer Authority. **Motion was made by Michael Alabovitz and second by John O'Gurek to advertise the vacant Sewer Authority position.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
7. John Poko stated that the Fireman's Relief books are being audited December 22 and 23 of 2014 and asked Council if it would be ok to use Council chambers for the audit, as they have done in the past. Council didn't see this as a problem.

Motion was made by William O'Gurek and second by Bill Chapman to adjourn at 8:00 p.m. until the next regular scheduled meeting on December 22, 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