

Summit Hill Borough Council
March 14, 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, Mike Alabovitz, Harry Miller, Ken Boyd, William Chapman, Michael Kokinda, Solicitor Joseph Matika and Mayor Paul McArdle were all in attendance.

Minutes – Motion was made by John O’Gurek and second by Bill Chapman to approve the minutes from the February 14 and February 23, 2011 Summit Hill Borough Council Meetings. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor –

1. Andrew DiBuo, 188 West White Bear Drive, spoke to Council about an accident that happened in February near his home. He said that accident occurred because the woman hit a patch of ice on the road which was caused by the water runoff that is coming from a pipe above his property and runs down his driveway and onto the road. He said he came to Council about this problem about a year ago and also spoke to Penn Dot and nothing was done. Mr. DiBuo said every time it rains all of the runoff and drainage is running into his property and he is afraid it is going to contaminate his well. He stressed that this is a major problem and needs to be addressed. Joe Weber said he believes the Borough may be responsible for the pipe but is not sure who originally put it in. Andy added that the road is starting to erode so it will also need to be fixed. He asked if we can block the pipe to stop the water. Joe Weber said we can not block the pipe because it can cause more problems. We would have to find a way to divert the water. Bill Chapman said the Borough needs to meet with Penn Dot to fix this problem. He suggested that Kira write a letter to Penn Dot to set a meeting up with them, the Borough and Mr. DiBuo.
2. Debbie Ziegler, 105 E. Amidon Street, talked to Council about a sewer problem that is ongoing at her property. She said she had the plumber back at her house with the camera to see if they could find out what the problem is. She said the sewer pipe is broken in the middle of the road right where it connects to the main. Debbie wants to know who is responsible to fix this problem. Joe Weber asked if she had a copy of the video for the Borough’s engineer to review. Debbie said she would get a copy up to the Borough.
3. James Crampsie, 17 W. Hazard Street, spoke on behalf of Chet Michalik. He said he thinks the Water Authority has been run efficiently and effectively and thinks Council needs to reconsider him for reappointment. James said Chet has been on the board for 11 years as chairman and he is asking Council again to please reconsider him. Mr. Crampsie said that Chet has given the Borough a loan when they needed it for the Building and he hopes that Council will step up and support him at this time.

Mayor’s Report – Council received copies of the Mayor’s Report for the month of February 2011. He reported the magistrate income for the month of February 2011 was \$1,886.67. **Motion was made by Mike Kokinda and second by Bill Chapman to approve the Mayor’s Report for the month of February 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 report for the month of February 2011. **Motion was made by Mike Kokinda and second by Bill Chapman to accept the Police Report for**

March 14, 2011 – Council Meeting

909606

the month of February 2011. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council

Planning and Zoning Report – Joe Weber read Larry Marek’s Planning and Zoning report for the month of March 2011. **Motion was made by Mike Kokinda and second by Bill Chapman to accept the Planning and Zoning Report for the month of March 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 February 2011. **Motion was made by Bill Chapman and second by Harry Miller to accept the Work Leader Report for the month of February 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Tax Collector Report – Nothing at this time.

Wage Tax Report – Borough Secretary, Kira Michalik, read Berkheimer’s Wage Tax Report for the month of February 2011. They submitted total Earned Income Tax of \$25,308.95 with a commission of \$475.03. The total LST submitted for February was \$49.10 with no commission. **Motion was made by Ken Boyd and second by John O’Gurek to accept the Wage Tax Report for the month of February 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Receipts – Borough Secretary, Kira Michalik, reported the total General Account receipts for the month of February 2011 as \$169,166.79 and the total Sanitation Account receipts for the month of February 2011 are \$120,418.24. **Motion was made by Mike Kokinda and Second by Harry Miller to accept the receipts for the month of February 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports –

Streets –

- John O’Gurek said they are repairing the streets with cold patch.

Building –

- Mike Kokinda said that there are some minor issues with the HVAC system and some warranty work and he is still waiting to hear from HT Lyons.
- Mike said that SHICO generously donated \$50,000 to help complete the kitchen in the Community Room. Harry Miller asked what is Council’s policy on making modifications like removing doors or opening walls. Joe Weber said we need to have a plan before anything is done and we also need to bring in Barry Isett before we do anything. Mike Kokinda said that he talked with Rick Harmon and he didn’t see any problems with the work being done. Mike said that there will be weddings coming up and the lights are really bright. Recreation will be paying for lights that are dimmable and both Mike Alabovitz and Mike Kokinda will be working on the project. Joe Weber said that we need to discuss this with Rick Harmon to make sure we are up to code.
- Chief Fittos said that maybe we should look into buying a buffer; even though it won’t be used often we should still consider buying one. It is recommended that once a year to strip and wax the floors. Joe Weber said to get a price on a buffer.

- Shawn Hoben said that they are currently holding their annual Fund Drive, and they are not having a good response.

Recreation –

- Monica Marshall wanted to publicly thank SCHICO for their generous donation. She said recreation is looking at a lot more things to improve the kitchen.
- Monica mentioned that Zumba classes will be starting April 5th and the classes will be held on Tuesdays and Thursdays.
- She informed Council that the PV Breaker Boys have been helping out a lot. They even cleared all of the garbage out of the concession stand. She said she still needs to get them a key for the men's bathroom and the pool room. Monica also asked if they will be turning the water on so that the Breaker Boys can use the bathrooms. Kira mentioned that she already talked to Kossie about turning the water on. Kossie said the nights are still too cold and he usually does not turn it on until closer to the end of April or beginning of May so that the pipes don't freeze and burst. Joe Weber said to turn it on and play it by ear because they need the bathrooms for Sunday. She also asked if they can use the electricity at the pole for the concession stand. Joe said that would be fine.
- Monica said the Stay at Home Festival is coming up in May and whatever monies are made that weekend will be split between the Fire Company and the Recreation Commission.
- Harry Miller talked about a letter that Council received from the Historical Society asking for permission to purchase framed posters to hang in the foreair of the Community Room. The posters would be turn of the century scenes of Summit Hill taken from old postcards and displayed in 24' x 36' black frames. He continued by saying that they are foam core frames and they are light enough to hang from 3M hooks. Alabovitz stated that he would rather them use real hooks instead of the 3M hooks; Council agreed. **Motion was made by Bill Chapman and second by Mike Kokinda to grant the Historical Society permission to hang framed pictures in the foreair of the Community Room.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
- Harry Miller said that there was an article in the news paper pertaining to a \$90,000 grant for the basketball courts, GAR and SHCIO. Monica said she talked to Bill Richards and Dan Matika and Recreation will be getting something for the basketball courts to repair the fence, blacktop and the concession stand. John O'Gurek asked if the basketball court can be relocated; Monica said that was never discussed.

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

Communications – See attached sheet.

1. Atty. Matika talked about a letter to Council from Irene DeGiosio regarding her vehicle getting towed. He said that Council should check on the status of the ticket and depending on the outcome of the ticket, Council would have to make up their mind on whether they want to reimburse her on not. He said if she paid the parking ticket, she is admitting being wrong and then the Borough would not be responsible for reimbursing her. If she did not pay the parking ticket and the Borough was wrong in ticketing her, then he feels the Borough would be responsible for reimbursing her. Atty. Matika said the same thing goes for the towing fee. It would depend on if the parking ticket was paid or not. Chief Fittos stated that he believes the ticket has been paid. Atty. Matika briefly explained the legality.

1. Notice of Property Assessments from the Board of Assessment and Revision of Taxes
2. Career Track will be holding a Conference for Administrative Assistants
3. Fred Pryor Seminars will be holding an Excel seminar

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

Bills – Borough Secretary, Kira Michalik, reported total expenses for the General Account for the month of February 2011 as \$160,953.40 and the total expenses for the Sanitation Account for the month of February 2011 as \$71,914.65. **Motion was made by Mike Kokinda and second by Bill Chapman to pay all bills for the month of February 2011.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Unfinished Business –

1. Atty. Matika gave Council a purchase order policy for review. He asked if there were any suggestions, changes or comments. John O’Gurek asked if there is an emergency can they spend \$300 or \$400 without getting a purchase order. Atty. Matika asked what dollar amount does Council want to cap it off at; Council agreed with \$400. Council is to review the policy and approve it at the next Council Meeting.
2. Atty. Matika said he needs a motion to adopt the Ordinance #2 of 2011, the Tax Certification Ordinance for the Tax Collector. **Motion was made by John O’Gurek and second by Mike Alabovitz to adopt Ordinance #2 of 2011, the Tax Certification Ordinance.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Appointments

1. **Motion was made by Bill Chapman and second by Mike Alabovitz to appoint Louis Chipper Alexander as a member of the Summit Hill Water Authority for a five year term.** The motion was opened to the floor for comment; none made. Harry Miller and Ken Boyd opposed. A roll Call Vote was taken.

Michael Alabovitz	Yes
Ken Boyd	No
Harry Miller	No
Bill Chapman	Yes
Michael Kokinda	Yes
Vice President John O’Gurek	Yes
President Joe Weber	Yes

2. Kira Michalik stated that last month John O’Gurek told her to call the people on the emergency call list to see would be available to fill in for Kossie and Mucker because they are both going to be off because of getting surgery. She said she called everyone on the list and only 2 people are available to work; the two people are Jack Reiber and Victor Leonzi. Mike Kokinda stated that we may only need someone for 3 weeks because Mucker may be back by then. Joe Weber expressed concern because it can be longer depending on their recovery time.

John O'Gurek stated that we will call someone out on an as needed basis. Weber asked who would be the person to make the decision as to when someone is called out. Atty. Matika said it would fall back on the Street Committee.

New Business –

1. Atty. Matika said we need to draft an ordinance to make it mandatory for the police department to wear bullet proof vests. Kira also added that Chief Fittos asked if the Borough can apply for additional grant monies to purchase new vests. Atty. Matika said the way the grant is set-up is that you have to have an ordinance in place before you can apply for the grant.

2. Mike Kokinda said he thought that you were only aloud to apply for garbage exemptions on or before January 1st. Harry Miller said that if you are renewing it has to be before the end of December, but if you are a new applicant you can apply when ever the home is vacant for 6 months. Atty. Matika said that when we bid this contract out we asked for the rate on 1500 homes and we also asked for the estimated cost of what the price it is for the hauler to drop the load. Atty. Matika explained that Tamaqua Transfer in previous years was only picking up occupied homes and still charging the Borough a base rate of 1500 homes. He said that the Borough was always charged more to pick up a less amount and now that the exemptions are in place the Borough is only paying for the amount of homes that are being picked up. Mike Kokinda asked who checks these exemptions every night and how do they know what homes are exempt; Joe Weber said that we supply Tamaqua Transfer with a monthly list of all of the exemptions. Kira mentioned that the drivers also get a list of all exemptions and they do report back to the Borough if someone on the list is putting garbage out. Harry Miller reported that he has reviewed the list of residents who are applying for the first time for an exemption for the 2011 garbage collection fee. He presented the list to Council and asked that all 9 properties on the list be granted the exemption retroactive from the date of the application. **Motion was made by Harry Miller and second by Bill Chapman to grant the exemptions from the 2011 garbage collection fee for the Summit Hill Borough to all 9 properties retroactive from the date of application.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

3. Joe Weber read a letter of interest from James Holmes asking to be considered for a position on the Planning Commission. Joe said he is on the Zoning Hearing Board and he can not hold a seat on both boards. Kira stated that Mr. Holmes is not on the Zoning Hearing Board he is on the Appeals Board; Joe Weber said that in that case he is able to hold both positions. **Motion was made by Mike Alabovitz and second by Bill Chapman to appoint James Holmes as a member of the Summit Hill Planning Commission for a five year term.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

4. Joe Weber said we need a motion to advertise for the 2011 road materials. **Motion was made by Mike Alabovitz and second by John O'Gurek to advertise for the 2011 road materials.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

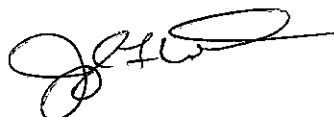
5. Kira presented Council with an invoice from Community Programs Inc. in the amount of \$2,400.00 for services provided during the month of February 2011. Atty. Matika asked how many applications have been received for the program because he hasn't done many closing at all. Kira said that Dave has been interviewing at least 4 applicants a month since we brought him back. The problem we are having is the people are not able to get the contractors to give

bids on the projects. A brief discussion took place regarding the program and how it works as well as the contractors on the list. **Motion was made by Mike Kokinda and second by Bill Chapman to pay Community Programs, Inc. a total amount of \$2,400.00.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Alabovitz opposed.

6. Kira told Council that she had an update on the Home Grant application with the County. She said that it needed to be redone so that it didn't interfere with the CDBG grant that the Borough gets. Kira said that it will go through the County in either June or July.
7. Atty. Matika wanted to discuss an ordinance that would allow the Borough to enforce residents keep their sidewalks clear in the winter. He said that he has a sample for Council to review. He said that he discussed this with Lehighton Borough and their Solicitor because they have a similar ordinance and they said that it hard to enforce someone to keep their entire sidewalk cleared so this draft is something that Lehighton found to work effectively. Joe Weber asked what if there is no sidewalk. Atty. Matika said that even if there is grass and it runs along side of a street then it would have to be removed. Bill Searfoss said that the Borough should make sure the parks are shoveled too.

Motion was made by Mike Kokinda and second by John O'Gurek to adjourn at 8:36 p.m. until the next regular scheduled meeting of the Summit Hill Borough on April 11, 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