

Summit Hill Borough
Council Meeting
October 10, 2011, 7:00PM

The regular scheduled council meeting of the Summit Hill Borough was held on Monday, October 10, 2011 with Vice-President John O’Gurek presiding.

Roll Call – Vice-President John O’Gurek, Michael Alabovitz, William Chapman, Michael Kokinda, Solicitor Joseph Matika, Mayor Paul McArdle and Secretary Susan Gibiser were all in attendance.

Minutes – Motion was made by William Chapman, second by Michael Kokinda to approve the minutes from Regular council meeting on September 12th, Special Meeting on September 17th, and Special Meeting on September 19th. Motion was opened to the floor for comment; none made. Motion approved.

Floor Session

1) **Patricia Lezzoni, 31 W. Amidon Street**

Stated there are children playing football in the small field next to her home and the ball is always hitting the side of her home which is damaging the siding; she asked council and the Chief Fittos if there was anything that can be done to have the children play in the Ginter Park. Chief Fittos state he will advise the kids to play in the park.

2) **Jeanie Robertshaw, 51 E. White Street**

Stated she lives next door to a rental property and there are several issues of concern with the tenants; she has called the police several times but has not filed a formal complaint, she feels it might cause her more problems. The tenants are disrupted, loud music at all hours; dogs barking at all hours of the night and day; their children are unattended. The grass is very high, property is a mess. She asked council and the Chief Fittos to please do something; this is very upsetting to her and something needs to be done. Chief Fittos asked her to file a formal complaint and has noted the police calls. Council stated they understand her complaints and the borough will send a “high grass ordinance letter” and will stay in touch with Chief Fittos on the status.

3) **James and Kathleen Gieniec, 307 N. Market Street.**

Stated they received a letter from the Zoning Officer, Larry Marek which stated they need to get a permit for the fence, shed and a back porch on their property. They provided pictures of these items and stated the fence, shed and back porch have been there over eleven (11) years and they did get permits at that time. They have only done minor repairs to the back porch. They didn’t understand why a letter was sent. James asked Council if he rebuilds the shed, does he need a permit. Solicitor, Joseph Matika stated “Yes” he does, that would be considered new construction. Council members stated they will talk to Larry Marek concerning this matter.

Mayor’s Report – Council received a copy of the Mayor’s Report for the month of September 2011.

Mayor Paul McArdle reported the magistrate income for the month of **September 2011 was \$1598.42.**

Motion was made by William Chapman, second by Michael Kokinda to approve the Mayor’s Report for September 2011. Motion was opened to the floor for comment; none made. Motion approved.

Police Report – Council received copies of Chief Fittos’ Police reports for the month of September 2011. Chief Fittos stated he received a request from Officer Hannon to attend a course on Seat Belts and Occupant Kinematics on October 24th to 26th; there is no charge for the course and this would also be Officer Hannon’s scheduled shift. **Motion was made by Michael Kokinda, second by Michael Alabovitz to allow Officer Hannon to attend the Seat Belts/Occupant Kinematics course on October 24th to 26th.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. **Motion was made by Michael Kokinda, second by Michael Alabovitz to accept the Police Report for September 2011.** Motion was opened to the floor for comment; none made. Motion approved.

Planning and Zoning Report – Council received copies of the Planning and Zoning report from Larry Marek, Zoning Officer for the month of September 2011. Larry did not attend this meeting; was on vacation. **Motion was made by Michael Alabovitz, second by Mike Kokinda to accept the Planning and Zoning Report for September 2011.** Motion was opened to the floor for comment; none made. Motion approved.

Work Leader Report – Council received copies of the Work Leader Report from Joseph Kosalko for the month of September 2011. John O’Gurek stated West Mountaintop Road is in very bad condition and needs to be graded and rolled; Council agreed and asked Susan Gibiser, Secretary to advised Joseph Kosalko to have this done as soon as possible. **Motion was made by Michael Alabovitz, second by Michael Kokinda to accept the Work Leader Report for September 2011.** Motion was opened to the floor for comment; none made. Motion approved.

Tax Collector Report – Secretary/Treasurer, Susan Gibiser read the Tax Collector’s Report for the month of September 2011. Alice Kane submitted total taxes revenue of **\$2804.18** with a commission of **\$140.20**. **Motion was made by Mike Kokinda, second by Michael Alabovitz to accept the Tax Collector Report for September 2011.** Motion was opened to the floor for comment; none made. Motion approved.

Wage Tax Report – Secretary/Treasurer, Susan Gibiser read Berkheimer’s Wage Tax Report for the month of September 2011; total Earned Income Tax of **\$27,675.93** with a commission of **\$512.14**; total LST for September was \$9.80 with no commission. **Motion was made by Michael Alabovitz, second by William Chapman to accept the Wage Tax Report for September 2011.** Motion was opened to the floor for comment; none made. Motion approved.

Receipts – Secretary/Treasurer, Susan Gibiser read the total General Fund receipts for the month of September 2011; were **\$70,375.55** and the total Sanitation Account receipts for the month of September 2011; were **\$3,573.00**. **Motion was made by Michael Kokinda, second by William Chapman to accept the receipts for September 2011.** Motion was opened to the floor for comment; none made. Motion approved.

Committee Reports –

Streets

- John O’Gurek stated West Mountaintop Road is in very bad condition and all Council members agreed to have the borough workforce grade/roll the road before winter.

Building

- Michael Kokinda stated the locks have been changed at the garage; the kitchen at the Community Recreation Center will be done soon;

Fire and Emergency Services

- Michael Alabovitz stated he followed up about the exhaust system at the fire company; he received a quote of \$3800.00 to have the system repaired; there was a discussion among the Council members pertaining to repairs. **Motion made by Michael Kokinda, second by William Chapman to have the exhaust system repaired at the Fire Company for the quoted price of \$3800.00.** Motion was opened to the floor for comment; none made. Motion approved.

Recreation

Monica Marshall from Recreation Committee, asked questions concerning the electric bills for the hall; she stated there will be a Children’s dance (ages 1-12) on Saturday, October 22nd from 2pm to 4pm; then 7pm to 9pm there will be a Teen Dance (grades 7th, 8th, 9th); Christmas on the Hill will be on Saturday, December 3rd; Monica asked if the Borough workers could clean the community center floor; Susan Gibiser, Secretary will get back to Monica. John O’Gurek signed all the rental agreements for renting the hall. There was a discussion about the basketball courts hoops to be fixed; Monica stated a grant was just received for another park repairs/upgrades;

Will advised council at a later date to see what can be done for the basketball courts; there was a discussion between Monica and Council about the public using the Ginter Field with and or without authorization.

Motion made by Michael Kokinda, second by Michael Alabovitz to accept the Committee Report for September 2011. Motion was opened to the floor for comment; none made. Motion approved.

Communications

- 1) **Letter from Aurelia DeMatto**, requesting permission to hold a public rosary at the Summit Hill Gazebo on **Saturday, October 15, 2011**
A motion made by Michael Kokinda, second by William Chapman to approve Aurelia DeMatto to use the Gazebo on 10/15/2011. All were in favor. Motion approved.
- 2) **Letter from American Legion Post #304**, 20 West 6th St., Jim Thorpe
Inviting the Mayor, Borough Council Members and Township Leaders to participate in the 2011 Carbon County Veteran's Day Parade on **Sunday, November 6, 2011**
- 3) Notice of Property Assessments from the Board of Assessment and Revision of Taxes
Total of Ten (10) changes: Increase—3.....Decrease---7
- 4) PSAB Fall Leadership Conference October 21-23, 2011 at State College
- 5) Survey letter from **H. A. Thompson** providing loss control services EMC Insurance Company; recommendations of controlling loss exposures.
- 6) County of Carbon Board of Assessment & Revision of Taxes....**SEE ATTACH LIST**
- 7) **F & L Gutter Systems, Inc.....**sent letter about gutter problem/repairs at the Diligence Fire Company. **SEE ATTACH LIST**
- 8) **EMC Insurance Companies.....**sent letter in response to waiting for estimate of repairs to the guttering for the Diligence Fire Company.....**SEE ATTACHED LETTER**
- 9) Letter from **St. Paul's Luthern Church.....**concerning recent sewage back-up at the church.....**SEE ATTACHED LETTER**
- 10) Received copy of an invoice (Roto-Rooter) from Janie Connor of 15 E. Fell Street,stating recent service of cable line on main line of sewage pipe.....**SEE ATTACHED INVOICE**

Motion was made by Michael Kokinda, second by William Chapman to accept communications for September 2011. Motion was opened to the floor for comment; none made. Motion approved.

Bills – Secretary/Treasurer, Susan Gibiser read the total expenses for the General Account for the month of September 2011 were **\$79,112.14**; the total expenses for the Sanitation Account for September 2011 were **\$23,054.13**. **Motion made by Michael Kokinda, second by William Chapman to approve payment of all bills for the month from September 2011.** Motion was opened to the floor for comment; none made. Motion approved.

Old Business

Joseph Matika, Solicitor stated he has revised the Landlord Ordinance per the Council's recommendations; Joseph requested Council members to review the ordinance prior to next month's council meeting; then ordinance can be reviewed again and possibly adopted. There were several public comments and questions about the ordinance; all questions and concerns were answered by Joseph Matika.

Joseph Matika stated Council member's needs to set a date for the FOP/Police Negotiations meeting this month; health benefits provider or agent needs to attend from ETA Benefits; which Joseph and Susan have contacted. Council decided to schedule an Executive Session for Thursday, October 20th at 7:00pm. Susan Gibiser, Secretary/Treasurer will advertise for the meeting. **Motion made by William Chapman, second by Michael Alabovitz to accept old business agenda items. All were in favor. Motion approved.**

New Business

1) Resolution No. 1 of 2011, Municipal Deposit Resolution

Susan Gibiser, Secretary/Treasurer stated this Resolution pertains to having her signature and authorization for signing on behalf of the Borough for all checking/savings accounts.

Motion made by Michael Alabovitz, second by Michael Kokinda to adopt Resolution No. 1 of 2011, Municipal Deposit Resolution for Susan K. Gibiser signature on all bank accounts.

Motion was opened to the floor for comment; none made. Motion approved.

2) Quickbooks Training Course for Secretary/Treasurer

Susan Gibiser, Secretary/Treasurer requested Council to approve for her to attend a Quickbooks Training Course on Thursday, October 20, 2011 at the cost of \$125.00.

Motion made by William Chapman, second by Michael Alabovitz to allow Susan K. Gibiser, secretary/treasurer to attend the Quickbooks training course on Thursday, October 20, 2011

Motion was opened to the floor for comment; none made. Motion approved.

3) Night Depository Agreement with First Niagara Bank

Susan Gibiser, Secretary/Treasurer stated she received information from the borough's bank about obtaining a night depository since the bank in Summit Hill will be closing sometime in January or February 2012. Council members decided to wait on making any decisions at this time. Monica Marshall did present to Council, banking information from Jim Thorpe National Bank.

4) Notice of Estimated Allocation Municipal Liquid Fuels.....\$71,796.97

5) Garbage Exemptions for September 2011

1) Dennis and Dorothy McCullin, 28 E. Abbott Street

The home has not been occupied since September 2010. The water has been turned off.
Motion made by Michael Kokinda, second by William Chapman to approve the Garbage exemption for Dennis and Dorothy McCullin. Motion was opened to the floor for comment; Michael Alabovitz stated comments that the borough should consider accepting garbage exemptions during a certain time of the year or no exemptions at all. There was a discussion among council members about garbage exemptions. Comments were done. Motion approved.

6) Handicap Applications and or Renewals

1) **Robert Murlo, 456 W. White Street---**Renewal Application

2) **Robert O'Gurek, 56 W. Walter Street---**Renewal Application

Both applications have been checked out and approved by Harry Miller and Chief Fittos.

A motion made by Michael Kokinda, second by William Chapman to approve the above Renewal Handicap applications. Motion was opened to the floor for comment; none made. Motion approved.

7) Fall clean-up dates---Tuesday, October 11th--West side of town along with Laurel Drive, And East & West Mountaintop Road.

8) Middle Carbon County Recreation and Open Space Plan Survey

9) Advertise for Borough Worker

Joseph Matika provided Council with a draft of an advertisement for a borough worker for the paper; William Chapman asked that there should be a due date to have the applications back to the borough office. Susan Gibiser, Secretary/Treasurer will advertise the ad for Thursday (Oct 13th), Friday (Oct 14th), and Saturday (Oct 15th). A motion made by Michael Kokinda, second by William Chapman to approve advertising for a full-time borough worker with adding: Applications due by Thursday, October 20, 2011. Motion was opened to the floor for comments; none made. Motion approved.

10)Volunteer Fire Relief Association Check Received

The borough has received the Volunteer Fire Relief Assoc. Funds for the Summit Hill Diligence Fire Co. No.1. Funds will be distributed by the borough secretary/treasurer, Susan Gibiser by the end of the month.

BUSINESS FROM COUNCIL MEMEBERS

Michael Kokinda stated to the council members, the borough might want to consider possibly raising the LST tax for next year; this would provide more revenue for the borough. Council asked Joseph Matika to review the Ordinance concerning the LST and what procedure must the borough follow.

Joseph Matika stated the borough must adopt a new Ordinance since the Carbon County Tax Collection Committee has elected Centax for collecting the EIT/LST taxes for each municipality effective January 1, 2012. Joseph has reviewed an example of the ordinance; asked Council to review prior to next month's meeting so it can be adopted. There was a discussion among Council members concerning Centax, the Ordinance and the Carbon County Tax Collection Committee. Susan Gibiser, Secretary stated the borough should be able to adopt a Resolution instead of an Ordinance; which would reduce the advertising cost of the ordinance. Joseph Matika agreed and stated Council can pass the Resolution tonight and if there were any issues, it can be resolved at next month's meeting.

A motion was made by William Chapman, second by Michael Kokinda to adopt Resolution No. 2 of 2011; authorizing Centax to collect the EIT/LST taxes for Summit Hill Borough effective, January 1, 2012.

**VOTES: John O'Gurek:-YES; Michael Alabovitz: -NO; William Chapman: -YES; Michael: YES.
With a unanimous votes of YES—3, NO---1.....Motion passed.**

Council members stated, Trick-or-Treat night will be on Monday, October 31st from 6pm to 8pm; Chief Fittos stated there will be volunteer fire police on patrol through the borough during this time.

Council entered into executive session at 8:35 p.m. to discuss pending legal litigation.

Council entered back into regular session at 8:45 p.m.

Motion was made by Michael Alabovitz, second by Michael Kokinda to adjourn at 8:46pm; the next regular scheduled meeting will be held on Monday, November 14, 2011. All were in favor; Motion approved.

Respectfully,

Susan K. Gibiser

Susan K. Gibiser
Secretary/Treasurer
Summit Hill Borough

