

Summit Hill Borough Council
September 28, 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, Greg Kosciolek, Jesse Walck, William O’Gurek, Solicitor Michel Greek and Mayor Paul McArdle were all in attendance. Michael Alabovitz and Bill Chapman were absent.

Minutes – **Motion was made by Greg Kosciolek and second by William O’Gurek to approve the minutes from the August 24, 2015 Council meeting.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor –

1. Brian Hutchinson, The Kilmer Group, gave a presentation on an insurance quote for the Borough's liability insurance, which renews October 1, 2015. Brian stated that he met with Kira and his company put together a presentation for Council hoping to become the new agent for the Borough and bring the Borough back to EMC, whom they were with in the past. One the very last page of the packet is the premium that will be charged for the year. The current premium that the Borough is paying is just under \$43,000, so that is the number that they worked on staying close to. They were able to come in at \$41,000. One thing for Council to take notice to is the Municipal Liability Piece, which is not in the Borough's current policy. This policy will cover the Borough is an officer goes out on Heart and Lung. What it does is pay out the last 1/3 of the salary to the officer. If you are a full-time police officer or fire fighter, you are entitles to 100% of your salary because your job is a little more risky than others. So it would be up to the Borough to cover the last third of the salary. There is a policy, which would cost the Borough a little over \$2,000, which would cover the third that the Borough would be responsible for. We feel it is something that the Borough would want. It can be removed at any time. There is also a dividend program with this insurance. EMC is the only company that offers the dividend program. It is very similar to the stock market. Jesse Walck asked how the dividend was generated. Brian explained that it is the profit that EMC has been making over the past three years. Jesse asked if the quote is showing the dividend applied to it; Brian said it is not showing it. Jesse asked if there is an option to have the dividend forwarded to the next year’s premium; Brian said it is an option. The dividends can be quiet substantial. He wanted to be there to support Council's decision and to answer any questions that they may have on the quote. Walck asked if there was a cap on the payments for the municipal policy. Brian explained that it goes up to \$75,000 per officer. Brain said that what they quoted is as close to apples to apples to the current policy. Kira Steber asked Brian about the Umbrella policy. Brian explained that the current insurance had a 9 million dollar limit for the umbrella policy. He has never heard of such a high limit and the typical limit for an account this size is around 2 million. They are quoting the umbrella policy at 5 million. Brian also pointed out that the Borough garage and salt shed got extra coverage with this policy, at no extra cost. Joseph Kosalko asked about the liability insurance. He stated that a tree branch did damage to a car and the Borough's insurance did not cover it, would this insurance cover it. Brian explained that they would need to go to the underwriters and it is up to the insurance company who is paying out the claim. There should be some coverage. Attorney Greek explained that there is no coverage for that. The only way the Borough would be liable for it is if it is defective and the Borough is aware of the condition of the tree.
Motion was made by Jesse Walck and second by William O’Gurek to switch the Borough's liability insurance to the Kilmer Group at a cost of \$41,428.00, which will include the Municipal Liability Policy but will not include the Terrorism Policy. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Mayor's Report – Mayor Paul McArdle reported receiving two checks from the District Justice for the month of August 2015 in the total amount of \$342.48. **Motion was made by Greg Kosciolk and second by William O'Gurek to accept the Mayors report for the month of August 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Police Report – Chief Fittos informed Council that the grant was submitted for a new explorer; he thanked Kira for all her help. He mentioned that last month there was a request by a resident to place crosswalks at the intersection of Ludlow and Pine Streets across Rt. 902. He checked with PennDot and the signs are available at no charge to the Borough. The speed limit must be 35 MPH, which it already is, so the speed will not need to be adjusted. The only that is required is that the crosswalks will have to be painted, which the Borough workers can paint. Council will need to make the decision if they would want to proceed with it because there are forms that need to be completed. He will also need to know if there are other places that Council would like to place the signs. Kira Steber asked Chief Fittos if he feels that there are other areas that may need signs. Chief Fittos stated that he was thinking Ludlow, Hazard and White Streets because a lot of people do cross in those areas. Mike Kokinda said that he might add the intersection at Lehigh because it is hard crossing there. Mike Kokinda said that Council can discuss it and get back to him as to how many signs we will need. **Motion was made by John O'Gurek and second by Greg Kosciolk to accept the police report for the month of August 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Planning and Zoning Report – Zoning Officer, William Kirklosky, read his Zoning Report for the month of August 2015. He said that Council will need to set the conditions of conditional use for the Redco building within the next few weeks. Kira Steber asked if this would need to be made by motion and if they would need to schedule a special meeting. Attorney Greek stated that Council would need to schedule a hearing and at that time they would place the conditions on the property. Council cannot meet beforehand to discuss this because they are a board. Because they are acting like a judiciary body, so you are acting like the Zoning Hearing Board and need to have a meeting to discuss it and place the conditions at that time. Kirklosky asked if the applicant would need to receive a rejected zoning application first and then come before the board to present their case; Greek said that is correct. At that time the board would either appeal the zoning officer's decision or set conditional use on the property. **Motion was made by William O'Gurek and second by John O'Gurek to accept the planning and zoning report for the month of August 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Work Leader Report – Borough Secretary, Kira Steber, reported that any work orders that were opened are all completed. Karen Ruzicka asked if they are going to seal around the paving patches where they did not go curb to curb. Jack said they are currently in the process of sealing everywhere that they paved. **Motion was made by John O'Gurek and second by Greg Kosciolk to accept the work leader report for the month of August 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 August 2015. Alice Kane submitted total taxes in the amount of \$3,545.31 with a commission of \$177.26. **Motion was made John O'Gurek and second by Greg Kosciolk to accept the tax collector report for the month of August 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 August 2015. Berkheimer submitted a total EIT of \$34,385.98 with a commission of \$594.88 and postage charges of \$ 18.84. Total LST submitted was \$97.12 with a commission of \$1.99 and no postage charges. **Motion was made by William O'Gurek and second by Greg Kosciolk to accept the Wage Tax Report for the month of July 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 August 2015. General Fund receipts were \$68,033.91, Sanitation Account receipts were \$34,017.26 and there were no receipts for the Community Center. **Motion was made by Greg Kosciolk and second by John O’Gurek to accept the receipts for the month of August 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports –

Streets –

1. John O’Gurek said they are done paving for the year and will do some minor patching yet. They did go a little over budget but they bought some equipment and paved a little more than anticipated on paving but the streets look good. The workers are currently painting lines. He also told the workers to paint 3 arrows on Chestnut Street in hopes to eliminate some of the people from traveling the wrong direction on the street. Total cost to do it was about a half a can of spray paint; a total of \$4-\$5. They are also starting to clean some of the sewer drains and getting the trucks ready for winter.

Buildings –

1. Mike Kokinda asked Kira if we got any quotes on the locking system for the community center. Kira explained that she had two different companies come in and walk through the building but she is still waiting to receive something from both. She hopes to have them for the next meeting.
2. Mike Kokinda asked if there were any calls of interest for the community center to open, close and inspect the building after events. Kira stated that there was no responses received. She address Council asking if she can receive comp time for managing the community center, since no one is willing to pay her for it. She expressed that she does not have to do it; it is not in her job description. Jesse Walck asked if Kira spoke to the Recreation Commission about doing it. They get the profits for the building. Kira stated that she feels she should get something since they are not willing to pay her for it, she should at least get some compensation for it. Chief Fittos asked Council if he can give his two cents. He said that he feels for Kira and thinks that she should be getting something. She is neglecting to go places with her husband because she has to make sure to be around to lock up. Or, she may have people at her house and has to leave to lock up and feels that she should be compensated for it. Joe Kosalko asked why the police can't lock up for her since there is always someone on duty. Kira explained that there is no problem with the police locking up the building but someone still needs to go over and inspect the building and clean it in between events if it needs to be cleaned. Kokinda explained that there is a cleaning person who does it once a week but there are times were the building needs to be cleaned on the weekends as well. John O'Gurek said that he feels that Kira should get some comp time. Kira asked if she will get a set amount, like when the workers get called out they get an automatic two hours. Or, is it going to be based off of each event and the amount of time it takes her. Jesse Walck asked if she advertised the position. Kira said that she did not because it was never discussed at to what fee they would pay for someone to do it. In the meantime, until we get someone, what is she going to get back. She has been doing it for two years, it has been nothing but a headache for her and she is getting nothing back. Kokinda suggested advertising and looking for someone to do it. Walck asked at what rate. Kokinda said that we pay our current part-timers \$11.00 an hour. Kira stated that they will never get someone to do this at that rate. Wayne Gryzik asked who cleans over there now. Kira explained that during the week they have a girl who does it but on the weekends, she has to do it. Mike asked if the current cleaning person would be willing to do it on the weekends too. Kira said that she would talk to her to see if she would be willing. We are also going to have to decide if we are going to give that person a key. Once the locking system is in, that is a different story. Kokinda asked Kira if she would be ok with keeping track of her time and getting comp time for it. Kira said she is ok with it for now as long as they are willing to hire someone. Kokinda stated that if they can find someone, they will hire them. Kira asked what rate we are willing to pay. It was asked what the current cleaning person gets paid. Kira stated she is paid \$40.00 each time she cleans. William O'Gurek said for now we can give Kira comp time and then she can ask the current cleaning

person if she would be interested. Kosalko asked if there was a set amount of hours per week or per month. Kira said it all depends on what she has scheduled for the weekend. Sometimes it is rented out all weekend, sometimes just one day and sometimes two days. Fittos said that the cleaning on the weekends isn't as thorough as during the week correct. Kira said it all depends. There are times when she goes there in between parties and everything looks good and then there are times where she walks in there and it looks like a bomb went off. Kira said if that is the case, she keeps the security deposit but her point is that she is going over to lock the doors and then has to go back over early the next morning to clean for the next party. Kosalko stated that maybe if the deposit was increased it would pay for someone to clean the building. Kira explained that the security deposit is \$100.00 and she has had people who did not care that she kept it because of the mess that was left. Karen Ruzicka asked where the money goes if the security deposit was kept. Kira said it goes into the same account as the other money goes in to. There is a separate account just for the community center. Kira explained that she pays the cleaning person from this account as well as buy the supplies for the building. Kira also explained that the current girl lives in Tamaqua so she is not sure if she will be willing to run up to Summit Hill to open, close and clean every weekend. Jesse Walk feels that they need to advertise at whatever rate they decide and if the current person wants the job, she can apply. Kira agreed with Jesse. She asked for Council to decide on a rate and she will advertise, but we do not have to put the rate in the paper. Attorney Greek suggested that Council do a request for proposals. Kira asked if we would continue to keep the current person and just look for someone for the weekends. Jesse said this would be when there is an event. Greek said if you are advertising for RFP, let the person giving the proposal give you the rate they are asking. If you don't like it, then you don't have to except it. If you feel it is too high, you can say we got the proposal but we are willing to pay this and go from there. Kira again asked what they are going to do about the comp time; minute by minute or a set time. John O'Gurek asked about how long it takes to open and close the community center. Kira explained that it is at least 15 minutes to open and then another 15 or so to close. O'Gurek proposed that they give her an hour of comp time for each event. Kira agreed. **Motion was made by John O'Gurek and second by William O'Gurek to give Borough Secretary, Kira Steber, one hour of comp time per event that she has to lock and unlock the community center.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

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

Recreation – Nothing at this time.

Motion was made by John O'Gurek and second by William O'Gurek to accept the committee reports for the month of August 2015. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Communications

1. Kira said she has a request from Aurelia DeMatto to hold a prayer service at the gazebo in Ludlow Park at 12:00 p.m. on October 10, 2015. **Motion was by John O'Gurek and second by William O'Gurek to grant Aurelia Dematto permission to hold a prayer service at the gazebo on October 10, 2015 at 12:00 p.m.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Communication for the Month of August 2015

1. Notice of Assessment from the Board of Assessment and Revision of Taxes
2. August 2015 Central PA Teamsters Health and Welfare/Pension Guardian Newsletter
3. Packet from PSAB – 2014 Financial Report, Newsletter, Legislative Directory, Programs, etc.

Motion was made by Jesse Walck and second by John O'Gurek to accept communications for the month of August 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 September 2015. Total General Fund Expenses were \$94,100.57, total Sanitation Fund Expenses were \$23,865.20, total Community Center Expenses were \$120.00 and total Street Account Expenses were \$16,962.32. **Motion was made by William O'Gurek and second by John O'Gurek to pay the bills for the month of September 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Old Business –

1. No Parking Ordinance for Richards Avenue - Kira stated that they will need a motion to advertise the ordinance to make the 300 block of East Richards Avenue no parking. William O'Gurek said that he would like to hold off on this ordinance until after they have a chance to talk to the Recreation Commission to see what was discussed about possible off street parking at the Little League Field. **Motion was made by William O'Gurek and second by Greg Kosciolk to table Ordinance No. 5 of 2015 until Council finds out the results of the meeting between the Recreation Commission and the Little League Association.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Special Purpose Parking Request - Kira said she is bringing back to the table a request from J&C Tanning to have two parking spaces in front of their business located at 12 East Ludlow Street. They are asking that the signs are for 1 hour parking during their business hours. Their current hours are Monday thru Saturday 10-6 and Sundays 10-1. Depending how business goes, they may change their hours. Jesse Walck asked if anyone talked to the people who live on Ludlow. It is already hard to find places to park. Joseph Kosalko thought there was an ordinance in place that only allows a business to request one parking space. Kira said she knows they do have an ordinance on file but is not sure what exactly it states. Kira went to get the ordinance. Kira stated that the ordinance does not specify a limit of how many signs a business can have. Jesse Walck said he would be ok to approve one sign but does not see the need for two. **Motion was made by John O'Gurek and second by Jesse Walck to approve one special purpose parking space in front of 12 West Ludlow Street with a 1 hour time limit during business hours and to issue a \$20.00 refund.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
3. Repairs to Ford F-550 - Mike Kokinda said that they need to discuss the quote that they received from Kovatch to repair the Ford F-550 Dump Truck. John O'Gurek said there was a misunderstanding that he supposedly said that they only spend \$4,000 to get the truck repaired. There was a miscommunication somewhere along the way and he is not for only getting the vehicle half fixed. If we have to fix it, we need to fix it the right way. He feels that if no one wants to spend the money to get it fixed this year or borrow the money from another fund, then we table it and put it in the budget to have it repaired in spring. Jesse Walck asked if the Water Authority is going to be plowing the allies for us. William O'Gurek said he was at their meeting and he is expecting to receive a winter plowing agreement with them soon. Walck asked why we need to truck if they are going to help us out. A brief discussion took place. **Motion was made by John O'Gurek and second by William O'Gurek to put off the repairs of the Ford F-550 until spring.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

New Business –

1. Handicap Parking - Kira Steber said she has a handicap parking renewal for 354 West Iron Street and they are also asking for a waiver from having to get a doctor to sign off on the application in the future. **Motion was made by William O'Gurek and second by Greg Kosciolk to approve the renewal of**


a handicap parking application for 345 West Iron Street with an exemption from doctor's approvals for future renewals. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

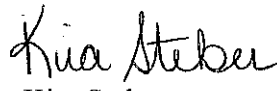
2. LCB Noise Enforcement Renewal - Kira Steber said that last year they approved an ordinance prohibiting the making, creation and maintenance of loud unnecessary and unusual noises within the Borough which allowed the police department to handle noise at a liquor establishment instead of having the LCB come in. The LCB gave the approval for it but it expires at 2:00 a.m. on October 31, 2015. Jesse Walck said it will need to be renewed this year and again next year. Kira said they will need to petition the LCB again and approve another resolution. **Motion was made by Jesse Walck and second by William O'Gurek to petition the Liquor Control Board to allow the police department to continue the noise enforcement at liquor establishments.** 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 Jesse Walck to adopt Resolution No. 04-2015 authorizing the police department to handle noise complaints as liquor establishments.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
3. Resolution No. 05-2015 for CCCOG - William O'Gurek explained that it is a resolution for the Parryville Borough to submit a grant application on behalf of the Carbon County Council of Governments. The application is for an asphalt skidder and a pole building. Jesse Walck asked where this is going to go. O'Gurek explained that there are a few locations but it was decided that they will wait until the grants are issued to iron out the details of where the location will be. **Motion was made by William O'Gurek and second by Greg Kosciolk to adopt Resolution No. 05-2015 to authorize Parryville Borough to act as lead municipality for the DCED LSA grant for the members of the Carbon County Council of Governments for the purchase of equipment to be shared among the members of the CCCOG.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
4. Heating Oil and LSD Fuel Bids - John O'Gurek suggested bidding out heating oil and LSD fuel especially since the price of oil is down and it is competitive. **Motion was made by Jesse Walck and second by William O'Gurek to put the purchase of heating oil and low sulfur diesel (LSD) fuel out on bid.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
5. Water Authority Plans for East Hazard Street – Kira Steber said she was presented with a plan from the Water Authority in regards to the line replacement project for East Hazard Street. Wayne Gryzik stated that they plan on opening bids in February. He explained the project and said that they will be replacing the water main from Elm Street down to Chestnut Street and install fire plugs where needed. He thought that Council may want to consider looking into replacing the sewer lines as well since the streets will already be torn up. John O'Gurek said that he spoke with Wayne on the issue and mentioned doing a camera study on two blocks of Hazard. He knows that there has been issues on two block east of the highway but is not aware of anything on the upper two blocks. A brief discussion took place. Jesse Walck stated that there is no money available because no one wanted to do a sewer transmission fee. To do two blocks, will cost hundreds of thousands of dollars. Mike Kokinda said that it doesn't hurt to get a price to see what it would cost. He also mentioned that we need to see where we stand with the Sewer Authority. We do not need to make a decision tonight.
6. Fall Clean-Up Dates – Mike Kokinda said the fall clean-up dates have been set. Monday, October 12, 2015 will be the east side of town along with Knepper's Trailer Court and East and West White Bear Drive. Then Monday, October 19, 2015 will be the west side of town along with Laurel Drive and East and West Mountaintop Road. John O'Gurek said he is being asked about the electronics cleanup and wants to know when it is going to be scheduled. Kira explained that she has been trying to get a date out of them and so is the girl who works in the office at the station. Jesse Walck said that it will

be scheduled by the end of October because we need to have it before it gets cold and there is snow on the ground. Greg Kosciolek asked what it states in the contract. Kira said it is once a year. Walck added that the way it is written in the contract is that they must come house to house and pick the items up. Kira said that they are most likely going to have a container over by the borough garage so that they can unload the truck instead of running back and forth to Tamaqua. They will make sure it is removed by the end of the day. Jesse Walck suggested holding garbage payments from them until they schedule the electronics pickup.

7. Mobile 311 – Mike Kokinda explained the software system. It would help with work orders, zoning issues, quality of life, etc. His opinion is that it is an interesting program but his concern would be the cost involved. There would be a \$3,000 setup fee and then about \$2,700 a year for maintenance. Kira said she felt the same way. The program would be beneficial to the borough but the cost is not feasible. Kokinda said that if it would ever come down in price down the road, maybe they can consider it.
8. Trick or Treat – Mayor McArdle announced that Trick or Treat night is scheduled for Saturday, October 31, 2015 from 6-8 p.m. with a rain date of Sunday, November 1, 2015 from 6-8 p.m.
9. Kira Steber informed Council that she received a phone call from Lehigh Asphalt. They are going to be starting a project for PennDot starting Tuesday. They will be paving starting at the Miner's Mart and going all the way to Normal Square.

Motion was made by Jesse Walck and second by John O'Gurek to adjourn at 8:25 pm until the next regularly scheduled meeting on October 26, 2015. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.


Mike Kokinda
Council President


Kira Steber
Secretary/Treasurer