

Summit Hill Borough Council
January 25, 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, Greg Kosciolek, William O’Gurek, Bill Chapman and David Wargo were all in attendance. Solicitor Michael Greek arrived at 7:03 p.m. Mayor Paul McArdle was absent.

Minutes – Motion was made by John O’Gurek and second by Greg Kosciolek to approve the minutes from the December 28, 2015 and January 4, 2016 Council meetings. Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor –

1. Kevin Steber, Borough EMA Coordinator, spoke to Council about the recent snow storm. This storm exceeded 6 inches of snow and a State of Emergency was declared at 12:30 Saturday afternoon by the direction of the Mayor. For all of those that are unaware, once a State of Emergency is declared, the current snow ordinance, the ones that are posted on almost every pole in town, goes out the window. Into effect goes the Snow Emergency Plan, which was adopted by Council December 1, 1997, Ordinance No. 6. In that plan, is direction to the Workforce, Police Department and any other critical members of the community. It is very cut and dry and should be followed to the fullest extent and not wavered from. Some of the issues that are addressed in the snow emergency plan are similar to and vary from the original snow ordinance. Where to park, when do we move and what gets plowed are probably the biggest issues. He urges Council to review the plan for future storms; the Chief is already well aware of it. Questions arise as to if we are plowing to the curb or what should we be doing. In a State of Emergency, we are to keep open the main roads, plow the center, and keep the town open. It calls out a specific itinerary for the Borough workers to follow, which are emergency services areas. The Fire Company being the number one priority followed by the Police Department and designated parking areas, if we were to do removal of snow. Those parking areas are also listed in the plan. Then we will be going to the curb on the South and East sides after the snow, not during. The beauty of this being a state of emergency gives the Borough more teeth to allow people to move their cars, to allow the police department to do their jobs, to allow the Borough workers to do their jobs and keeps people away from the plows. Under the regular snow ordinance, you are forced to do the South and East sides on day one and the North and West sides on day two. Under the emergency plan, you can do it all in one day as you see fit. It is a proven plan. It worked during the blizzard of 1993, the one in 1996 and subsequent storms from there on. We need to follow the rules and be consistent. Do I feel there should be some changes to the general snow plan, yes. He sent Council an email on February 6, 2015 urging them to have a meeting to change the plan. We can't change the ordinance in the middle of a snow storm. There are over 1,500 homes in the Borough of Summit Hill, which includes White Bear and Mountaintop. He estimates roughly 1,300 homes up here on the hill with roughly 2,700 residents living up here as well. If we get complaints from a dozen residents out of 2,700 during a snow storm, well congratulations Council and workforce, you are doing a great job. That is less than 1%. Sometimes tempers fly, sometimes egos get in the way, but we have to put that all aside. You, I, the Chief, the firemen in the back of the room, all have an obligation to the people of Summit Hill. We need to do what is right, we need to follow the rules and we need to be consistent. This is the only way to field those phone calls. We are sorry we are taking a hard line in following the rules and each and every person will be treated fairly. We must have done something right because the room is not full of people. Most of the people here are firemen, who worked their rear ends off shoveling out fire hydrants to keep people safe. Kudos to them as well. He believes with the recent snow storm we have done well. He would like to see us do a little bit better. He would like the media to inform the residents that they need to stay up on current happenings in the Borough. He and the Borough Secretary were updating the Borough's website, Facebook page, and most importantly Ready Notify Carbon frequently. Ready Notify Carbon is a free service that sends alerts right to your email,

cell phone or any other device you have. He would be glad to sit down at another time to discuss his thoughts and intentions to revise the snow ordinance. He would like to thank Council and most importantly would like to thank the Borough police Department, especially Officer Harrison, for doing an excellent job during the storm. He cannot say enough about Billy, Ronnie, Rich Boyd, John Poko and Tim Gaughan who were out in the middle of the storm all night and all day making sure we could get down the streets.

John O'Gurek asked Kevin about the rules for curb to curb during a state of emergency. He said it wasn't in effect until the snow stopped. Kevin said that is correct because it throws out the curb to curb but the plan does call for curb to curb once the snow stops, which would have been Sunday. This is exactly what the guys did and about 90% of the Borough was done on both sides in one day. There was an instance where a car had to be towed, which under the snow emergency plan, at the discretion of the police department, they can tow a vehicle. It was determined that the vehicle would be in the way and it got towed. People need to know what the rules are and we need to stick with the plan to do to the curb when we can. John O'Gurek said his main objective was to make sure the main emergency roads were open and as far as doing curb to curb, people would have been in the way of the plows if they would have moved their cars. This is the reason that he made the call and asked everyone else if they agreed with this decision. Steber stated that there were very few cars that weren't moved even prior to the state of emergency. He said the original snow ordinance gets confusing with the hours and that is something Solicitor Greek will have to look at. Chief Fittos stated that it reads that during any snow of 3 or more inches or an accumulation of ice, there is no parking in the alleys at all. But, they cannot ticket the cars until after 8:00 am. Mike Kokinda said we will need to have the no parking changed and take that 8:00 am out of the ordinance. Ronnie Yuricheck mentioned that the trucks cannot fit down the alleys when there are cars parked there. William O'Gurek added that if you are not signed up for Ready Notify Carbon, you should sign up right away. It was great receiving updates all weekend during the storm. He mentioned that he spoke with Kira in regards to the system that we signed up for with the Water Authority and it will be able to make phone calls. It is a very effective way to get the information out to people. Steber said that currently there are over 215 members that have signed up for the system. David Wargo said he would like to thank the Police Department, Fire Department, Borough Workers, EMA, the Street Committee and the people on Council who were out taking care of the town. The town looks fantastic compared to other towns in the area. Mike Kokinda thanked Kevin for his help during the storm.

- Christine Heintzelman, 24 West Holland Street, expressed her concern about the condition of her sidewalk when she got home from work. When she left for work in the morning her sidewalk was bare and when she came home, the snow was up to her front porch and she cannot break it up because it is too hard. The snow is all the way up to her front porch steps and the mail person won't be able to deliver her mail. Mike Kokinda apologized and stated that unfortunately when there is this much snow it has to go somewhere. Kokinda said we can take a look at it and see if there is something we can do to help.

Mayor's Report – Chief Fittos read the Mayor's report for the month of December 2015. Checks were received from the District Justice and the County in a total amount of \$745.75. **Motion was made by William O'Gurek and second by Bill Chapman to accept the Mayor's report for the month of December 2015.** 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 December 2015. He noted that they serviced 4,380 complaints in 2015. He asked permission to send Officer Horos to an Advanced Media Relations for Law Enforcement course on March 22nd and 23rd. There will be no cost to the Borough and the shift would be filled by a part-time officer with no overtime expected. David Wargo asked if he had a plan in place when an officer gets training that they train the whole department. Fittos said it depends, to share with the department yes but in a case like this, he would be like a PIO. John O'Gurek asked Chief Fittos to notify his officers that if they see people with snow blowers or shovels placing snow on other people's property that they get a warning and if it happens again they get cited. He received a lot of complaints in regards to this

happening to people, he too was a victim of this. Fittos said he will let his officers know to keep an eye out for it. Mike Kokinda said that the same should go for anyone who is putting the snow back out onto the street. Bill Chapman mentioned that we have a municipal agreement with other police departments and over the past six months our police department wrote 58 citations, had 117 assists to Lansford and had 20 crashes. He said that if the average person looks at this report they are going to be asking why we were in Lansford 117 times and would be wondering who is taking care of Summit Hill. He suggested having a report that shows how many assists we are getting from other towns. This way we can understand why we have this municipal agreement. Fittos said he would think we get as much assistance from them. **Motion was made by William O'Gurek and second by David Wargo to send Officer Horos to the Advance Media Relations training on March 22-23, 2016.** Motion was opened to the floor for comment; none made. Motion carried unanimously by council. **Motion was made by David Wargo and second by William O'Gurek to accept the Police report for the month of December 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Planning and Zoning - Kira Steber said Council has a copy of the report. Two things that she would like to point out is that there will be a Zoning Hearing Board meeting on February 10th at 7:00 pm in regards to the installation of a personal wireless tower in an M1 district, which would be on the mines property. Also, the Planning Commission will meet on February 17th at 7:00 pm to review a reverse subdivision proposal for the properties located at 336 and 338 East Ludlow Street. David Wargo asked if there were any applicants for the open positions on the boards; Kira said that she needs to advertise for the positions. **Motion was made by John O'Gurek and second by William O'Gurek to accept the Planning and Zoning report for the month of December 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Work Leader Report - **Motion was made by John O'Gurek and second by Greg Kosciolk to accept the Work Leader report for the month of December 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 December 2015. Alice Kane submitted total taxes in the amount of \$17,075.31 with a commission of \$853.76. **Motion was made William O'Gurek and second by John O'Gurek to accept the Tax Collector report for the month of December 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 December 2015. Berkheimer submitted a total EIT of \$19,858.19 with a commission of \$343.55 and postage charges of \$16.41. Total LST submitted was \$15.00 with no commission and no postage charges. **Motion was made by David Wargo and second by John O'Gurek to accept the Wage Tax report for the month of December 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 December 2015. General Fund receipts were \$36,477.68, Sanitation Account receipts were \$1,410.40 and the Community Center receipts were \$50.00. **Motion was made by David Wargo and second by Karen Ruzicka to accept the Receipts for the month of December 2015.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports –

Streets - John O'Gurek stated that the guys did a great job during the recent storm. There was one issue that Greg brought to his attention that he was not aware of and it is that one of our trucks was broke down. Ronnie said it ran out of fuel because the gauge in the truck does not work properly and it was showing half a tank.

Buildings -

1. Mike Kokinda said they received a letter of interest from Brian Reeser to clean and for locking and unlocking the community center during events at a cost of \$75.00 per event. He asked if anyone was familiar with this person and asked if he had references. David Wargo said he thinks he may be a supervisor over in Mahoning Township. He said his concern is the \$75.00 fee and asked Council if they want to work that fee into the rental fee. Kira explained that the current cleaning person is getting paid \$40.00 each time she comes to clean. William O'Gurek had a concern about the doors and giving this person a key that will also open the Borough building, unless we can get one made specifically for that building. Chief Fittos recommended a background check; William O'Gurek suggested getting references. A brief discussion took place in regards to the current process that takes place when there are events at the community center. Mike Kokinda said that this will be tabled until a background check is done and references are received.
2. Kira Steber informed Council that HT Lyons was there doing work this past Friday. They brought the control guy in to work on the control system. It definitely made changes to the temperature in the offices. Kira asked Chief Fittos how it has been in the Police Department. He said it has been much better. Kira said they would check back in a few weeks and if adjustments needed to be made they would come back. There were a lot of issues that were never addressed with the controls and the repair guys that were coming in were there to make repairs and do not do anything with the controls. The control guy came in and hooked his computer up to the control system, made the proper adjustments and made sure the dampers were working properly. She wanted Council to be aware that they were called in because it was becoming a major issue. Chief Fittos did state that the knobs on the control boxes in the Police Department are slowly breaking and falling off. Ronnie said that he will take a look at them.

Fire and Emergency Services - Shawn Hoben, Fire Chief, would like to have a meeting with the Emergency Services Committee and asked if it could be scheduled soon. William O'Gurek stated that the members of the committee are Chairman, Greg Kosciolk, Co-Chair Karen Ruzicka and himself. Monday nights would be a good night to meet.

Recreation - Nothing to report at this time. William O'Gurek said that he felt the Christmas tree lighting in Ludlow Park was really nice. Kira added that they had a very good turnout for it being their first time.

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

Communications –

Mike Kokinda said a thank you card was received from Barry Fulton for helping him with his government project for school. Also, a letter was received from Representative Knowles to PennDOT in regards to the snow/ice issue during a storm along Route 902. David Wargo said he would like to discuss this letter. He stated he stopped at the Borough office on January 12th when we had the snow squall. He was in the office with Kira when they found out about the accident on the hill causing the hill to be closed. He noticed on his way home that Lehigh County had pretreated the roads and once he hit Carbon County there was treatment on the roads. There was snow all over the road from the 902/443 intersection all the way to Lansford. Children were stranded at the bottom of the hill and the only PennDOT truck that he saw was a utility truck parked at the top of the hill, which did not have a plow. They didn't show up until after the storm came and while they were going through, they slide down the hill into a small bus and an oil truck. Because of this, he decided to write a letter on behalf of Council because he felt that the actions were very irresponsible of PennDOT to come here year after year and tell us that they will make 902 a priority and yet the first snow storm comes and it is a mess. Children were stranded on a bus for over an hour, the roads were a mess and there were accidents because PennDOT did not go out and pretreat the roads. This is the reason for the letter. Representative

Knowles sent a copy of the Borough's letter to the District Engineer in Allentown asking for an explanation as to why the roads were treated this way on the 12th of January. Kevin Steber added that where he lives, along the highway, he has been there for many, many years and he has never seen as many PennDOT trucks go by the house so many times as they did during the recent storm. Congratulations, your letter worked. Chief Fittos also added that he noticed that they treated the road superbly that evening before the accident occurred and the next morning when he came into work the roads were great. After that, it got very bad. Bugzies Mountain was like a parking lot but it wasn't only here, they also shut down 309. What happened was a light fog rolled in and caused the roads to ice over immediately. John O'Gurek said the sad part about the whole thing is that it all happened during regular working hours and they should have anticipated it.

Communication for the Month of January 2016

1. Thank You card from Barry Fulton for helping him with his government project for school. (copy of card is attached)
2. Letter from Rep. Jerry Knowles to the PA DOT District Engineer addressing the snow/ice issues on Route 902 from Routes 443 to 209. (copy of letter is attached)
3. Notice of Occupational Classification Assessment from the Carbon County Board of Assessment and Revision of Taxes
4. MECAB Meeting on January 27, 2016 at 7:00 p.m. at Freemansburg Borough
5. Information from PSAB in regards to different awards that are offered through them for borough employees, council members, etc.
6. Central PA Teamsters Health and Welfare Fund December 2015 newsletter
7. Barry Isett & Associates Winter 2016 newsletter
8. PMRS January 2016 newsletter

Motion was made by John O'Gurek and second by Karen Ruzicka to accept the Communications for the month of January 2016. 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 December 2015. Total General Fund Expenses were \$43,703.39, total Sanitation Fund Expenses were \$24,377.16, nothing for the Community Center and total Street Account Expenses were \$5,675.08. **Motion was made by Bill Chapman and second by John O'Gurek to pay the bills for the month of January 2016.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Old Business –

1. Ordinance No. 1 of 2016 - **Motion was made by John O'Gurek and second by David Wargo to adopt Ordinance No.1 of 2016 - Fixing the Various Tax Rates for 2016.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Ordinance No. 2 of 2016 - Solicitor Greek informed Council that it was not advertised yet because there were some changes that came in from the Borough's Engineer. Kira noted that a motion was made last month to advertise. Greek said that it will be advertised for adoption at the February meeting.
3. Draft Fire Insurance Ordinance – Kira Steber informed Council that this is the ordinance that was brought to the table in December by Mike Alabovitz and she urges Council to adopt this ordinance because it will protect the Borough. Solicitor Greek said it calls for an escrow. We would end up escrowing the insurance proceeds and the money would not be released until there is a cleanup done. There are conditions that would need to be met and then the money can be released. This prevents a person from having a total loss and they take the money and walk away from the building. Kira also

explained that the Borough's inspector would need to inspect the property and give the approval before the Borough can release the money. Mike Kokinda said they will review it for the next meeting.

New Business -

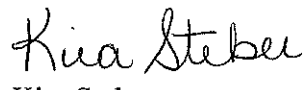
1. Surveillance Camera Loan Program Grant - Chief Fittos said there is a program where they loan cameras to municipalities to help catch people illegally dumping. It is a grant loan program. There is a form to fill out online and if we meet the criteria, we can get the cameras. Other municipalities have made several arrests using these camera. We have talked about this for quite some time and the cameras are free. David Wargo said according to the information he read they would award the cameras 2-4 weeks after the application is received and the anticipated loan period is 3 months depending on the site activity. He asked is this was optional or if they only loan them for 3 months. Fittos said he assumes it would depend on the situation. If we have them for 3 months and nothing is happening, they would ask to have them returned. But, if you are busy with activity, they may let you keep them longer. Karen Ruzicka asked how long the battery life is on the cameras. Fittos said they come with batteries but then it is our responsibility to keep an eye on them. Mike Kokinda asked Joe to get more information.
2. Town Crime Watch Program - David Wargo said that he has been talking with the Chief, Mayor and Bill O'Gurek, Chairman of the Police Committee, about forming a crime watch. He has been approached by several residents in the past few months who are very much interested and motivated to get a crime watch up and running. This trigged because of some personal events with petty crime in town, the gas station being robbed, tires being slashed, etc. In light of the fact that there are about two dozen people who have signed up with a local group to participate in a local crime watch, he would like to see this crime watch reactivated. He also stated that he would be willing to take each and every person's name down who is in the room tonight and have them be a part of it as well. He is asking that the Police Committee, as well as the Mayor and Police Chief, make it their priority to get people involved and active. The more people that are active, the more we can catch the people who are causing the problems. Chief Fittos said he will get in touch with the Mayor and set up a date for the first meeting. William O'Gurek said it will be a little more publicized because Blue Ridge was in town today in regards to the tire slashing. They did contact him for comment and he mentioned that this is being discussed and unfortunately sometimes these things seem to be reactive but in this case, it has been discussed for a month or so. The more people that know about it, the more people will be encouraged. Fittos said a lot more people have surveillance cameras, which has helped us. Kira asked Wargo to get her the information so she can get it on the Borough's website.
3. Handicap Renewal - Mike Kokinda said there is one handicap application for renewal at 210 West Hazard Street. **Motion was made by John O'Gurek and second by Karen Ruzicka to approve the handicap renewal at 210 West Hazard Street.** Motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
4. Codification Project - David Wargo mentioned that about 7 or 8 years ago some of the previous Council members have gone forward with a grant and did the initial work. The Borough had an editorial analysis on all of the ordinances in the office and he arranged with Kira, and also asked Karen to join us so that she can get more acquainted with the ordinances, to start an initial review of the editorial analysis. We are about 2/3 of the way though it and have been meeting on Mondays to try and do some other work so that we can present it to Council for review. One thing we did find is that some of the context was submitted back to us in 2011. This means the ordinances that we have on the books after 2011 have not been reviewed by this foundation so we will have to work with the solicitor and go through it and go over the ordinances that were not part of the initial review. Being it was several years ago, we will probably have to do some more initial work that may cost a little extra money. In the long run, we will make sure the code is up to date. For those of you that are not familiar with codification, the purpose of it is to take all the ordinances that are active and put them into one book with a uniform set of rules, uniform set of fines and resolutions so that we don't sit up here arguing over what the current ordinances

are and what the current rules are. Every Council person, as well as the Police Chief, will have a book. There would be no questions after this as to what is active and what can be enforced in the Borough because we run into time and again not knowing for sure what the actual ordinance is. Now you will all have a book in front of you and you can look it up in the drop of a hat. When he was reporting for the paper there were different Townships and Boroughs that had these books and it saved a lot of time guessing what the rules were. So, he feels this will be a very handy tool for everyone. Once we are done going through the analysis, we will provide Council a copy to review and ask for input.

5. Vacant Borough Positions - Mike Kokinda said there are currently 2 seats on the Planning Commission, 2 seats on the Zoning Hearing Board, 1 seat on the Appeals Board and 1 seat on the Civil Service Commission that are vacant. We are looking for individuals to serve on these boards. **Motion was made by David Wargo and second by William O'Gurek to advertise for the vacant positions on the various boards for the Borough.** Motion was opened to the floor for comment. Thomas Tkach asked what position was open on the Civil Service Commission because David Wargo was on it. Kira explained that Dave stepped down due to his current position with Council. Motion was again opened to the floor for further comment; none made. Motion carried unanimously by Council.

Motion was made by William O'Gurek and second by Bill Chapman to adjourn at 7:55 p.m. until the next regularly scheduled meeting on February 22, 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