

**Summit Hill Borough Council**  
**August 8, 2011, 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 Joseph Weber presiding.

**Roll Call** – President Joseph Weber, Vice- President John O’Gurek, Harry Miller, Michael Alabovitz, Ken Boyd, William Chapman, Michael Kokinda, Solicitor Joseph Matika and Mayor Paul McArdle were all in attendance.

**Minutes** – **Motion was made by Bill Chapman and second by Harry Miller to approve the minutes from the July 11, 2011 Summit Hill Borough Council Meeting.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Floor** –

1. Michael Witczak, 572 W. White Bear Drive, Boy Scout Troop 744, told Council that he is trying to earn his communications merit badge. Michael said that one of the things he needs to do in order to earn the badge is to sit in on a Council meeting and take notes. Joe Weber said that after the meeting is over, if he has any additional questions for him, he can come and ask. Joe also added when the minutes are typed and approved from the meeting the Borough can send him a copy of them as well.
2. Monica Marshall, 31 E. Ludlow Street, said that she has contracts for Council to sign for the Community Room. Monica said that it has been 60 days since she decided to step down from the Community Room and she still does not have a replacement. She told Council that she has a small proposal to continue to run the room for a small fee. Monica said that every time someone books the room they pay a \$25.00 booking fee, she is asking for one booking fee a month. Bill Chapman said that what Monica is asking for is a minimal. Atty. Matika said that Council can appoint Monica as the activities scheduler at the rate of \$25.00 a month. Monica said that she would make sure the Community Room is cleaned and maintained. **Motion was made by Bill Chapman and second by Ken Boyd to allow Monica Marshall to continue running the Community Room as the activities scheduler for \$25.00 a month effective immediately.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
3. Joseph Bohovich, 44 E. Hazard Street, told Council that he keeps getting raw sewage in his basement after heavy rains. He said that this is the first year that this has happened since he purchased the home in 1995. Harry Miller asked if he got sewage in his basement today; Joe said that he got water in yesterday but not today. Harry said that he spoke to Kossie today and they have a plan on how to fix the problem. Joe said that he is aware that he has a floor drain and that may be part of the problem but he is afraid to plug the drain because sewage may back up into his kitchen or maybe his bathroom. Mike Alabovitz said that he had a floor drain in his basement and he capped it off and he has had no additional problems. Joe asked why this problem has happened since the spring time; Alabovitz said that he can’t answer that question.

**Mayor’s Report** – Council received a copy of the Mayor’s Report for the month of July 2011. He reported the magistrate income for the month of July 2011 was \$1,103.66. **Motion was made by Mike Kokinda and second by Harry Miller to approve the Mayor’s Report for the month of July 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Police Report** – Council received copies of Chief Fittos’ Police reports for the months of June and July 2011. **Motion was made by Bill Chapman and second by Mike Kokinda to accept the Police Reports for the months of June and July 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council

**Planning and Zoning Report** – Council received copies of Larry Marek’s Planning and Zoning report for the month of July 2011. **Motion was made by Mike Alabovitz and second by John O’Gurek to accept the Planning and Zoning Report for the month of July 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Work Leader Report** – Council received copies of the Work Leader Report for the month of July 2011. **Motion was made by John O’Gurek and second by Ken Boyd to accept the Work Leader Report for the month of July 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Tax Collector Report** – President Joseph Weber read the Tax Collector’s Report for the month of July 2011. Alice Kane submitted total taxes as \$65,751.17 with a commission of \$3,287.55. **Motion was made by Harry Miller and second by Mike Kokinda to accept the Tax Collector Report for the month of July 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Wage Tax Report** – Assistant Borough Secretary, Amber Shemansik, read Berkheimer’s Wage Tax Report for the month of July 2011. They submitted total Earned Income Tax of \$11,827.59 with a commission of \$226.60. The total LST submitted for July was \$29.40 with no commission. **Motion was made by Harry Miller and second by Bill Chapman to accept the Wage Tax Report for the month of July 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Receipts** – Assistant Borough Secretary, Amber Shemansik, reported the total General Account receipts for the month of July 2011 as \$71,392.38 and the total Sanitation Account receipts for the month of July 2011 as \$16,431.55. **Motion was made by Mike Kokinda and Second by Bill Chapman to accept the receipts for the month of July 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

### **Committee Reports** –

#### *Streets* –

- John O’Gurek said there is nothing to report at this time other than they are going through all of the sewer lines in town trying to figure out where all of these problems are coming from.
- John O’Gurek said that Kossie got a price for a camera so that the Borough could have their own. John expressed that that the purpose of the shared services is so that we didn’t have to spend \$6,000.00 on one. John said he personally feels we do not need one at this time.

#### *Building* – nothing at this time

#### *Fire and Emergency Services*-

- Joe Weber spoke to John Poko about a list the Borough received from the Communications Center regarding the homes in town that have addresses that don’t match up with their location. John explained that we need to get this problem resolved sooner rather than later. John stressed that if there is ever an emergency call placed we may not be able to find the home.

#### *Recreation* –

- Monica Marshall said that the new park equipment was delivered for the Ginter Park and they currently are being stored in the garage. Monica said that she is still looking for someone to dig holes so that they can install the equipment and mentioned that someone donated all of the sand so they are waiting for that as well.
- Monica said they will be holding a craft show on Saturday, August 13, 2011 from 12-4 and she is asking for W. Ludlow, Market and Beech streets to be blocked off for the event. She said there will be vendors, food and games for children to play.

- Monica added that they will be holding the kids picnic again this year on Saturday, August 13, 2011 from 1-3. She said that last year it was a great time and she hopes they have a better turn out this year.
- Council received a letter of resignation from Heather Schleicher as Treasurer and a member of the Recreation Commission effective July 12, 2011 due to personal reasons. **Motion was made by Bill Chapman and second by Harry Miller to accept the resignation of Heather Schleicher from the Summit Hill Recreation Commission effective July 12, 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
- Joe Weber said to table the letters of interest until later in the meeting, so Council can find out how many seats are open.

**Motion was made by Mike Kokinda and second by Bill Chapman to accept all Committee Reports for the month of July 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Communications** – See attached sheet.

1. Request from Harry Tonkin and Corey Smoler to use the gazebo on October 1, 2011 in the early afternoon for a wedding ceremony. **Motion was made by Mike Kokinda and second by Bill Chapman to allow Harry Tonkin and Corey Smoler to use the gazebo on October 1, 2011 for a wedding ceremony.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Request from St. John's Evangelic Lutheran Church to have the police and fire police assist with traffic for the 41<sup>st</sup> annual Switchback Scamper on October 16, 2011 with the race starting at 2:00 p.m. **Motion was made by Mike Kokinda and second by Harry Miller to allow the police and fire police to assist with traffic for the 41<sup>st</sup> annual Switchback Scamper on October 16, 2011 with the race starting at 2:00 p.m.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

### **Communications**

1. Notice of Property Assessments from the Board of Assessment and Revision of Taxes
2. Notice of Assessment Appeal from the Board of Assessment and Revision of Taxes
3. 2010 H. A. Berkheimer, Inc. Earned Income Tax Audit
4. PLGIT 3<sup>rd</sup> Quarter 2011 newsletter
5. Five Star Forum June 2011 newsletter

**Motion was made by Bill Chapman and second by Mike Kokinda to accept communications for the month of July 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Bills** – Assistant Borough Secretary, Amber Shemansik, reported total expenses for the General Account for the month of July 2011 as \$50,533.38 and the total expenses for the Sanitation Account for the month of July 2011 as \$22,989.35. **Motion was made by Mike Kokinda and second by Harry Miller to pay all bills for the month of July 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

**Unfinished Business** –

1. Atty. Matika said that last month he gave Council a copy of the light bar policy to review. This policy would allow the fire police to use the light bar off of the old police cars. **Motion was made**

by **Harry Miller and second by Mike Kokinda to adopt the light bar policy.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

2. Joe Weber said that Council adopted Ordinance 3 of 2005, the Landlord Ordinance, which was effective January 1, 2006. Joe said that we have discussed bringing this ordinance back but we need to change a few things first before we do. Mike Kokinda asked where the ordinance came from originally. Atty. Matika said it came from 4 or 5 different municipalities and we changed it to fit our needs. Atty. Matika said that he doesn't see any problems with the language of the ordinance. Harry Miller said that it needs to be changed in other places too not just the landlord section. Bill Chapman said we need to fix the run down properties section as well. Atty. Matika said that it states in the property maintenance code that you can not rent a run down property. Bill Chapman asked if Barry Isett was responsible for the property maintenance code currently. Atty. Matika said that if there is any current property maintenance issues that you can contact Barry Isett and they can come inspect the property and issue a violation if the property is not up to code. Chief Fittos asked if there is a section in there that limits the amount of people that can live in one home. Mike said that back in July there are 7 different payments made to Barry Isett and Associates. He asked if we are recouping the fees through the landlord ordinance. Chief Fittos explained that Barry Isett writes their own citations to recoup the fees, but he needs to give this state the authority to allow them to purchase them. Harry Miller asked Atty. Matika if all of the dilapidated homes can be covered under the new act 900 state law; Atty. Matika said that he has not reviewed the law yet. Joe Weber asked if we can amend the Ordinance and vote on it next month. Harry Miller asked why we are in such a big hurry to get this into effect. Mike Kokinda said that he didn't have a problem with it in 2005 and he doesn't have a problem as it reads now. Mike said that he believes that Council should reinstate it the way it reads currently. Harry asked who is going to police the Ordinance. Chief Fittos said that the police department and Barry Isett. Mike Kokinda asked how we supposed to enforce something that we don't have. Bill Chapman said he suggests that we table this until next month so that Harry can meet with Atty. Matika and work out the problem areas.

### New Business –

1. Harry Miller presented Council with three exemptions for the 2011 garbage collection fee.
  - a. 148 West White Bear Drive. **Motion was made by Harry Miller and second by Ken Boyd to approve 148 West White Bear Drive for a garbage exemption for the 2011 collection fee effective August 8, 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Kokinda opposed.
  - b. 236 W. Hazard Street. **Motion was made by Harry Miller and second by Joe Weber to approve 236 W. Hazard Street for a garbage exemption for the 2011 collection fee retroactive from the date of the application.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Kokinda opposed.
  - c. 152 E. Hazard Street. A brief discussion took place due to the minimal water usage at this property. **Motion was made by Harry Miller and second by Bill Chapman to table for further investigation on water consumption.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
  - d. 252 E. Ludlow Street. **Motion was made by Harry Miller and second by Bill Chapman to approve 252 E. Ludlow Street for a garbage exemption for the 2011 collection fee retroactive from the date of the application.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Kokinda opposed.
2. Harry Miller reported one new handicap parking permit has been submitted for review.
  - a. Daniel O'Donnell, 444 W. Ludlow Street, for approval. **Motion was made by Harry Miller and second by Mike Kokinda to deny the request of Daniel O'Donnell at 444 W. Ludlow**

**Street for handicap parking space due to off street parking at his property.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council

3. Joe Weber talked about Mrs. Pohlod's sewer issue at 327 East White Street. He explained that she had a block in her line due to rocks and debris and she is looking to get reimbursed for her plumbing bill in the amount of \$210.00. Joe explained that she is at the end of the line even though her home is located in the middle of the block. The borough workers could not find the block so Roto-Rooter was called out and they flushed the line and finally got it cleared. Mike Kokinda said that he doesn't have a problem paying the bill if it's our problem, but we don't want everyone trying to get reimbursed if it's not a borough problem. Joe said that he talked to Kossie and he is going to begin to flush the line at the end of every year so that we don't run into this problem again. **Motion was made by Ken Boyd and second by John O'Gurek to pay Mrs. Pohlod's sewage bill in the amount of \$210.00.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
4. Council determined how many seats are available on the Recreation Commission. **Motion was made by Mike Kokinda and second by Ken Boyd to appoint Barry Walck, Jamie Shelton and Dean Founds as members of the Summit Hill Recreation Commission for a 2 year term expiring December 2011 and Jennilee Kosciulek as a member of the Summit Hill Recreation Commission for a 2 year term expiring December 2012.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council

**Motion was made by Mike Kokinda and second by Ken Boyd to adjourn at 8:17 p.m. until the next regular scheduled meeting of the Summit Hill Borough on September 12, 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Kira Michalik  
Summit Hill Borough  
Secretary/Treasurer

Joseph Weber  
Summit Hill Borough  
Council President