

Summit Hill Borough Council
April 9, 2024, 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 David Wargo presiding.

Roll Call – President David Wargo, Vice President William O’Gurek, Lacey Gonzalez, Karen Ruzicka, Alan Kruslicky, Joseph Weber, Marlene Basiago, Solicitor Frycklund and Mayor Jeffrey Szczecina were all present.

Bid Opening – President Wargo stated they were looking to receive RFPs for Pest Control/Extermination and Cleaning services for the abatement program. Ms. Steber said that no RFPs were received. President Wargo explained that since no bids were received and all the jobs would be under \$12,800, they will be able to hire someone as needed provided that the quote is below the threshold.

Floor –

1. Jesse Walck, Panther Valley School District Business Manager, stated that he was there on behalf of the school district to ask for letters of support from the Borough for different grants they are applying for to increase the likelihood of bringing state and federal funding into the district instead of raising taxes. A feasibility study was done which confirmed that they need a new building. He explained what each grant is for and the amount they are requesting. Councilman Kruslicky asked the cost of a new building. Mr. Walck said in the area of \$7 million. They did find a way to fund the balance of the school after grant funding is received. **Motion was made by William O’Gurek and seconded by Joseph Weber to write letters of support for the grants that Jesse Walck is applying for on behalf of the Panther Valley School District.** Motion was opened for comment; none made. Motion carried unanimously by Council.
2. Joan Morana, East Ludlow Street, thanked Ms. Steber for taking care of her situation with the garbage. Ms. Morana asked how the change in the LST tax will change. Would the \$52 come out like it currently does with the \$10 fee. Councilwoman Gonzalez explained that \$1 per pay would come out each or \$2 each pay if paid biweekly. Ms. Morana also mentioned the article in the paper about sidewalks. She got the gist of the article and safety, but where does it end that people just do not care anymore and they can do whatever they want to do. She is not trying to attack anyone, but she is concerned about the way the town looks. She personally does not like blacktop sidewalks. President Wargo said they do not have an ordinance to discuss at this time but when they do they will consider all comments and discuss it at that time.

Minutes – **Motion was made by Marlene Basiago and seconded by Alan Kruslicky to approve the meeting minutes from the March 12 and March 25, 2024 Council meeting with the correction to the times for the March 25th meeting.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Mayor’s Report – Mayor Szczecina reported the total collected from the District Justice was \$1,005.13 and from Carbon County was \$150.31. He read a letter that was received from two residents thanking Officer Pituch for assisting a family member with a serious medical emergency. They also mentioned that they are truly appreciative and deeply appreciate the value of concern that is shown by the Summit Hill Police Department. Mayor Szczecina added that value of properties in town is through the roof. He feels that Council is doing an excellent job and the town is moving in the right direction. **Motion was made by Joseph Weber and seconded by Marlene Basiago to accept the mayor’s report for the month of March 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Police Report – Chief Woodward read the monthly report. Chief Woodward added that residents are reminded, due to multiple complaints received about dirt bikes and ATVs being driven on the streets, that officers have been and will be stopping riders and telling them to stay off the streets. Dirt bikes and ATVs are subject to the same penalties as any other vehicle on the streets, including needing a valid registration, inspection, insurance,

drivers license and are also subject to being towed. There will be zero exception to the rule. He does not care who they are, what organization they belong to or who they know; his officers have been instructed that it is their prerogative if they want to give a warning the first time but if someone is pulled over a second time or subsequent times, they are to be cited and vehicle towed. Chief Woodward asked permission to send Officer Fischl to a mandatory JNET T.A.C training in Harrisburg on May 14, 2024 at no cost to the borough. **Motion was made by Karen Ruzicka and seconded by Alan Kruslicky to approve Officer Fischl to attend the JNET T.A.C. training on May 14, 2024 at no cost to the borough.** Motion was opened for comment; none made. Motion carried unanimously by Council. Chief Woodward submitted an evaluation for Officer Tara Strauss who completed her six-month probationary period for the position of full-time police officer. He recommends elevating her to regular full-time status for the department. **Motion was made by Karen Ruzicka and second by William O’Gurek to remove Officer Strauss from her probationary period and move her to full-time status with the Summit Hill Police Department.** Motion was opened for comment; none made. Motion carried unanimously by Council. President Wargo mentioned that to date there have been over 100 Quality of Life tickets issued within the borough. **Motion was made by Marlene Basiago and seconded by Joseph Weber to accept the Police report for the month of March 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Planning and Zoning – Motion was made by William O’Gurek and seconded by Joseph Weber to accept the Planning and Zoning report for the month of March 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

UCC, Code Enforcement and Rental Inspection Reports – Motion was made by William O’Gurek and seconded by Marlene Basiago to accept the UCC, Code Enforcement and Rental Inspection reports for the month of March 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

Work Leader Report – Motion was made by William O’Gurek and seconded by Alan Kruslicky to accept the Work Leader report for the month of March 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

Tax Collector Report – No report for the month of March 2024.

Delinquent Real Estate Tax Report – Portnoff submitted their Delinquent Real Estate Tax Report for the month of March 2024. Total delinquent real estate tax collected was \$2,114.84. **Motion was made by William O’Gurek and seconded by Lacey Gonzalez to accept the Delinquent Real Estate Tax Report for the month of March 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Wage Tax Report – Berkheimer submitted their Wage Tax Report for the month of March 2024. Total EIT submitted was \$12,444.68 with a commission of \$215.29 and postage charges of \$43.94. Total LST submitted was \$32.08, with postage charges of \$25.42. Total DLT submitted was \$87.91 in delinquent Occupation Tax and \$39.73 in delinquent Per Capita Tax. **Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to accept the Wage Tax report for the month of March 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Delinquent Garbage Collection Report – No report received at this time for March 2024.

Receipts – Total receipts received for the month of March 2024 were \$182,787.43. **Motion was made by William O’Gurek and seconded by Alan Kruslicky to accept the Receipts for the month of March 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Committee Reports

Streets –

1. **Motion was made by Alan Kruslicky and seconded by Lacey Gonzalez to approve the 2024 Spring/Summer projects for the Borough Workforce.** Motion was opened for comment; none made. Motion carried unanimously by Council.
2. **Motion was made by Marlene Basiago and seconded by Joseph Weber to approve the 2024 paving projects for the Borough Workforce.** Motion was opened for comment; none made. Motion carried unanimously by Council.
3. **Motion was made by Joseph Weber and seconded by Lacey Gonzalez to approve the 2024 storm water inlet replacements for the Borough Workforce.** Motion was opened for comment; none made. Motion carried unanimously by Council.
4. President Wargo said that they received information pertaining to the Special Purpose Parking ordinance, but it is not on the agenda. He asks that Council review it so it can be discussed at the committee meeting.

Police – President Wargo said there is a Heart & Lung application that needs a motion but due to privacy laws, they cannot mention the officer's name. **Motion was made by William O'Gurek and seconded by Alan Kruslicky to approve the application that was received by the officer who was injured on duty.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Recreation –

1. Meeting minutes for the April 2, 2024 commission meeting.
2. Karen Ruzicka said there are a few items they would like to have approved.
 - a. They would like to add a dance exercise class as a fundraiser with Kathy Crampsie on Wednesdays at 10:00 a.m. in the community center starting on April 17, 2024. The cost is \$5 per person per class. **Motion was made by Joseph Weber and seconded by Lacey Gonzalez to approve a weekly dance class on Wednesdays at the Hill Top Community Center starting April 17, 2024 with the cost being \$5 per person.** Motion was opened for comment; none made. Motion carried unanimously by Council.
 - b. They would like to hold Entertainment in the Park with the Panther Valley Drama Club, free of charge and they will provide hot dogs and drinks. **Motion was made by Lacey Gonzalez and seconded by Joseph Weber to approve Entertainment in the Park with the Panther Valley Drama Club on Saturday, May 18, 2024 at 2:00 p.m. with the event being free and hot dogs and drinks to be provided by the commission with the rain date being May 19, 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.
 - c. A discussion was had about using the basketball courts at the Little League Field for Pickleball. The cost of resurfacing and material delivery is around \$1,200, the Recreation Commission is willing to pay for material and delivery. **Motion was made by William O'Gurek and seconded by Marlene Basiago to approve the Recreation Commission to resurface the basketball courts at the Little League Field at a cost of \$1,200 to add pickleball courts, which the commission will pay for material and delivery.** Motion was opened for comment; none made. Motion carried unanimously by Council.
 - d. A discussion was had about replacing the sand diggers at Bill Black Park because they are broken. The Recreation Commission will replace them if the cost is reasonable. Council woman Ruzicka said when they did some research on them, the cost was around \$1,200 each. Councilwoman Basiago said that

Ronnie found ones that costs around \$750-\$900 each. Kathy Gieniec said the commission may be able to pay for one for the diggers, but she would need to run it by the rest of the members.

- e. A discussion took place regarding the purchase of sand and mulch for the playgrounds. **Motion was made by Joseph Weber and seconded by Alan Kruslicky to purchase sand and mulch with \$2,000 coming from the budgeted line item and \$500 coming from the reserve until reimbursed by the Recreation Commission.** Motion was opened for comment; none made. Motion carried unanimously by Council.
- f. President Wargo recommended that they table the purchase of the diggers until further information and prices are received. **Motion was made by Alan Kruslicky and seconded by Lacey Gonzalez to table the purchase of the sand diggers until further information is received.** Motion was opened for comment; none made. Motion carried unanimously by Council.
- g. Councilwoman Ruzicka said the Recreation Commission is willing to help out and set up a stand for National Night Out on August 6, 2024. They also discussed the possibility of having music in the gazebo.
- h. Kathy Gieniec stated that 125 kids showed up for Easter on the Hill. She also mentioned that Joe Weber and his wife donated a basket for a prize and Kira Steber and her husband donated all the eggs for the egg hunt. Council thanked Kathy and the commission for a job well done.

Borough Hall/Community Center – Councilwoman Ruzicka said she would like to see the community center painted.

Emergency Services – Chief Hoben mentioned that they have a Food Truck Festival coming up on Memorial Weekend and their annual golf tournament in July.

Sanitation – President Wargo said there was a property owner who questioned the nature of the garbage that was in front of their property. The borough managed to address the issue. It was brought to our attention that they need to take a look at the ordinance to provide for the fact that the contracts may be more restrictive on what is collected. We also need to take a look at the Quality-of-Life ordinance versus the solid waste ordinance to come to a reconciliation.

Handicap – Councilwoman Basiago stated the ordinance has been discussed a great deal and there has been very little input received from Council. A final draft has been written and it is very similar to the original one. She went over some of the items that are in the ordinance.

- Every applicant has to renew each year if they are eligible for the space.
- Within 30 days of the anniversary date of granting a permit, each applicant is required to fill out a renewal application. Renewal will cost \$25.
- With the fee changes that were discussed, most felt the labor should not be included with the cost of the supplies. The previous fees that were charged are \$25 for the initial application and \$40 for the handicap sign. It cost the borough \$130 to put a sign in, which includes material (sign, post, base), paint for the lines and the sticker for the sign and vehicle. We are only charging \$40, which she feels is not appropriate. She originally proposed \$250, which has been reduced, so the applicant will only be paying for the supplies and administrative fees. The new cost will be \$150 for the sign if they are approved. Renewal would be \$50 each year as long as the application states they are eligible to keep the sign.
- Omitted from the ordinance is the fee waiver. She does not feel this should be an option.
- There is a section that states the borough will provide a space for the applicant and feels that should be removed as well.

- From the application itself, the question for the physician as to whether the handicap is permanent or temporary has been removed.
- They are following the guidelines of ADA which looks at if there is a low extremity has a decrease in usage or function which would in hinge on your ambulation. It does not matter if you use an assisted device to assist with walking. If you are able to walk a certain distance, even with an assisted device, this does not guarantee you a handicap parking space.
- You would also look at cardiovascular. If someone has moderate or severe disability with cardio problems, heart problems or respiratory problems that they are on oxygen or limited on how far they can walk, then they would be a candidate for a handicap parking space.
- They are going to be more objective on the findings at looking at people versus in the past. A majority of the applications in the past were approved and they received a parking space.

President Wargo stated that the ordinance is pretty much the same with the exception of anything that has to do with fee waivers, allowing off-street parking as a criteria to determine if someone is eligible for a handicap parking space or not. The application is not part of the ordinance, but she is proposing a new one, which is much more comprehensive and provides them with better information as to what they need as a criteria. President Wargo mentioned that there is going to be a public hearing on April 22nd at 5:30 p.m. at the Hill Top Community Center to allow the public to give their input.

Vice President O’Gurek stated that the current ordinance states a valid Pennsylvania driver’s license is required when applying for a spot and was wondering if you have to have a license to apply. There are people who are handicapped but are not registered drivers. Councilwoman Basiago explained that the letter they created states that if you or your spouse does not drive and you are handicapped or your child is handicapped, you would be entitled to have a parking space for that individual. The application would go under the person with the license. The application has a spot for the driver and the person who is disabled if they are not a licensed driver.

Economic Development – President Wargo said as of the end of March he is pleased to let everyone know that Summit Hill, Lansford, Nesquehoning, and Coaldale were awarded as the first Blueprint Community in state of Pennsylvania. It is a unique honor. Senator Argall was to publicly acknowledge it after all four boroughs passed a resolution supporting the Blueprint Community. The team is made up of a group of business leaders who were selected by the team when they applied for the application. A lot of the local leaders stood up to participate in the process. There will be a press conference on April 29th in Harrisburg. The team has devoted the next two years to get the training necessary to do major capital projects and to understand how to apply for them, how to get the funding for the projects and where to go for them. Not only is there training, but they will need to meet monthly to discuss progress reports. If you are wondering what the results can be, look at Tamaqua Borough. They are what they are today because of the Blueprint Community. He mentioned that Senator Argall, Rep. Heffley, all the town Councils and the team of individuals are all committed to being successful in making the transformation in our area. He thanked the Mayor, Council, and the school district for their support.

Motion was made by William O’Gurek and seconded by Lacey Gonzalez to accept the Committee Reports for the month of March 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

Communications –

Communications for the Month of March 2024:

1. Notice of Occupation Assessment from the Carbon County Board of Assessment and Revision of Taxes
2. Notice of Property Assessment from the Carbon County Board of Assessment and Revision of Taxes

3. Letter from DEP regarding the Bond Increment Approval for the surface mining permit for BET Associates Mine Operations
4. PennDOT Information
 - a. General information from PennDOT LTAP
 - b. Spring 2024 technical information sheet #231
 - c. Spring 2024 newsletter

Motion was made by William O’Gurek and seconded by Marlene Basiago to accept communications for the month of March 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

Bills – General Fund \$71,425.88, Community Center \$601.30, Sanitation Account \$28,733.17, Street Account \$3,275.84, and Sewer Fund \$30,000. **Motion was made by William O’Gurek and seconded by Karen Ruzicka to pay the bills from March 13 – April 9, 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Old Business -

1. President Wargo said they received a recommendation from Ralph Hummel to update to the 2021 version of the International Property Maintenance Code because the borough is currently under the 2012 version. He suggested that council review it so they can discuss it at the committee meeting on April 22nd. Ms. Steber added that he also said that the code is usually updated every three years and we should keep up with it because he can only enforce what the borough has on the books.
2. President Wargo said they discussed the LWCF inspection that was received from DCNR for the Ginder Field was trying to find open space elsewhere in the borough to counterbalance the open space that was taken by building the salt shed and borough garage. They are exploring all alternatives to come up with about 7,400 square feet of land for the open space. Mary Ann Szczecina said they were talking about putting a park in White Bear but asked if they would consider putting a dog park down there instead. Councilwoman Basiago stated that Ronnie measured the area along the Little League field by the borough garage and came up with 150’ x 200’. The only problem with that land is how they would develop it. They would need someone to remove trees and level the land because the borough crew does not have equipment to do it. **Motion was made by Marlene Basiago and seconded by Karen Ruzicka to approach the coal company to see if they would be willing to give the borough 10,000 square feet of land.** Motion was opened for comment; none made. Motion carried unanimously by Council.
3. President Wargo stated that they are not ready to talk discuss the rental inspection process at this time and ask that they table it. **Motion was made by William O’Gurek and seconded by Joseph Weber to table the discussion of the rental inspection process.** Motion was opened for comment; none made. Motion carried unanimously by Council.
4. President Wargo mentioned that the borough workers had a sign in the garage to replace the “No Parking Clergy Only” sign at the Methodist Church located on East White Street. The question is will there be a fee charged for the sign. Ms. Steber stated that once the church closed, the borough removed any signs that were located there and kept them stored at the garage. Council agreed to not charge for the placement of the sign.

Motion was made by Joseph Weber and seconded by William O’Gurek to accept old business for the month of March 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

New Business –

1. President Wargo said a letter was received from Scott Bieber, SEO, asking for Council to grant Donald Harakal, 144 West White Bear Drive, a well distance exemption to allow Scott to issue a permit to build a sewage system to replace the malfunctioning system that serves Mr. Harakal's property. Ms. Steber stated that Council has done this for other residents in the past. **Motion was made William O'Gurek and seconded by Joseph Weber to grant a well distance exemption to Donald Harakal at 144 West White Bear Drive to replace his malfunctioning system.** Motion was opened for comment; none made. Motion carried unanimously by Council.
2. **Motion was made by Karen Ruzicka and seconded by Lacey Gonzalez to allow Kira Steber, Borough Secretary, to attend a PENNVEST session on April 11, 2024 from 10-11:00 a.m. at the McAdoo Fire Company at no cost to the borough.** Motion was opened for comment; none made. Motion carried unanimously by Council.
3. **Motion was made by William O'Gurek and seconded by Alan Kokinda to transfer \$30,000 from the Sewer Account to the General Fund for operating expenses until tax money is received in April.** Motion was opened for comment; none made. Motion carried unanimously by Council.
4. President Wargo said there is an update on the federal appropriations grant for FY2025 on behalf of the Sewer Authority for the upgrade to the collection system. Every year they have to apply for appropriations, which are supposed to be used in the form of matching monies with the boroughs to work on the collection feeds that go into the system. Different grant to were received have different matching funds. This means that they need to come up with a portion of the money to be eligible. If they do not come up with the funds, they will not be able to do what they promised by trying to get the moratorium lifted. At some point they will need to talk about fixing the feeder system that feeds the collection into the sewer plant. Mayor Szczecina recommended that Council contact their engineer because they may have information about what their plan should be. A discussion took place about the vortex separator and the moratorium.
5. President Wargo said one idea that came up during their budget meeting was increasing the Local Services Tax from \$10 to \$52 a year to help with the increasing budget. Councilwoman Gonzalez said there is documentation as to how it is implemented, which also explains how it is deducted from your paycheck. Locally almost every town is at \$52 and will only affect those that work in Summit Hill. **Motion was made by William O'Gurek and seconded by Lacey Gonzalez to have Solicitor Frycklund prepare an ordinance to increase the Local Services Tax from \$10 to \$52 for the borough.** Motion was opened for comment; none made. Motion was carried unanimously by Council. Councilwoman Gonzalez mentioned that under the PA legislature it states that this tax can be used for certain things like emergency services, road construction and maintenance and property tax relief. She feels it is a good idea to put the LST funds in a separate checking account so they can pinpoint what they are spending the increase on. **Motion was made by William O'Gurek and seconded by Lacey Gonzalez to open a new bank account for the Local Services Tax and to move the current funds collected for the year into the account.** Motion was opened for comment; none made. Motion carried unanimously by Council.
6. Reminder of the Spring Cleanup and Electronics Recycling dates.
 - a. Saturday, April 20, 2024 East side of town along with Knepper's Trailer Court and East and West White Bear Drive.
 - b. Saturday, April 27, 2024 West side of town along with Laurel Drive and East and West Mountaintop Road.
 - c. Saturday, May 4, 2024 Electronics drop off. This is for Summit Hill Borough Residents only and ID is required.

Motion was made by William O’Gurek and seconded by Alan Kruslicky to enter into Executive Session at 8:33 p.m. to discuss personnel matters. Motion was opened for comment; none made. Motion carried unanimously by Council.

Motion was made by William O’Gurek and seconded by Alan Kruslicky to enter back into regular session at 8:41 p.m. Motion was opened for comment; none made. Motion carried unanimously by council.

Motion was made by Alan Kruslicky and seconded by Joseph Weber to adjourn at 8:42 p.m. until the next meeting of the Summit Hill Borough on May 14, 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

David Wargo
Council President

Kira Steber
Secretary/Treasurer