

**Summit Hill Borough Council**  
**January 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, Joseph Weber, Marlene Basiago, Solicitor Robert Frycklund and Mayor Jeffrey Szczecina were all present.

President Wargo asked the audience that there be no sideline conversation during the meeting due to him being partially deaf. If they would like to talk, he would appreciate it if they would step out of the room and come back in when they are done.

**Letters of Interest for Council** – President Wargo said only one letter was received. He stated that the letter is from Alan Kruslicky and read the letter so that it can be entered into record. A copy of the letter will be attached to the minutes. He also added that they have 30 days to fill the position and if it is not filled in 30 days, the courts will fill the position for them. **Motion was made by William O’Gurek and seconded by Marlene Basiago to appoint Alan Kruslicky to fill the vacant Council seat.** President Wargo asked for a roll call vote.

David Wargo	Yes
William O’Gurek	Yes
Lacey Gonzalez	Abstained due to being related to Mr. Kruslicky
Karen Ruzicka	Yes
Joseph Weber	Yes
Marlene Basiago	Yes

Roll Call vote ended in 5-0 vote with one abstention. Motion carries unanimously to appoint Alan Kruslicky to the vacant seat on Council.

Alan Kruslicky was sworn into office by Mayor Jeffrey Szczecina.

**Floor** –

1. Joan Morana, 104 East Ludlow Street, asked if they could explain to her what are the ordinances relating to snow and is it required to clear your sidewalks. She also asked what the rule is to move the vehicles. President Wargo read the section from Property Maintenance regarding snow and ice removal from sidewalks. He read that any ice or snow must be removed from the sidewalk within 24 hours. A path must also be created, freeing it of any snow or ice, of three feet on said sidewalk. Businesses are required to clear sidewalks within 4 hours. President Wargo said that there are two possibilities when it comes to moving vehicles during snowstorms. One is a snow emergency; the other is a nonemergency. He continued with reading the rules from the ordinance. A declaration of snow emergency, which is done by the Mayor, Police Chief or Council President, they may declare an emergency where six inches of snow or substantial ice has accumulated or under any other circumstances which warrant the undertaking of extreme caution, care, and concern in combatting inclement weather. He continued reading the rules as stated in the ordinance. President Wargo then read the regulations for a nonemergency snowstorm.
  - a. It shall be the responsibility of the Borough to treat and clear any streets in the Borough in the event an accumulation of snow in excess of three inches occurs or substantial ice builds up on the street surfaces. The opening of all snow emergency routes shall be of utmost priority to effectively maneuver vehicles for purposes of compliance with this chapter.

- b. In order to begin clearing Borough Streets, with the exception of the 200 block of West Holland Street, it shall be unlawful for any vehicle to be parked on the odd numbered (south and east) sides of any Borough streets between the hours of 8:00 a.m. and 6:00 p.m. during any snow/ice storm where there has been an accumulation of three inches or more; those sides shall remain free of vehicles until such time as they have been cleared by the Borough; in the event an additional accumulation of three inches results, then the same procedures apply as set forth herein.
- c. It shall be unlawful for any vehicles to park on the even-numbered (north and west) sides of any Borough Street between the hours of 8:00 a.m. and 6:00 p.m. on the day following the clearing of the opposite (south and east) side of the street and until such time as those (even-numbered) sides are cleared.
- d. Except as otherwise provided herein, at no time after the accumulation of three inches of snow or during a snow/ice storm shall any vehicle be parked in any alley in the Borough until such time as the alley is treated and cleared by the Borough. In the event the snow accumulation reaches three inches, or the ice begins to build up before 8:00 a.m., all vehicles must be removed by 8:00 a.m. and remain so removed until the alley is treated and cleared.

President Wargo added that it also read that it is unlawful to for any person to throw, shovel, push, plow or otherwise place any snow/ice onto any Borough street, except as authorized by the Chief of Police or his designee. He continued with the rules for removal of vehicles in violation. He said it is within the sole discretion of the Chief of Police or his/her designee to ticket and/or tow any vehicle in violation of any parking restrictions set forth in this chapter. It shall be a prerequisite to the release of any vehicle from storage after being towed for being in violation of any section of Article IV that all towing/storage costs be paid in full by the record owner or driver. He added that they rely on neighbors being neighborly and moving their cars accordingly but unfortunately some people are not so accommodating.

- 2. Fred Evans, Jr., 28 East Fell Street, asked what exactly is considered garbage and rubbish. President Wargo read the definitions under Property Maintenance ordinance. Mr. Evans asked if pressure treated plywood is considered garbage. President Wargo said it is construction material and needs to be specially disposed of because the garbagemen will not take it. Mr. Evans stated that the plywood is there for his use and is not to be thrown out. He was wondering why he was being singled out for having it on his property. He also has a pile of coal outside and has a tarp over it, but nothing was said about it. Mayor Szczecina stated that it is a new process that has started to enforce the Quality-of-Life ordinance. He would like to meet with Mr. Evans and the officer involved to try and resolve it. Mr. Evans said that he already had to attend a hearing on it and the judge told him to try and get it resolved. Mayor Szczecina said they will get it resolved this week.

**Minutes – Motion was made by William O’Gurek and seconded by Alan Kruslicky to approve the meeting minutes from the December 18, 2023 and the January 3, 2024 Council meetings.** Motion was opened for comment. Councilwoman Basiago said that there was a motion made at the last meeting to continue with Danny Matika. He held two meetings; they got some results from him, and she has not heard anything since then as to what he has done. President Wargo explained that he was appointed as the interim Zoning Officer, so he is available to help Officer Strauss, who is the new Zoning Officer. He was appointed for the year but it can be discontinued at the discretion of Council. No more comments made regarding the motion. Motion carried unanimously by Council.

President Wargo asked that they step into a brief Executive Session to discuss personnel matters. **Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to enter into an Executive Session at 7:29 p.m.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Motion was made by Joseph Weber and seconded by Karen Ruzicka to into back into Regular Session at 7:51 p.m.** 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 \$718.11 and from Carbon County was \$138.55. **Motion was made by Marlene Basiago and seconded by Joseph Weber to accept the mayor's report for the month of December 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Police Report** – Chief Woodward read his monthly report. **Motion was made by Karen Ruzicka and seconded by Alan Kruslicky to accept the Police report for the month of December 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Planning and Zoning** – No report was given.

**UCC, Code Enforcement and Rental Inspection Reports** – **Motion was made by William O'Gurek and seconded by Alan Kruslicky to accept the UCC, Code Enforcement and Rental Inspection reports for the month of December 2023.** Motion was opened for comment. Motion carried unanimously by Council.

**Work Leader Report** – **Motion was made by Joseph Weber and seconded by Marlene Basiago to accept the Work Leader report for the month of December 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Tax Collector Report** - Nathan Halenar submitted his Tax Collector Report for the month of December 2023. Total collected was \$29,062.24 with a commission of \$871.87. **Motion was made by Karen Ruzicka and seconded by Lacey Gonzalez to accept the Tax Collector Report for the month of December 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Delinquent Real Estate Tax Report** – Portnoff submitted their Delinquent Real Estate Tax Report for the month of December 2023. Total collected was \$2,333.53. **Motion was made by Marlene Basiago and seconded by Joseph Weber to accept the Delinquent Real Estate Tax Report for the month of December 2023.** 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 December 2023. Total EIT submitted was \$11,111.34 with a commission of \$192.23 and postage charges of \$28.73. There was no LST submitted but there were postage charges of \$4.47. Total DLT submitted was \$222.19 in delinquent Occupation Tax and \$221.75 in delinquent Per Capita Tax. **Motion was made by Joseph Weber and seconded by Lacey Gonzalez to accept the Wage Tax report for the month of December 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Delinquent Garbage Collection Report** – Nothing reported at this time.

**Receipts** – Total receipts received for the month of December 2023 were \$220,929.08. **Motion was made by William O'Gurek and seconded by Karen Ruzicka to accept the Receipts for the month of December 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

### **Committee Reports**

**Streets** – Councilman Weber said they need to update the emergency callout list. **Motion was made by Joseph Weber and seconded by William O'Gurek to approve the updated Emergency Callout list for the Borough.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Recreation** – Councilwoman Ruzicka said there was a request to change the time on Thursday for yoga from 6:00 p.m. to 5:00 p.m. **Motion was made by Joseph Weber and seconded by Karen Ruzicka to change the time for yoga classes to 5:00 p.m. on Thursdays.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Personnel** – President Wargo said that they have to contracts on the agenda. The first contract is for the Police Chief. **Motion was made by William O’Gurek and seconded by Alan Kruslicky to approve a 5-year contract with a 4% increase each year for the Police Chief.** Motion was opened for comment; none made. Motion carried unanimously by Council. The second contract is for the Borough Secretary/Treasurer. **Motion was made by William O’Gurek and seconded by Lacey Gonzalez to table the Borough Secretary/Treasurer’s contract due to some items that need to be discussed further.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Buildings** – Kira Steber informed Council that Ronnie fixed the heat issue, which is only a temporary fix. The part is on order, but they do not have a timeframe as to when the part will be arriving.

**Emergency Services** - Councilman Weber said that the funds from the grant for the new fire truck was received yesterday. Members of the fire company will be taking a trip to pick up the vehicle by the end of the week.

President Wargo stated that in the past he was not satisfied with the way committees ran. He is proposing that they hold a workshop meeting once a month, preferably on the last Monday of the month. The slot would be available but the committees that would meet would be decided by the chair of each committee. He went over what he feels each committee should do. He also mentioned that he would like to establish an Ordinance Committee as a new committee, which would be served on by the President, Vice President, and a senior non officer of Council. **Motion was made by Karen Ruzicka and seconded by Marlene Basiago to hold a Committee Workshop session on the 4<sup>th</sup> Monday of each month.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Motion was made by William O’Gurek and seconded by Joseph Weber to accept the Committee Reports for the month of December 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

### Communications –

#### **Communications for the Month of January 2024:**

1. Notice of Occupation Assessment from the Carbon County Board of Assessment and Revision of Taxes
2. Winter 2023 Newsletter from Central PA Teamsters

**Motion was made by William O’Gurek and seconded by Joseph Weber to accept communications for the month of December 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Bills** – General Fund \$98,505.50, Community Center \$2,047.96, Sanitation Account \$29,764.17, Street Account \$6,071.07, and Sewer Fund \$150,000. **Motion was made by William O’Gurek and seconded by Alan Kruslicky to pay the bills from December 19, 2023 – January 9, 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

### Old Business -

1. RFPs for Abatement Program – President Wargo stated that he would like to table the RFPs since there are new members on Council to give them time to review the proposals. **Motion was made by William O’Gurek and seconded by Joseph Weber to table the approval of the RFPs until the February 2024 meeting for further review.** Motion was opened for comment; none made. Motion carried unanimously by Council.

2. Sidewalk Ordinance – Councilwoman Ruzicka stated that she is still working on the ordinance and would like the input from the new members of Council.

**New Business –**

1. **Motion was made by William O’Gurek and seconded by Karen Ruzicka to adopt Ordinance No. 01-2024 Fixing the Various Tax Rates for the Fiscal year 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.
2. President Wargo said they need to review letters of interest that were received for vacant seats on the Borough’s Board and Commissions.
  - a. Planning Commission – One seat open but no letters of interest were received.
  - b. Zoning Hearing Board – Letters of interest were received from Jade Washousky and Edward Kane. President Wargo read the letters so that they can be entered into record. Karen Ruzicka nominated Edward Kane to sit on the vacant seat on the Zoning Hearing Board; Marlene Basiago seconded the nomination. President Wargo asked if there were any other nominations. Councilman Weber asked if either of the parties would be interested in changing their letter to say they would sit on the Planning Commission, since there is a vacant seat. Jade Washousky offered to sit on the Planning Commission. **Motion was made by Karen Ruzicka and seconded by Marlene Basiago to appoint Edward Kane to the Zoning Hearing Board with his term expiring on December 31, 2026.** Motion was opened for comment; none made. Motion carried unanimously by Council. **Motion was made by Joseph Weber and seconded by Karen Ruzicka to appoint Jade Washousky to the Planning Commission with her term expiring on December 31, 2027.** Motion was opened for comment; none made. Motion carried unanimously by Council.
  - c. UCC Appeals Board – Two seats open but no letters of interest were received. President Wargo said there are some qualifications required for this board.
3. President Wargo discussed the Carbon County of Governments. They meet on the 4<sup>th</sup> Tuesday of each month in Jim Thorpe. He has been the delegate for a few years and Joseph Weber has been his alternate. He invited everyone to attend the meetings, especially if they are new to Council. They have a speaker each month followed by a brief business meeting. The next meeting will be held on January 23<sup>rd</sup>. The meetings are also open to the public.
4. Fred Evans asked if there was a place for residents to go if the power would go out. Chief Woodward said in the past they opened up the Community Center and/or Fire Department.

**Motion was made by Alan Kruslicky and seconded by Karen Ruzicka to enter into an Executive Session to discuss possible litigation at 8:34 p.m.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Motion was made by Joseph Weber and seconded by Karen Ruzicka to enter back into regular session at 9:48 p.m.** 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 adjourn at 9:49 p.m. until the next meeting of the Summit Hill Borough on February 13, 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

David Wargo  
Council President

Kira Steber  
Secretary/Treasurer