

Summit Hill Borough Council
February 22, 2016, 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, Karen Ruzicka, William O’Gurek, Bill Chapman, David Wargo, Solicitor Michael Greek and Mayor Paul McArdle were all in attendance. Greg Kosciolek was absent.

Minutes – **Motion was made by John O’Gurek and second by David Wargo to approve the minutes from the January 25, 2016 Council meeting.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor – No one at this time.

Mayor’s Report – Mayor Paul McArdle reported receiving a check from the District Justice for the month of January 2016 in the amount of \$798.46. **Motion was made by Bill Chapman and second by Billy O’Gurek to accept the Mayor’s report for the month of January 2016.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Police Report – Chief Fittos read his report for the month of January 2016. He said that the 304 cruiser is out of service because it needs a starter. Mike Kokinda stated that we are a little short on money right now. He knows it is not a lot of money to get it fixed but as soon as we can, we will take care of it. **Motion was made by Bill Chapman and second by David Wargo to accept the Police Report for the month of January 2016.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Planning and Zoning -

1. Bill Kirklosky read his report for the month of January 2016. Bill stated that he would like to explain the rental inspection report that he has created to Council. The spreadsheet that Council has a copy of is his active spreadsheet, which he uses to show the corrections that are still being resolved or the inspections that are scheduled in the future and they do not yet have a certificate of any kind. The process is a property owner whose intentions are to rent or lease a property will fill out an application with the Borough to apply for a rental certificate. An inspection is scheduled by him, the results of the inspection are documented. If there are any infractions identified, a list is given to the property owner and they are given a reasonable amount of time to correct the issues. Once corrected, he will give them a rental certificate. He sees two problems with the whole process. One, there really is no trigger to determine who is the property owner that is renting or leasing the property other than a moving permit or sale of property. Other than that, there really isn’t anything to tell us if someone is renting their property. We actually do know that there are people who are renting their property and did not file a rental application. Second, once the corrections are identified, a lot of the land owners are not getting back to him letting him know that the issues were corrected. He has to keep calling these people to try and reschedule an inspection and no one will get back to him. Some of the things that he is working on is from a year ago. We have to follow through with the actual ordinance and let people know that they are renting the property, they must apply and if they don’t follow through they will be cited. He has started drafting a letter to explain how the process works and would like to send it out to the property owners that he knows are renting and have not applied. There are a lot of people out there that are getting away with not complying with the ordinance. Bill Chapman asked if he has reached out to other Zoning Officers in the area to see how they handle it. Kirklosky said he has not. John O’Gurek asked if he could give the people a letter once they have applied for the permit and he does that inspection letting them know about the procedures and that they can be subject to penalty. Bill did state that sometimes it is hard to determine what the reasonable amount of time is depending on what is found at the time of inspection. David Wargo stated that there was an original ordinance that was

put into place in 2004, because he was on Council when they adopted it. It was rescinded and this new ordinance replaced it. He asked Mike Greek how much this ordinance is like the old one. Greek said he did not compare them. Wargo said that he thought the trigger was that they required moving permits; Greek said that is usually the trigger. He asked Bill if the properties he is inspecting already have people living in them; Bill said some do. Dave asked what then triggered the inspection. Bill stated that they did come in a file the application for inspection. Kira Steber explained that there have been some cases where the tenant has moved in and the tenant is not happy because the landlord is not doing things for them so they come to the Borough to ask what we can do to help them and Bill looks at his records and sees that they never had an inspection done. Karen Ruzicka stated that she has a rental property and she noticed that at the bottom to the form that it states all must be completed within either 30 or 60 days and if not, they would have to repay for a second inspection. Bill explained that the actual ordinance states 10 days, which is unrealistic. It is 30 days if an outside company comes in and does the inspection. What he has come up with is that they must contact him within 30 days whether or not the violations are complete this way he at least has an update. Dave Wargo asked if it takes them 60 days to repair something is Bill asking the person to contact him every 30 days. Bill stated that if he gives them 30 days and they contact him that the issues are still being worked on, he may give them another 15 days to comply. Chief Fittos asked if people are moving into the apartments before he can inspect the property; Bill said absolutely. Fittos stated that he thought once someone moved out it was up to the landlord to get the property inspected before someone new moves in. Bill said in the real world that is the way it should be but it is not happening that way. Fittos stated that the people who are moving out need to obtain the permits but the property owner should also be notifying the Borough. Bill explained that it makes inspecting a property much easier when no one is living there. The problem with someone already living there is that you have furniture and boxes all around you can't get to half the receptacles. Fittos asked if the ordinance states that you have to have it inspected before you rent it out. Bill explained that it reads that you must have a certificate of compliance before you rent it out but it does not specify that no one could be residing in it. Fittos explained that if you have someone who was living there and totally destroyed the place and then moved out, someone who has housing assistance will come along and they will throw them right in there. That place should not be rented out until the proper inspection is done. Steber added that another issue that she discussed with Bill is that the property owner is to be up to date on everything including water, sewer garbage and even taxes. Wargo asked if we ask if they are renting when they come for their moving permit. Steber explained that they do ask if they are the owner or renting. If renting, we ask who the owner is. The problem again is that they need to obtain the moving permit. Kirklosky said that this ordinance is designed to protect the tenant and the landlord. He has already seen where a tenant lived there, they were smokers and didn't want to be setting the smoke alarms off so they took them out. When he originally inspected it the smoke alarms were there and operable but the tenants took them out. This is where it is very important for him to come back and inspect it before someone else moves back in. Fittos asked if there is anything in the ordinance to make the property owner responsible to notify the Borough when a tenant moves in or out and if they don't then they can be cited. Bill stated that just today there was a gentleman who came in to pay his water bill and it was for a property that he was trying to track down. It turns out that on the application another person was listed as the tenant. The girl who was living there moved out and never got a moving permit and this guy moved in and never got one either. Fittos said that they need to be informed so that they can follow up on it and go after them for a moving permit. David Wargo asked Mike Greek is the property owner could be cited if their tenant does not obtain a moving permit. Greek explained that you can only cite the person who is moving the household goods. He stated that the landlords are compelled to register their tenants pursuant to the ordinance. If they violate the ordinance, they can lose their license and be fined. He said that every town goes through this, you know who lives in your town so you need to be diligent and see people moving in and out. Plus you know from the tax bureau because if you are a landlord you are getting your taxes sent to a different address. John O'Gurek added that if the police see someone moving, they need to stop and see if they have a moving permit. Paul McArdele asked about the property at 3 East Ludlow Street. He said he thought it was condemned and yet he sees people there working and putting siding on the building. Kira said that they are

allowed to put siding on the building. Bill Kirklosky added that recently they called in that they are fixing the structure internally, Lehigh Engineering was notified and they will need to get the proper permits from them to do the internal structure. Lehigh Engineering will be doing the inspections on that building.

2. Mike Kokinda stated that there is a reverse subdivision plan for 336-338 East Ludlow Street which has been approved by the County and the Borough's Planning Commissions. Council needs to make a motion to accept it as well. **Motion was made by William O'Gurek and second by John O'Gurek to approve the reverse subdivision plan for 336-338 East Ludlow Street.** Motion was opened to the floor; none made. Motion carried unanimously by Council.

Motion was made by David Wargo and second by Bill Chapman to accept the Planning and Zoning Report for the month of January 2016. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Work Leader Report - John O'Gurek asked why on January 19, 2016 Bill and Ronnie replaced tiles and painted the wall at the Recreation Center. Does anyone know anything about this. Kira explained that the coat rack was a cheap one and there was an event where a bunch of people hung their jackets on the rack and it pulled out of the wall. They had to buy a new one and fix and paint the wall. Bill Chapman stated that on the report he noticed that we spent one day in Lansford removing Christmas lights and one day in Coaldale removing Christmas lights. He feels that we need to have a better idea of how much time they are spending doing things. They do not put down any time or explanation. John stated that he understands what he is saying and asked Kira to let them know that we need something a little more detailed. Bill asked why it takes two people to go for light bulbs. John said it needs to be addressed. **Motion was made by John O'Gurek and second by Karen Ruzicka to accept the Work Leader Report for the month of January 2016.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Tax Collector Report -- Nothing to report at this time.

Wage Tax Report - Borough Secretary, Kira Steber, read the Wage Tax Report for the month of January 2016. Berkheimer submitted a total EIT of \$12,481.34 with a commission of \$215.93 and postage charges of \$8.60. Total LST submitted was \$42.14 with no commission and no postage charges. **Motion was made by William O'Gurek and second by John O'Gurek to accept the Wage Tax report for the month of January 2016.** 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 January 2016. General Fund receipts were \$28,634.46, Sanitation Account receipts were \$34,601.00, Community Center receipts were \$150.00 and Sewer Fund receipts were \$23,945.49. **Motion was made by Bill Chapman and second by John O'Gurek to accept the Receipts for the month of January 2016.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports --

Streets - John O'Gurek there is not a lot to report. Let the workers know that there are potholes that need to be addressed on Lehigh Street and while it is not raining get a jump on other potholes in town. David Wargo asked if Council would consider the streets on both Ludlow and White around the cemeteries. They have been deteriorating over the past few years and soon we are going to lose the roads.

Buildings -- Kira Steber stated that she still has the letter of interest for the Community Center from Brian Reeser. Chief Fittos did a background check, checked his references and everything checked out. **Motion was made by David Wargo and second by Bill Chapman to hire Brian Reeser to handle the events at the Community Center including locking and unlocking the doors and cleaning the building after each**

event at a rate of \$75.00 per event. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Fire and Emergency Services – Nothing at this time.

Recreation – Mike Kokinda noted that they have a copy of Recreation Commission's meeting minutes

Motion was made by Bill Chapman and second by William O'Gurek to accept Committee reports for the month of January 2015. Motion was opened to the floor for comment, none made. Motion carried unanimously by Council.

Communications –

Communications for the Month of February 2016

1. Letter from DCNR announcing an approval for a grant in the amount of \$40,000 from the Community Conservation Partnership Program for the Ginder Field Development Project. (copy attached)
2. Letter from Vermillion Dental Office requesting a handicap drop off area in front of the dental office. Currently a sidewalk ramp. (copy attached)
3. Letter from Joe Mogilski, President of the PV Running & Fitness Club, asking permission to hold the Ludlow park 5K run/walk in town on Saturday, July 9th beginning at 8:30 AM. (copy attached)
4. Letter from the St. Gabriel Italian Club in regards to the Hazard Street bus stop. (copy attached)
5. Letter from PennDOT in regards to correspondence received from Mr. & Mrs. Richard Orsulak and the intersection at Route 902 and Mountaintop Road. (copy attached)
6. Letter from PennDOT in regards to the 902 Planned Roadway Improvement Project.
7. Notice of Assessment from the Carbon County Board of Assessment and Revision of Taxes
8. Annual Notice from Blue Ridge Communications
9. Letter from Lehigh Valley Inspection Service offering their Zoning, Code Enforcement and UCC inspection services
10. PSAB 2016 Annual Conference and Exhibition information
11. Winter Newsletter from The Portnoff Reporter
12. Winter Newsletter from Esri News

1. Kira Steber stated that a letter was received from DCNR announcing the approval for a grant in the amount of \$40,000 from the Community Conservation Partnership Program for the Ginder Field Development Project. It is a start and will continue to keep working on grants. William O'Gurek commended the Recreation Commission for all their hard work to secure that grant. They put in a lot of hours and a lot of time with the grant and it paid off. It will be real nice to see some work done at the park.

2. Kira Steber said a letter was received from Vermillion Dental Office requesting a handicap drop off area in front of the dental office. There is currently is a handicap ramp in the sidewalk but would like to have something painted on the street so that people stop parking in front of it. John O'Gurek stated that we should put a sign there as well so people can see it. **Motion was made by John O'Gurek and second by David Wargo to tentatively approve a handicap parking space in front of the Vermillion Dental Office with logistics to be worked out.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

3. Kira Steber said a letter was received from Joe Mogilski, President of the PV Running and Fitness Club, asking permission to hold a Ludlow Park 5K run/walk on Saturday, July 9, 2016 beginning at

8:30 am. She does have a copy of their insurance and letters will be sent to the police and fire police asking for their assistance. **Motion was made by Bill Chapman and second by William O'Gurek to give permission the PV Running and Fitness Club to hold a 5K run/walk on Saturday, July 9, 2016 at 8:30 am.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

4. Kira Steber said a letter was received from St. Gabriel Club in regards to the Hazard Street bus stop. Chief Fittos noted that there was an incident a few years ago at the bus stop but he is at the bus stop almost every day and there are no problems. John O'Gurek asked if the incident they are referring to happened on Market Street; Joe said it did. O'Gurek said if it happened on Market Street then why would they mention it in this letter. Fittos said because they want to see the bus stop moved so they are bring anything up. O'Gurek said that they should be talking to the school board who need to tell their drivers that the bus stop is not in front of the Italian Club but in front of the Post Office. Fittos said the problem with that is they do have other bus stops they need to go to and pick other children up. They would have to drive around the block to head back to the other stop. O'Gurek stated that the bus stop is on Market and that is where they should be picking the kids up. Fittos noted that the bus has been picking up kids on Market as long as he has been here. John said there is an issue with congestion on Hazard Street and the shelter for that stop is on Market anyway. Fittos stated that the bus stop is not bad and does not see the issue. O'Gurek stated that it won't be that hard for the buses to come up from Lansford, make a right onto Lehigh Street and come up Market to the bus stop. David Wargo asked if they have to come up the hill by Parambo's Funeral Home, how is this going to be in the winter when the streets are bad. O'Gurek said that we will make sure the road is taken care of for the buses. He continued by saying that the school and the bus drivers are the ones changing the bus stop. Steber explained that the school does not designate where the bus stops are, the Borough does. Mike Kokinda brought to Wayne Gryzik's attention that there is another issue at the bus stop on Ludlow and Elm Streets. Parents are concerned that the buses are stopping in front of the ambulance building and blocking the driveway. Steber stated that they use to come down Elem Street and stop pick up the kids now they are coming up Ludlow again.
5. Kira Steber said a letter was received from Penn DOT in regards to correspondence from Mr. and Mrs. Richard Orsulak and the intersection at Route 902 and Mountaintop Road. Chief Fittos stated that the Orsulak's letter they complained a few years ago about the intersection and Penn DOT came up and placed a mirror at the intersection so you can see oncoming traffic and they reduced the speed limit. The speed limits are not an enforceable speed limits because they are recommended speeds. This is what is at the top of the hill by Mountaintop Road. Penn DOT eluded to the fact that there have not been any reported crashes at this intersection associated with vehicles existing from Mountaintop Road. John O'Gurek asked Fittos when was there an accident investigated at this intersection last; Fittos said he can't remember. He said that a recommendation from Penn DOT was to prohibit left turns, which those residents will not agree with. Mike Kokinda said there is no action to take at this time.
6. Kira Steber said that another letter from Penn DOT was received in regards to the North Pine Street (PA 902) Planned Roadway Improvement Project. This was the project with the Sewer Authority where they replaced sewer lines on the highway. Everything for the project was addressed except the two outstanding items that they list in the letter, which are replace/repair of multiple inlets and the replacement of adjacent terra-cotta pipe with ductile iron pipe and concrete collar where it joins the terra-cotta pipe. As per recommendation of Mike Tirpak, he feels that at this point in time, we hire a contractor to do this job. It is not that our workers can't do the job, the problem will be having Penn DOT breathing down their neck telling them what they should and should not be doing. He strongly suggests bringing in someone to finish this part of the project, complete it and make sure it is done right and as per Penn DOT specs. They would also be responsible when they are going in and joining the two lines together. If anything breaks, it falls back on the contractor and not the Borough. Mike Kokinda said that we didn't bring someone in to do it that was the Sewer Authority. They have about

\$30,000 or \$35,000 of our money that they were supposed to replace the inlets with when they completed the project. Steber also stated that she believes that at the last Sewer Authority meeting they agreed to release that money back to the Borough. With this money coming back to the Borough, we could use that money to complete the project. David Wargo asked why they didn't finish the project. No one seemed to know that answer. Kokinda said that is why they held the money for the few years. It is going to cost the Borough more than \$35,000 to replace the inlets for something that he feels we did not cause. The letter states that resurfacing 902 from Amidon to Lehigh is being held up until this is complete. Penn DOT will be doing resurfacing from Lehigh Street to Lansford and from Amidon to the Mahoning Valley Ambulance. They will not do the rest until the inlets are replaced. Why is it our responsibility to replace the inlets when the Sewer Authority is the one who opened the road. Wargo said the letter is addressed to the Sewer Authority so he is not understanding why they are giving the money back to us when they should take that money and finish the work. Bill Chapman suggested talking to Mike Tirpak further and get more answers. A brief discussion took place on the Penn DOT resurfacing project.

Motion was made by William O'Gurek and second by Bill Chapman to accept Communications for the month of February 2016. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Bills – David Wargo stated that he noticed that we are paying for the police to have cell phones, which he understands, and then we are reimbursing Bill Frantz for his cell phone and not Ronnie or Kira. Mike Kokinda stated that technically as Work Leader we provide him with a phone. He is not sure if this is in the contract or not. Kira Steber explained that we use to provide one for the Work Leader but he chose not to have one because he did not want to be carrying two phones around so we reimburse him \$41.00 a month for the use of his personal phone. Wargo state that maybe we should partially reimburse the other so everyone is treated fairly. Total expenses for the month of February 2016 were General Fund \$76,545.67, Sanitation Fund \$23,797.16, Community Center \$280.00 and Street Fund \$2,578.90. **Motion was made by Bill Chapman and second by David Wargo to pay the bills for the month of February 2016.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Old Business –

1. Ordinance No. 2 of 2016 - Street Encroachment and Opening Ordinance. John O'Gurek asked if there was anything in the ordinance that states they must replace whatever it is they removed from the street. For instance, if they take out concrete, they must replace it with concrete. Mike Greek explained that it must meet Penn DOT standards. That is exactly what was previously written so they cleaned up the language. O'Gurek stated that in the letter they received from Tirpak in regards to the Water Authority doing the project on Hazard Street, that they do not have to use cement and there is cement in the street. He doesn't see why they can't put it back to the way it was so there are no issues with it later. He understands that there will be a contractor doing the work and he can compact it and then macadam the street. If we let it go on Hazard, then we have to let it go for everyone. Mike Kokinda stated that the issue came up when one of the Water Authority workers talked to Mike Tirpak about it and said every time they open the street they fill it with concrete and then blacktop over it. Kokinda explained that there is language in the contract that will hold the contractor responsible for any damages or work not done properly. A brief discussion took place about how the street should be replaced with what is taken out. **Motion was made by Bill Chapman and second by William O'Gurek to adopt Ordinance No. 2 of 2016, Street Encroachment and Opening Ordinance.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Summit Hill Fire Insurance Ordinance - Mike Greek said that what they have is a draft of the ordinance. This ordinance is designed to allow the insurance proceeds to be held by the Borough in an escrow account until the house is either repaired or demolished. You will provide this whenever there is a fire to an insurance company. They usually will ask if you have this ordinance in place. You do

not keep the whole thing, only a portion of the tax proceeds will go into escrow. David Wargo asked if a house is owned by a mortgage company, who gets the money for the structure. Greek said that is between the mortgage company and the insurance carrier. **Motion was made by David Wargo and second by Bill Chapman to advertise Ordinance No. 3 of 2016, Escrow Fire Insurance Ordinance.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

3. Surveillance Camera Grant - Mike Kokinda asked Chief Fittos is he had any additional information on the surveillance cameras. Nothing new to report at this time.
4. Town Crime Watch - David Wargo stated that there was a meeting held last Wednesday and it was pretty well attended with about 21 people present. The Mayor and the Police Chief ran the meeting. Chief Fittos it was a good turnout and it seems like the residents really want to help protect our community. It was an informal meeting and there will be another on March 9th. They will go more in depth at that meeting as to what is expected of them and the procedures. Should be up and running soon.
5. John O'Gurek said he would like to add something. He asked how long we have been in this building. Mike Kokinda stated about 8 years. John said for 8 years we have approved a PA system for this room and we still do not have one. Kira Steber said that she is looking into it and working on getting quotes.

New Business –

1. Mike Kokinda stated that Kira is requesting to move some money until April when tax money starts coming in. David Wargo asked if the money we transfer will be put back into the account once we have the money from taxes; Kira said absolutely. Mike Kokinda said that it is a short term loan from our own account until money starts coming in again. Wargo asked if \$50,000 was enough. Kira explained that she didn't want to transfer too much and will decide if she needs more come next month. **Motion was made by Bill Chapman and second by David Wargo to transfer \$50,000 from the Sewer Fund to the General Fund, with the account to be reimbursed once tax money is received in April.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. William O'Gurek thanked the Fire Company for great work during the fire this past week. Mike Kokinda also thanked them for the great work with the fatal car accident too. Kira Steber stated that the Borough has started a gift card fund drive for the families who were affected by the fire. All donations will be distributed evenly in hope to help them buy some things that they need. Chief Fittos said that the Fire Departments did a fantastic job and all the volunteers to do what they did. He added that the unsung heroes, the fire police. Without them they couldn't have done it. They take over traffic control and are out there in the bitter cold and snow. Everyone deserves thanks. William added that the Salvation Army needs thanks too. They had shelters set up and it was unbelievable what they were doing for the first responders.

Motion was made by Bill Chapman and second by William O'Gurek to adjourn at 8:15 p.m. until the next regularly scheduled meeting on March 28, 2016 at 7:00 p.m. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.



Mike Kokinda
Council President



Kira Steber
Secretary/Treasurer