

Summit Hill Borough Council
January 26, 2015, 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 Mike Kokinda, Michael Alabovitz, Greg Kosciolek, John O’Gurek, Bill Chapman, William O’Gurek and Solicitor Michael Greek were all in attendance. Mayor Paul McArdle was absent.

Yearly Appointments

1. **Motion was made by Mike Kokinda and second by William O’Gurek to nominate Bill Chapman for President Pro Tem who presides over Council when both the President and Vice President are absent.** Motion was opened to the floor for comment, none made. Motion carried unanimously by Council.
2. **Motion was made by John O’Gurek and second by Greg Kosciolek to appoint Kira Steber as the Borough Secretary, Treasurer, Garbage Fee Collector, Administrative Officer for the Police and Borough Pension Fund, Administrative Officer for the Borough’s CDBG and Home Grant monies and Recycling Grant Coordinator.** Motion was opened to the floor for comment, none made. Motion carried unanimously by Council.
3. **Motion was made by John O’Gurek and second by William O’Gurek to retain Jim Thorpe Neighborhood Bank and PLGIT as depositories for Borough Funds.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
4. **Motion was made by John O’Gurek and second by Bill Chapman to appoint Michael Greek as the Borough Solicitor at the rate of \$100.00 per hour.** Motion was opened to the floor for comment, none made. Motion carried unanimously by Council.
5. **Motion was made by Michael Alabovitz and second by John O’Gurek to appoint Carbon Engineering as the Borough’s Consulting Engineer.** Motion was opened to the floor for comment, none made. Motion carried unanimously by Council.
6. **Motion made by John O’Gurek and second by William O’Gurek to reappoint Joseph Fittos as the Borough’s Chief of Police.** Motion was opened to the floor for comment, none made. Motion carried unanimously by Council.
7. **Motion made by Greg Kosciolek and second by Michael Alabovitz to reappoint Shawn Hoben as the Borough’s Fire Chief at a rate of \$400.00 per year.** Motion was opened to the floor for comment, none made. Motion carried unanimously by Council.
8. **Motion was made by Michael Alabovitz and second by Mike Kokinda to appoint Kevin Steber as the Borough’s Emergency Management Coordinator at a rate of \$300.00 per year.** Jesse Walck noted that there were five letters of interest submitted. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
9. **Motion was made by John O’Gurek and second by Michael Alabovitz to reappoint William Kirklosky as the Borough’s Zoning Officer at the rate of \$15.00 per hour.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

10. **Motion was made by Michael Alabovitz and second by Bill Chapman to appoint Scott Bieber as the Borough's Sewage Enforcement Officer for 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
11. **Motion was made by Bill Chapman and second by Michael Alabovitz to appoint William Brior as the Borough's Sewage Enforcement Alternate for 2015.** Jesse did ask Council if they were going to keep Carl Wolfe as a 2nd alternate; Council agreed that they were not going to keep Carl. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
12. **Motion was made by John O'Gurek and second by Michael Alabovitz to reappoint Michael Garfield as the Zoning Hearing Board and Planning Commission's Solicitor at a rate of \$ 65.00 per hour.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Expiring Terms

1. **Motion was made by John O'Gurek and second by Bill Chapman to reappoint Edward Kruczek to the Summit Hill Water Authority for a five year term.** A roll call vote was taken.

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

Motion failed by a 4-3 vote. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Motion was made by Mike Kokinda and second by Michael Alabovitz to appoint Wayne Gryzik to the Summit Hill Water Authority for a five year term. A roll call vote was taken.

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

Motion carried by a 5-2 vote. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

2. **Motion was made by John O'Gurek and second by Michael Alabovitz to appoint Stanley Karnish to the vacant seat on the Sewer Authority Board for a five year term.** Jesse Walck noted that there were 5 letters of interest submitted. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
3. **Motion was made by Bill Chapman and second by Mike Kokinda to reappoint Cheryl Schoch, Jamie Shelton and Jennilee Kosciolek to the Summit Hill Recreation Commission for a two year term.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Minutes - Motion was made by Mike Kokinda and second by Bill Chapman to approve the December 22, 2014 meeting minutes. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor -

1. Joseph Kosalko, East Mountaintop Road, asked about the noise ordinance that the Borough passed. He asked if it was approved by the LCB. Jesse Walck explained that it is all legal. A hearing was held at the borough hall with the LCB and the Borough was approved.
2. Monroe Mechling, 17 West White Bear Drive, stated that he came to Council last summer and filed complaints against Kasprzak and Fritz. He said that the Fritz's did fix the electrical problem but he is concerned with the cesspool that they have reopened and are using again. Jesse Walck explained that they are doing what the Sewage Enforcement Officer told them to do in reusing a known cesspool. Bill Chapman added that Scott Bieber, the Borough's SEO, is going to set up a program to check the area often and if he sees leaks, he will stop the use of it. Monroe explained that he has spent a lot of money to be in compliance and the Kasprzak's and Fritz's fight over everything so that they do not have to do what is right. He is sick and tired of the harassment. He stated that he mentioned Kasprzak's car was sitting on his property under a tarp and was unlicensed and unregistered and now there are tags on it and is uncovered. The car did not move off the property yet it has inspection stickers on it. This car needs to be road worthy. Two months ago an investigator from the state showed up and talked to him and Mr. Gryzik about a complaint that was made in regards to Mr. Kasprzak's property being unsafe due to the condition of the cement blocks that were holding up a portion of his home. He then received a letter from the state stating that he made false statements by saying he was a structural engineer; he presented a copy of the letter to Council. They found Kasprzak's property to be in compliance and that he could be taken to criminal court and fined up to \$10,000.00 if a complaint is received in their office again. Jesse Walck said he knows that it was brought up about the unsafe conditions but he does not remember any mention of Mr. Mechling stating that he was a structural engineer. Monroe said that he has been very respectful to this point but he wants something done about the unsafe building with the crumbling foundation, the condition of the buildings that are not being used and the septic tank that is located under the building. He stated that he has complied with everything that he was told to do. Jesse Walck explained that it is being addressed. It does take some time and it needs to be done legally.
3. Kim Graver, 11 West Holland Street, expressed concern about the snow removal in front of her home. She said that she was informed that the new trucks are higher than the old ones and they cannot clear the tree branch that are hanging over into the street in front of her home. Ronnie Yuricheck explained that the tree branch will rip the light right off the truck if they get too close to the curb and that it needs to be trimmed. Kim said that she gives the Borough permission to cut the tree branch and asked if it would be possible to come back with the little red truck to plow her block. Ronnie explained that by the time they would come back with the red truck the cars are moved back and they can't plow. John O'Gurek said that the trees are encroaching onto the Borough property and that there are a lot of trees in the way of the plow trucks. This issue really needs to be addressed. Bill Frantz said that he doesn't have a problem trimming the tree in front of Kim's house but the branch is so thick that they would be cutting down most of the tree. Joe Kosalko stated that years ago the Borough used to send letters out to the residents telling them that they must address the trees or the Borough would cut them. Ronnie said that he spoke to Lou Vermillion who gave him permission to trim the tree by his house because of the same problem. Kim explained that she has a foot of snow in front of her home now because they are not able to plow it; how is she going to remove it. Jesse Walck said that the Borough workers will figure something out and take care of the issue.

Mayor's Report – Chief Fittos reported the magistrate income for the month of December 2014 as \$519.89. **Motion was made by William O'Gurek and second by Mike Kokinda to accept the Mayor's report for**

the month of December 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 December 2014. Fittos stated that there is training being offered by the BNI Attorney General's Office on how to make entry's and felony car stops. He said it is important training for all police agencies in Carbon County so that they are on the same page when working together. It is a two day training course that will be held on April 13th and 14th and he would like permission to send all full-time officers. He explained that there would be no cost for the training and no overtime paid. The shifts will be covered by part-time officers. **Motion was made by Mike Kokinda and second by Bill Chapman to allow the full-time officers to attend a two day training on April 13 and 14, 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Chief Fittos also said there is going to be a Drive to Survive class that will be hosted by the Jim Thorpe Police Department. A date has not yet been announced, it is a three hour class and will cost \$35.00 per officer. He stated the importance of this class because they are not given any training when it comes to driving and feels it will be beneficial liability wise. He asked permission to send officers to this class. Jesse Walck said he would like to wait until we have more details. **Motion was made by William O'Gurek and second by Bill Chapman to accept the police report for the month of December 2014.** Motion opened to the floor for comment; none made. Motion carried unanimously by Council.

Planning and Zoning Report - Bill Kirklosky, Zoning Officer, read his report for the month of December 2014. Bill said that at the last meeting they discussed a possible variance for a building to be placed on the property where the 14 Acre Farm is located. As per the table, an agricultural or horticultural greenhouses are permitted in this area and the final decision for conditional use must come from Council. **Motion was made by Michael Alabovitz and second by Greg Kosciolek to accept the Planning and Zoning Report for the month of December 2014.** Motion opened to the floor for comment; none made. Motion carried unanimously by Council.

Work Leader Report - John O'Gurek stated that he has a question in regards to a bill that he has for over \$1,000. Jesse Walck said that it can be discussed when they get to the bills. **Motion was made by Michael Alabovitz and second by William O'Gurek to accept the Work Leader Report for the month of December 2014.** Motion opened to the floor for comment; none made. Motion carried unanimously by Council.

Tax Collector Report - Alice Kane, Tax Collector, submitted a total of \$22,098.43 with a commission of \$1,104.93 for the month of December 2014. **Motion was made by Mike Kokinda and second by Bill Chapman to accept the Tax Collector Report for the month of December 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 December 2014. Berkheimer submitted a total EIT of \$16,680.26 with a commission of \$290.50 and postage charges of \$10.97. Total LST submitted was \$85.65 with a commission of \$1.76 and postage charges of \$5.52. **Motion was made by Bill Chapman and second by Mike Kokinda to accept the Wage Tax Report for the month of December 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 December 2014. General Fund receipts were \$39,902.43, Sanitation Account receipts were \$3,674.50 and the Community Center Account receipts were \$645.00. **Motion was made by Bill Chapman and second by Mike Kokinda to accept the Receipts for the month of December 2014.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports

Streets - Nothing to report at this time.

Buildings - Kira gave an update on the services that were done on the heating system at the Community Center. She said all the work that was listed in the quote was completed but the technician stated that to get the best reading on the unit would be to wait until spring when the weather is getting warmer. She said she gave HT Lyons the ok and they will come back in spring to complete the job. Kira also asked Mike Alabovitz if he had an update on the locking system for the doors at the Community Center. Mike Alabovitz said that he did not have time to make the calls but he was doing a little research on different systems.

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

Recreation - Nothing to report at this time.

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

Communications

1. Council received a letter from Robert Siesputowski in regards to the dedication that he would like to hold in Ludlow Park on April 18, 2015 with a rain date of April 25, 2015. The dedication will be for the plaque that he was approved to place in the park to honor the water born veteran. **Motion was made by William O'Gurek and second by Bill Chapman to allow Mr. Siesputowski to hold a dedication in Ludlow Park on April 18, 2015 with a rain date of April 25, 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Council received a letter from the Hazelton YMCA/YWCA to hold their Anthracite Triathlon on Sunday, July 19, 2015 starting at 7:00 a.m. **Motion was made by Mike Kokinda and seconded by Bill Chapman to allow the Anthracite Triathlon to hold their event on Sunday July 19, 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
3. Kira informed Council that a letter was received from the Carbon County Workforce Training in regards to the summer program. The letter stated that due to changes in Federal Regulations, it will bring changes to the rules and regulations of the program. Because of the changes, they are unsure that they will be able to run a Summer Youth Employment Program. Kira stated that Council may have to hire someone for summer help.

Communication for the Month of January 2015

1. Letter of Thanks and request for dedication from Robert Siesputowski – Letter attached
2. Letter from Greater Hazleton YMCA & YWCA for Anthracite Triathlon – Letter attached
3. Letter from Carbon County Workforce Training – Letter attached
4. Notice of Repository for Unsold Properties from the Carbon County Tax Claim Bureau
5. 2014-2015 Newsletter for the Summit Hill Heritage Center
6. Newsletter and Brochures from the PA Department of Transportation

Motion was made by William O'Gurek and seconded by Bill Chapman to accept the Communications for the month of December 2014. Motion opened to the floor for comment; none made. Motion carried unanimously by Council.

Bills - John O'Gurek again questioned an invoice totaling \$1,028.37 for lumber for the new salt shed. He asked when it was voted on and when it was discussed. He does not remember a vote being take for this purchase and asked for Council to produce the minutes where the purchase was approved. Mike Alabovitz said that it was discussed when we were reviewing the bid for the salt shed. Jesse Walck added that we took the wall up six feet so that the salt would not lay against the metal wall and rot it away. John expressed that he would have never made a purchase like this without discussing it first and that there needs to be more communication at the table. A heated discussion took place between Michael Alabovitz and John O'Gurek. Alabovitz said if it is such a big deal to you we can vote on the purchase now. O'Gurek said he didn't care if it is voted on now because the damage is already done. Jesse Walck tried to gain control of the meeting by hitting the gavel and stating that this needs to stop. Alabovitz fired back at O'Gurek mentioning the Borough plowing the Legion parking lot with Borough equipment. O'Gurek stated that the lot is under our emergency services program. It was then when O'Gurek stood up and started to walk out of the meeting. Alabovitz yelled that it is very mature to walk out of the meeting when you don't get your own way. O'Gurek said why should he stay everyone says and does whatever they want anyway and there is no more communication between anyone. O'Gurek then exited the meeting and yelled nobody gives a damn. Alabovitz replied that's right walk out you baby. Alabovitz then continued by saying how about all the times we hired his son to work for the Borough and no one else was aware of it. Walck again hit the gavel and demanded that the meeting get back to order. Alabovitz apologized for his outburst then retracted his apology stating that he was not sorry. Walck again stressed that we need to move on with the meeting. Walck asked for a motion to approve bills. Borough Secretary, Kira Steber, said that she needed to add an additional invoice for payment to Evans Fuel Oil in the amount of \$984.77 bringing the total General Fund Expenses to \$59,550.31. **Motion was made by Michael Alabovitz and second by Mike Kokinda to approve the bills for the month of December 2014.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Unfinished Business

1. Ordinance No. 5 of 2014 - UCC Ordinance - Attorney Greek said that a letter was received from L&I giving the approval for the changes. **Motion was made by Bill Chapman and second by Greg Kosciolek to adopt Ordinance No. 5 of 2014 to amend the Summit Hill Borough Uniform Construction Code Ordinance to address code applicability to uncertified buildings within the Borough.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Sealed Bids - Jesse Walck said one bid was received for the equipment. The bid was opened and read. The bid was from Mike Veneziano in the amount of \$2,105.00 for the purchase of both the roller and the truck. **Motion was made by Mike Kokinda and second by William O'Gurek to reject the bid.** Motion was opened to the floor for comment. Michael Alabovitz asked what they plan on doing with the equipment if they do not accept this bid. A brief discussion took place. The motion failed by a 4-2 vote. **Motion was made by Greg Kosciolek and second by Bill Chapman to accept the bid in the amount of \$2,105.00 from Mike Veneziano.** Motion was opened to the floor for comment; none made. Motion carried by a 4-2 vote.
3. Water Authority Update - Council received a letter from Atty. Greek which explained the outcome of the meeting that was held with Atty. Velitsky and a few members of the Water Authority..... Greek stated that the Water Authority is willing to work with the Borough and move forward. He said the meeting was very helpful and that Kathy Slogg is doing deed searches. One issues that he is concerned about are the loans. William O'Gurek asked if he found anything out about the grant. Greek said nothing just yet but he will have to make some calls.

New Business

1. Ordinance No. 1 of 2015 - **Motion was made by Mike Kokinda and second by William O'Gurek to advertise Ordinance No 1 of 2015 Fixing the various tax rates for the fiscal year of 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Tax Collection Committee - Kira Steber stated that Council needs to appoint a delegate and alternate for the Carbon County Tax Collection Committee. **Motion was made by Mike Kokinda and second by Bill Chapman to appoint Jesse Walck as the delegate and William O'Gurek as the alternate delegate for the Carbon County Tax Collection Committee.** Motion opened to the floor for comment; none made. Motion carried unanimously by Council.
3. Chief Fittos informed Council that he called to get an update on the gaming grants that the Borough applied for a few months back. He said that they were undecided and will make a decision at their March 11th meeting.

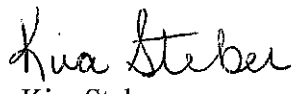
Council entered into an Executive Session to discuss Litigation and Personnel issues at 7:52 p.m.

Council entered back into Regular Session at 8:23 p.m.

Motion was made by Mike Kokinda and second by William O'Gurek to adjourn at 8:24 p.m. until the next regular scheduled meeting of the Summit Hill borough on February 26, 2015. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.



Jesse Walck
Council President



Kira Steber
Secretary/Treasurer