

Summit Hill Borough Council
November 23, 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 Michael Kokinda presiding.

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

Minutes – **Motion was made by John O’Gurek and second by Greg Kosciolek to approve the minutes from the October 26, 2015 Council meeting.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor – Nothing at this time

Mayor’s Report – Chief Fittos read the Mayor's Report for the month of October 2015. Received a check from the District Justice in the amount of \$640.97. **Motion was made by William O’Gurek and second by John O’Gurek to accept the Mayor's Report for the month of October 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Police Report - Chief Fittos stated that last month Council discussed getting prices for a radio for the Crown Vic. He received a quote in the amount of \$650.00 and he is in the process of getting a light for the dash at no cost to the Borough. John O’Gurek suggested tabling the decision until the new year. Bill Searfoss said that a few months ago it was stated that the vehicle was unsafe and it is ok to use. William O’Gurek clarified that it was never stated that it was unsafe just that it would cost money to repair it. Fittos said it is up to Council if they want to wait but the sooner we have it up and running the better. **Motion was made by William O’Gurek and second by Greg Kosciolek to purchase the radio for the '07 Crown Vic in the amount of \$650.00.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Kokinda opposed. Kira Steber mentioned that at the last Council meeting it was made known that Stephen DeVore resigned but a motion was never made to accept it. **Motion was made by Michael Alabovitz and second by William O’Gurek to accept the resignation from Stephen DeVore as a part-time police officer.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. William O’Gurek thanked Officer DeVore for his service. Bill Chapman added that Officer Jason Harrison is doing a great job. Fittos agreed and said that unfortunately he does not think that he is going to be with us much longer as he has applied with the State Police. **Motion was made by William O’Gurek and second by Bill Chapman to accept the Police Report for the month of October 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Planning and Zoning - Kira Steber stated that everyone has a copy of the report and there isn't anything new to report. There will be a meeting on December 9, 2015 with the Zoning Hearing Board regarding the ReDCo Group. **Motion was made by Bill Chapman and second by Mike Kokinda to accept the Planning and Zoning report for the month of October 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Work Leader Report - Bill Chapman asked if we have all the storm drain cleaned out. John O’Gurek said they were supposed to be done but will make sure if it isn't that it gets done. Chapman mentioned that the one by John Gawlik's garage is most important. **Motion was made by Bill Chapman and second by William O’Gurek to accept the Work Leader Report for the month of October 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Tax Collector Report – Borough Secretary, Kira Steber, read the Tax Collector's report for the month of October 2015. Alice Kane submitted total taxes in the amount of \$3,721.39 with a commission of \$186.07

Motion was made Bill Chapman and second by John O’Gurek to accept the tax collector report for the month of October 2015. 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 2015. Berkheimer submitted a total EIT of \$15,930.37 with a commission of \$275.60 and postage charges of \$10.17. Total LST submitted was \$89.78 with a commission of \$1.84 and no postage charges. **Motion was made by Bill Chapman and second by William O’Gurek to accept the Wage Tax Report for the month of October 2015.** 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 2015. General Fund receipts were \$29,355.47, Sanitation Account receipts were \$29,771.91 and the Community Center receipts were \$300.00. **Motion was made by Bill Chapman and second by William O’Gurek to accept the receipts for the month of October 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports –

Streets – John O’Gurek said the all the plows are up and running. Got the plow hooked up so that they interchange. Salt and cinders are ordered and we are ready to go. He will follow up with the guys on the storm drains and cleaned from leaves.

Buildings - Michael Alabovitz asked Kira if the workers installed the new LED light for the flag pole; she stated that it has been installed. He mentioned that the floor has been poured for the salt shed and they also poured a pad for the fuel tank at the garage. He would also like to see the light fixture, which faces the front of the Community Center, fixed and changed to an LED as well. It shouldn't cost more than \$200. Kira Steber informed Council that the door in the back of the Community Center has been fixed and the salt shed door was keyed the same as the borough garage.

Fire and Emergency Services – Tony O’Gorman stated that they will be holding their dart tournament on January 30, 2016.

Recreation – Kira Steber mentioned that there will be a tree lighting ceremony in the gazebo in Ludlow Park on December 6, 2015 starting at 6:00 p.m.

Motion was made by William O’Gurek and second by Bill Chapman to accept the committee reports for the month of October 2015. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Communications –

1. Council received a new agreement from Joseph Collura for his services to audit the Borough records for the fiscal period ending December 2015 with the cost not to exceed \$5,250. **Motion was made by Jesse Walck and second by William O’Gurek to enter into an agreement with Joseph Collura to audit the Borough’s records for 2015 with a cost not to exceed \$5,250.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Communications for the Month of November 2015

1. Notice of Property Assessment from the Carbon County Board of Assessment and Revision of Taxes
2. Notice of Personal Assessment from the Carbon County Board of Assessment and Revision of Taxes
3. Notice of Determination from Tax Assessment Appeals

4. Letter from GDF Suez congratulating the Borough for their enrollment with their company for lower electric rates.

5. Letter from New Enterprise Stone & Lime Co., Inc. offering their services to incorporate GPS technology and new computer software to schedule delivery of stone, blacktop and ready mixed concrete.

Motion was made by William O’Gurek and second by Greg Kosciolk to accept communications for the month of October 2015. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Bills – Borough Secretary, Kira Steber, read the expenses for the month of November 2015. Total General Fund Expenses were \$104,570.49, total Sanitation Fund Expenses were \$23,961.18, total Community Center Expenses were \$394.42 and total Street Account Expenses were \$5,441.13. **Motion was made by John O’Gurek and second by Bill Chapman to pay the bills for the month of November 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Old Business –

1. Crosswalks on the Highway - Kira Steber stated that it was discussed at the last two meetings but no one has given a final decision as to how many we need and where we are going to place them. We did discuss Ludlow and Pine, White and Pine and Hazard and Pine. They are free but the workers will need to paint the crosswalks. They will also be removed in winter so that they are not hit by the plows. Joe Kosalko said that he sees major problems happening once they are placed on the roadway. William O’Gurek said he feels that anything we can do to try and slow traffic down if beneficial. **Motion was made by William O’Gurek and second by John O’Gurek to order six crosswalk signs to be placed at the intersections of Ludlow and Pine, White and Pine and Hazard and Pine.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Jesse Walck was opposed.
2. Tom Tkach asked where we are with the project to trim the trees in town. Kira Steber noted that they are almost done. Tom also brought up the ordinance with the Shade Tree Commission and asked if Council considered revising it. Michael Alabovitz said that they need to take a further look at it and get it revised. A brief discussion took place. Mike Kokinda said that they will take a look at it possibly after the new year.

New Business -

1. #2 Heating Oil Bids - Mike Kokinda stated that one bid for heating oil was received from Superior Energy from Aston, PA. It stated that it is based on the average for the date of delivery plus a firm differential of \$.20 plus applicable taxes. It was noted in the advertisement that we wanted the cost on a fixed rate with a no escalating clause. **Motion was made by Michael Alabovitz and second by Greg Kosciolk to reject the bid from Superior Energy for #2 heating oil and re-advertise.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Low Sulfur Diesel - Mike Kokinda stated that one bid for low sulfur diesel was received from Superior Energy from Aston, PA. It also states that it is based on the average for the date of delivery plus a firm differential of \$.20 plus applicable taxes. It was also noted in the advertisement that we wanted the cost on a fixed rate with a no escalating clause. **Motion was made by Michael Alabovitz and second by William O’Gurek to reject the bid from Superior Energy for Low Sulfur Diesel and re-advertise.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
3. Request for Proposal for the Community Center - Mike Kokinda state that one letter of interest was received from Deborah Yannetti. Kokinda said that what she sent was more like a resume than an RFP. Kira Steber stated that it is not what we had asked for so we cannot accept it. Michael Alabovitz

suggested putting instructions together for anyone who is interested. Wayne Gryzik asked why we can't just call the person and ask her what dollar amount she is looking for and offer her the position. Kira said because what she submitted was not what was asked for in the advertisement. **Motion was made by Bill Chapman and second by Greg Kosciolk to re-advertise the position to clean the community center on the weekends as well as open and close the doors for events.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

4. Quote for Fax Board - Kira Steber explained that she received a quote to purchase a fax board which would be installed into the copier in the Borough office. We can purchase it outright for \$600.00 or we can lease it for \$50.00 a month for 13 months. Once it is paid for, the Borough owns it. Mike Kokinda asked if it is covered under the current maintenance agreement. Kira stated that she would think so since it covers the current copier. Michael Alabovitz asked how often we actually use the fax. Kira said she uses it all the time. Kokinda explained that it would be a benefit to have it since it would be covered under the maintenance agreement and we wouldn't have to buy toner for two different machines. **Motion was made by Bill Chapman and second by John O'Gurek to lease a fax board from Advanced Business Equipment at a cost of \$50.00 per month for 13 months.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Michael Alabovitz and Jesse Walck opposed.
5. Garbage Exemptions - Mike Kokinda said there are two application for exemption; 134 West Fell Street and 113 East Fell Street. **Motion was made by John O'Gurek and second by William O'Gurek to approve the two properties for garbage exemption for 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Kokinda opposed. Kira said there is another application for the property at 412 West Iron Street. She does have an issue with this one due to the fact that they owe \$155.00, they have been very difficult to deal with and they wrote a nasty note on their application. **Motion was made by Jesse Walck and second by Michael Alabovitz to deny the application for the property located at 412 West Iron Street until the account is paid in full.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
6. Handicap Renewals - Mike Kokinda stated that there are three handicap applications for renewal for the properties at 456 West White Street, 333 West Ludlow Street and 219 West White Street. **Motion was made by William O'Gurek and second by Bill Chapman to renew the handicap applications for all properties.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
7. 2016 Budget - Mike Kokinda stated that the 2016 budget is ready to be tentatively adopted. Total budget income is \$1,491,303 and total expenses are \$1,491,303.00 with no millage increase. John O'Gurek asked if the adjustment was made to increase the assistant secretary's salary from \$.75 to \$1.00 per hour; Kira stated that she made the adjustment. Kokinda said the millage for 2016 will be 13.60 for general purposes, 1.50 for street lighting and .50 for fire allocation with the total millage of 15.60. **Motion was made by Bill Chapman and second by William O'Gurek to tentatively adopt and advertise the 2016 Budget.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
8. Street Opening Permit Ordinance - Kira Steber explained that there have been a lot of issues with the current street opening permit ordinance. Ron Tirpak, before he retired, had given suggestions to update the current ordinance and now Mike Tirpak is doing the same. The letter from Mike explains what he feels should be updated or added to the ordinance. Kira attached a copy of the current ordinance for Council to review as well as the letter from Mike Tirpak. She explained that people are getting the work done and then the contractors are not filling the areas in properly. They patch the area and then a year later, when the engineer inspects the job, the patch job has sunk and then the people are arguing when you deny returning their money because it needs to be fixed properly. The contractor

comes out again and does another quick patch job to suffice and another year later the road has sunk again. By adding his suggestions to the ordinance, it will make sure that it is done correctly and will also state that someone must be present when the contractor is backfilling the area to make sure it is being done properly so that we do not have all these issues down the road. Michael Alabovitz stated that he feels that along with this ordinance the contractors should have to get a license to work in the Borough and show proof of insurance. Jesse Walck asked if Alabovitz has a cost in mind for a license. Alabovitz said the cost can be minimal just as long as the Borough has something on record. It would also be to protect the Borough if ever there was a lawsuit filed because they are opening a Borough street. Kira asked if he was talking about a contractor's license for everything in the Borough or just for opening streets; Alabovitz said he feels we need it for everything. A brief discussion took place. Jesse Walck suggested having Mike Greek work on the ordinance and then hold a special meeting to advertise it so that we can adopt it at the December 28th meeting. Kokinda said that maybe the Street Committee should sit down with Mike Tirpak. Wayne Gryzik said it would be nice if letters would be sent to the Water Authority and Sewer Authority requesting to replace water and sewer lines. Walck said that it doesn't have any teeth, doesn't get us any money and will only get us further in the hole. Chief Fittos asked if there is anything in the ordinance that states if the Borough has to hire someone to do the work properly, it would fall back on them. Steber explained that is why they keep the money if need be and that is why it is suggested to increase the fee for the permit. Mike Kokinda suggested setting up a meeting with the engineer and Atty. Greek to discuss this further. Alabovitz asked why there is a need to set up a special meeting with the engineer and attorney. He explained that right now the way the fees are set up, a contractor doesn't care about coming in and doing a half assed job and letting the Borough keep the \$350. The Borough is still going to be stuck with the problem. Dave Wargo asked if there are currently fines listed in the ordinance. Jesse Walck stated \$150-\$600 for anyone in violation of the ordinance. Steber added that there is currently no inspection being done while the work is being done. She explained that the money is held for one year. Once the year timeframe comes about, she has Tirpak go and inspect the work. If he feels the work is done properly, the money is returned. If he feels it is not done properly, the contractor is called to come back and fix it. Walck said the biggest issue is that the work is not being inspected as it is happening and the costs are just not high enough. Council agreed to have Attorney Greek do the ordinance as per the suggestions from Mike Tirpak and have a special meeting on December 15th to review the ordinance and motion to advertise so that it can be adopted at the December 28th meeting.

9. Swift Reach Information - Kira Steber stated that she received information from the Water Authority asking if the Borough would be willing to pay half the cost of for the program. It is similar to the presentation that Council had two months ago, just cheaper. This program will allow the Water Authority and the Borough to notify the residents of town if there is an emergency or any other notifications like snow removal or tree trimming. Michael Alabovitz said that this is a no brainer. **Motion was made by Michael Alabovitz and second by William O'Gurek to enter into an agreement with the Summit Hill Water Authority and Swift Reach paying half of the cost which would total \$787.50.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
10. A discussion took place about the Water Authority helping out in the winter months and plowing the allies for the Borough. Michael Kokinda said that there is no reason why they cannot help us out. Kira stated that we cannot do it; Kokinda said sure we can. Kira said it is not possible unless we add the Water Authority workers and vehicle onto our policy and to do that she would need to get a quote from the insurance company to see what the cost would be to add them. Kokinda asked why their insurance won't cover anything if there would be an incident. Steber explained that their insurance will not cover any damage if they are doing work for the Borough, which is not their job. She explained that she already spoke to the Borough's insurance company and the Water Authority spoke with theirs and we got the same answer. Wayne Gryzik said that Kira was correct in what she was saying because he spoke to the authority's insurance about it. However, he feels that we might be able to work something out. He said he has the board right now thinking that they are going to helping out

the Borough with plowing. Steber stated to Mr. Gryzik that they are not going to do it because someone from the board already talked to her about it and unless we can figure something out with the insurance, it is not going to happen. Joe Kosalko asked that if the Water Authority is called out for an emergency with a water line and they are digging up the street and hit a car is their insurance company not going to cover the damage. Steber said of course they will because they are doing a job for the Water Authority.

Motion was made by John O'Gurek and second by Mike Alabovitz to adjourn at 8:11 p.m. until the next regularly scheduled meeting on December 28, 2015 at 7:00 p.m.



Mike Kokinda
Council President



Kira Steber
Secretary/Treasurer