

**Summit Hill Borough Council**  
**May 9, 2023, 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 Michael Kokinda presiding.

**Roll Call** – President Michael Kokinda, Vice President William O’Gurek, Gino DeGiosio, Karen Ruzicka, Alan Kruslicky, Joseph Weber, David Wargo, Solicitor Robert Frycklund and Mayor Jeffrey Szczecina were in attendance.

**Floor** –

1. Kathy Gieniec, Recreation Commission President, mentioned to Council that there is an interest in pickle ball. It is similar to volleyball except you play it on the floor. Currently Tom Evans has a league in Leighton, so she talked to him about it. It is held at the Leighton Rec Center, he sets it up and takes it down, they have it five nights a week and he is willing to help get it started in Summit Hill. She asked Council if this were something that they would allow her to do at the Community Center. President Kokinda asked if she had an idea of how long a game would be. Ms. Gieniec stated that a normal game would last about a half hour. She would like to have it a few hours per night. People in the community seem to know about it and are interested. Vice President O’Gurek said it is a great idea, but his only concern would be the ball that is used and asked if there would be any chance it would hit the wall and leave a mark or cause damage. Ms. Gieniec stated that the ball is similar to a whiffle ball and would not cause any damage. Councilwoman Ruzicka looked into it and there are nets that are on wheels that can be placed in the closet. Ms. Gieniec asked if it would be ok to move forward with gathering all the information and put dates and times together; Council gave the ok. Ms. Steber asked that once she has all the details worked out that she come back to Council for official approval to have it on record for insurance purposes. Marlene Basiago asked what more information is needed and mentioned the cost of everything. Ms. Steber explained that it is not the cost that is needed, it is the details like the day/days and times that it will take place so that it is recorded for insurance purposes.
  
2. Jayne Turner, 45 East Hazard Street, has a problem with an infestation of rats. Whatever the borough is doing, it is not working, and she cannot afford to hire an exterminator every two weeks. She said if you take a ride through town you will see dead, squished rats in the streets. President Kokinda asked if anyone has made an official complaint to the office, because he is not aware of any that have been made. Ms. Turner stated that having vacant homes is a big problem. There were five vacant homes in her neighborhood and now they have people living in them, however, the people are filthy. President Kokinda asked if they feel it is a requirement to move into town. They have no control over who is buying and selling the homes in town. Marlene Basiago stated that she is saddened to see how the town has deteriorated and it is because nothing is being done to enforce the laws that they have to correct the problems. Mayor Szczecina added that people have been cited for Quality-of-Life issues in town. To say that nothing is being done is absolutely not true. Kenneth Boyd asked about the tires that are at 36 East Ludlow Street. Mayor Szczecina said they received a complaint about tires, and it was taken care of within four days. He added that the police do not have a right to look in your house. There are constitutional protections that the police department is obligated to follow. There are several properties in town that are being addressed. The officer has to prepare and send a letter to the registered owner of the property. If it is not done within 30 days, that person will be cited. He saw one dead rat on the unit block of East Hazard Street, and he took it upon himself to get rid of it. That is part of keeping the town clean. Ms. Basiago asked if the people who are being cited can be publicized in the newspaper. Mayor Szczecina explained that they could be. Once it is filed with the magistrate any news facility can go to the magistrate to see what has been filed by the police department. The magistrate is also the one who sets the fines. Ms. Turner expressed that as a community member, she would like to work with Jason and help find the properties

that have rats. She also spoke to Ralph and would like to bring him in. We have to work together to resolve the issues.

3. Marlene Basiago, 20 West Walter Street, stated that she has several questions.

- She would like someone to explain every category of what is being discussed at the meeting. She has attended three meetings and still knows nothing.
- The agenda comes up and nothing is ever discussed between anyone on Council. How are they supposed to know how they vote because she has no idea what is going on. Everyone is in favor of all the agendas that are discussed.
- As for the police reports, she would like to know what kind of arrests are being made. Are they giving out speeding tickets. Are they addressing the drug problem in the area. Are they looking at cars to make sure they are registered. Are the police going to the Ginder tennis courts or to the field to try and control some of the kids that are possibly destroying the equipment.
- Code Enforcement. He was at the blight meeting, as was she, and wants to know what his plans are to address blight. What are they going to do about the debris in yards and porches. Residents in town are having problems with rats; what is being done to help them.
- Why do people have to walk on the streets in town. Why can't people walk on the sidewalks like everyone else. People who are driving have to stop because people walking in the street do not want to move. Why are they allowing it to occur.
- She would like to know what streets are being macadamed and which ones are being patched this year. After rainstorms, the holes are there and then after a storm they are bigger than they were before.
- She would like to know what committee the Council members represent. If she has a question, how is she supposed to know who she is to go to. Ms. Steber stated that the information is listed on the website. Ms. Basiago wants to know why she should have to go to the website when she is at the meeting, and they can tell her who represents what committee. Ms. Steber said that she can print out a list to provide to her.

President Kokinda agreed that Summit Hill today is not what it was 10-15 years ago. But it is hard to legislate courtesy or common sense. If they were neighbors, they would both keep their properties clean and if there was a problem, they would address it with each other. Unfortunately, this does not seem to be happening anymore. They have limited resources as far as enforcing the laws that are on the books. There is one enforcement officer in town. There is one police officer out at a time, who need to answer calls and assist other departments. He means no disrespect, but it is easy to say what they need to do. The question is, how do they get it accomplished when they do not have the resources or the money to get things done. This is why they ask if someone sees a property that needs attention, give them a call so they can have it addressed.

Mayor Szczecina mentioned that Chief Woodward responded to a call in the morning. While leaving the call, he noticed a vehicle on the street with an expired registration. He stopped and issued a citation. The father of the owner of the vehicle came out of the house and ridiculed him saying that he sees that he has nothing better to do. The Chief told the person that he could have it towed but he is giving him the courtesy of a ticket so you can address it. This incident happened less than 12 hours ago. So, they are

asking the police to address things and when they do, this is what the public says to them. This is where they take offense at being told that the police do nothing.

Ms. Basiago said she would like to start seeing more things in the paper as to what the police are doing. Last month there were only eight arrests. There are six full-time police officers and in a month's time only eight arrests happened. Mayor Szczecina said if they want more details, a crime could be reported, an investigation is done on the crime and the officer will ask the victim if they want to proceed with prosecution. If they do want to proceed with prosecution, they will be required to testify because of being the victim. About 60-70% of the time, the victim will say that they do not want to pursue any further. That is why no arrest is made, no charges are filed and that is why nothing is reported in the paper. President Kokinda asked how much of that officer's time was invested in that investigation. Mayor Szczecina said something like that is at least a 3-hour call. Kokinda said there is 3 hours of their time that they are not out on the street. He agrees there is a problem but how do they manage it and be fiscally responsible. They cannot raise the taxes to bring six officers on to every shift and hire more code enforcement officers. They are doing the best they can with what they have.

Ms. Basiago said she would like to see more of what Council is doing in the paper. If they want help, they need to show they are doing something. President Kokinda stated that he is not looking for a pat on the back but a lot of the things he does goes unnoticed. Just because he is not going around telling people what he did does not mean he is not doing anything.

Karen Ruzicka suggested getting plaques made with the committees listed and having them placed next to each nameplate so that people will know what committees Council is on.

4. Joanie Morana, 104 East Ludlow Street, stated that she has lived in Summit Hill her whole life and she has friends that are moving out of the area because of the way things are going. She asked how many speeding tickets were issued. Mayor Szczecina did not have that information available at that moment. Ms. Morana said she was told that the police are not to be a source of income. Police are a source of income everywhere around them. She paid \$20 to have lines painted in front of her house, which took 5 seconds to paint. If they are going to make her a source of income, then they need to make the ones disobeying the laws a source of income. They need to do what is best for the town. People are parking their vehicles on the sidewalks, 4-wheelers driving up and down the street and fireworks going off in town. How many rental inspections are being done in town. Are people getting permits for construction that they are doing on their properties. President Kokinda explained that repairs being made to a home do not require a permit, but construction does require one. Ms. Morana said she saw the people doing all kinds of repairs to the home but did not realize that a permit was not required. Councilman Kruslicky asked if the owner improved their property and put money into the property. Ms. Morana said they did. Mr. Kruslicky asked if she would like to start hindering the people who are trying to improve their properties. Everyone is complaining about the people who are not taking care of their properties and now they are complaining about people who are trying to improve their properties.

Ms. Morana asked the status of the Facebook page for the police. Mayor Szczecina explained that there is a lot of liability with social media pages. Ms. Morana stated that all the other police departments have them. Mayor Szczecina said when all the other departments are facing lawsuits, it is on them. If something happens on the page or comments are deleted, they can be sued. He has looked into it. Councilman Weber said that he was on a state seminar, and they stressed that you really have to be very careful on what you post, even on the Borough's page. Comments cannot be removed even if they are derogatory. Mayor Szczecina said that there is a process in place if there is a significant event. He will contact the Borough Secretary and she will post it on the borough's official page with information only released by himself or the Chief. An incident happened about six months ago at 4:30 in the morning. He called, woke Kira up and she immediately posted the information. They identified the location, stated what was going on and notified the schools of the event.

5. Barbara Boyd, 24 East Ludlow Street, stated that she is not here to talk about rats but did mention that it cost her \$1,900 to have the exterminator come to her house. She stated that years ago Council made ordinances to protect the residents and their properties. Now she feels like the ordinances are not being enforced. A few years ago, a man bought the property next to her and started putting apartments in. The zoning officer at the time said that he could not put in apartments because it was a business and the work stopped. Mayor Szczecina explained that he was told to stop working because he did not have any permits to do the work. Ms. Boyd stated that the new owner does not have a permit from the town, but she does have one from Lehigh Engineering. The owner is doing major construction downstairs and putting in two apartments, where the restaurant used to be, and a coffee shop. She does not have any objections to the coffee shop, but she does not want two apartments going into a building that is commercial. Mayor Szczecina explained that Officer Bell has been addressing this since April. He has called DEP four times and has never received a call back. Officer Bell also spoke with Ralph, who verified that they submitted a permit to him. If she is investing money into the building and is not in compliance, she is going to be wasting money. Ms. Boyd claims that the owner has now moved people into the apartment, where there were issues, and nothing has been addressed. She does not believe that it was inspected either. She stressed that she does not want two more apartments next to her. Mayor Szczecina said they are looking into it. If they find that it is legal to put apartments in the building, then they can do it. If it is not legal, then they cannot do it. President Kokinda said that people should not be moving in without having an occupancy permit. If people are going to keep complaining about things, they can have the inspector come in, condemn the property and then the people will have to move out. The building will then become vacant and sit there. So, be careful what you wish for.

**Minutes** – Motion was made by David Wargo and seconded by Gino DeGiosio to approve the meeting minutes from the April 11, 2023 Council 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 \$252.55 and from Carbon County was \$70.54. He also mentioned the following happened during the month:

- He attended an Eagle Scout Ceremony for Connor Rehnert on April 15th, where he presented him with a certificate on behalf of the Mayor and Borough Council.
- April 26, 2023, the police department was audited by the Attorney General's Office. It is a semi unannounced inspection where they review the access to criminal history and release criminal history information. Everything was in compliance.
- April 29, 2023 was the annual Arbor Day Celebration in town. It was held in the Council Chambers due to inclement weather and was very well attended.
- He attended the Legion meeting in conjunction with the Memorial Day committee to get things worked for the parade. The Grand Marshall was selected, and they are finalizing things for a guest speaker.
- He spoke with the members of the Fire Co., who will be having a basket raffle, corn hole tournament and entertainment on Saturday, May 27, 2023. They are accepting donations of baskets if anyone is still interested.

Mayor Szczecina stated that they have a great group of volunteers who do things throughout the town, and he tries to attend as many events as he can, including the Recreation Commission events.

**Motion was made by William O’Gurek and seconded by David Wargo to accept the mayor’s report for the month of April 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Police Report – Motion was made by Alan Kruslicky and seconded by Joseph Weber to accept the Police report for the month of April 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Planning and Zoning** – Marlene Basiago asked if anything was resolved with the issue in White Bear. Mary Ann Szczecina mentioned that there are all kinds of trucks and equipment parked on the property and vehicles coming and going. You would have to be stupid to see that there is not something going on at the property. President Kokinda said knowing what you know and proving what you know are two different things. Officer Bell explained that he spoke with District Attorney Greek regarding this property. Greek does not want the police to investigate anything that has happened in the past, just things that are happening moving forward. His point of position is that there is nothing that can be proven at this point that he is conducting a business, so they are not going to keep harassing the homeowner. If something comes up, they can pass the information on to the police, however, they will not be issued any type of administrative search warrants to search the property. Chief Woodward also spoke with District Attorney Greek involving the same topic. Greek explained to him that what the gentleman is doing is operating a low impact business. If it is not his primary source of income, he can work on vehicles. It is no different than a woman next door making baked good for the holiday season or makes candles and sells them to family, friends, or neighbors. If it is not his primary source of income, there are no signs posted that he does not need permits to do what he is doing. If there were tractor trailers pulling up every day, unloading stuff and blocking the highway, that would be a different story. If it reaches a point where it becomes commercial and is blatantly obvious, then they know that he is running a business and it can be addressed at that time. Mary Ann Szczecina asked if there is something that can be done about all the trucks and equipment parked on the property. Officer Bell explained that only one commercial vehicle is allowed on a residential property, however, the ordinance does not define what is considered a commercial vehicle. A brief discussion took place about what is considered a commercial vehicle under the PA Vehicle Code and in the borough ordinance. Another brief discussion took place regarding speeding and the units that time speeders. Councilman Kruslicky asked if they pursue stopping cars for speeding, how much revenue do they get from a speeding ticket. Chief Woodward explained that it depends on the fine. A general speeding ticket, the borough would receive half of the fine amount. Base fine is \$25 so the municipality will receive \$12.50. Kruslicky said the cost of the equipment compared to the revenue is something they need to start looking at.

**Motion was made by David Wargo and seconded by Joseph Weber to accept the Planning and Zoning report for the month of April 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**UCC and Code Enforcement Report – Motion was made by William O’Gurek and seconded by Gino DeGiosio to accept the UCC and Code Enforcement report for the month of April 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Work Leader Report** – Councilwoman Ruzicka asked if they will be hiring summer help this year. Ms. Steber explained that she completed and submitted the application to the county. President Kokinda added that it is up to the county as to how many workers they will get. **Motion was made by William O’Gurek and seconded by Joseph Weber to accept the Work Leader report for the month of April 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 April 2023. Total collected was \$181,589.27 with a commission of \$5,447.68. **Motion was made by David Wargo and**

seconded by Karen Ruzicka to accept the Tax Collector Report for the month of April 2023. Motion was opened for comment; none made. Motion carried unanimously by Council.

**Delinquent Real Estate Tax Report** – Councilwoman Ruzicka questioned the LLC that is listed on the delinquent list and wanted to know if it is being rented out right now. She requested that Council receive a list of all the inspected rental units, so they know if they have been inspected. This way when they look at the report they know if it is vacant or rented and if it has been inspected. Ms. Steber stated that she cannot provide that to Council at this point in time because the previous zoning officer did not keep a list. Lehigh Engineering has taken over the rental inspections and five inspections were done just today. Every one of the properties that were inspected need things to be corrected and will need to be reinspected. She was informed that every property owner asked why the last zoning officer never questioned the items when he inspected the properties. From this point forward she will make sure they have a list. Vice President O’Gurek asked if anyone know of a property that was not inspected or needs to be inspected, call and report it so it can be addressed. Portnoff submitted their Delinquent Real Estate Tax Report for the month of April 2023. Total collected was \$1,603.09; the monthly expense reimbursement was \$368.29. **Motion was made by David Wargo and seconded by Alan Kruslicky to accept the Delinquent Real Estate Tax Report for the month of April 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 April 2023. Total EIT submitted was \$18,775.43 with a commission of \$324.81 and postage charges of \$38.03. Total LST submitted was \$1,082.17 with a commission of \$22.18 and postage charges of \$19.24. Total DLT submitted was \$143.00 in delinquent Occupation Tax and \$55.00 in delinquent Per Capita Tax. **Motion was made by David Wargo and seconded by Joseph Weber to accept the Wage Tax report for the month of April 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Delinquent Garbage Collection Report** – Marlene Basiago asked how many people are on the delinquent list. President Kokinda said there is more than he would like. There is not much they can do other than turn it over to collections. If they stop collecting the garbage at the delinquent properties, then we end up with garbage all over the town and attract more rats. Vice President O’Gurek explained that they outsource their collections to an agency. They connate the property owners and this report is what we received from the agency as to what they collected for the month. Central Credit Audit submitted their Delinquent Garbage Collection Report for the month of April 2023. Total collected from Central Credit was \$334.49. **Motion was made by David Wargo and seconded by Alan Kruslicky to accept the Delinquent Garbage Collection Report for the month of April 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Receipts** – Total receipts received for the month of April 2023 were \$233,103.63. **Motion was made by William O’Gurek and seconded by Karen Ruzicka to accept the Receipts for the month of April 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

### **Committee Reports**

**Personnel** - Vice President O’Gurek mentioned that the Assistant Secretary position was advertised for a second time and four applications were received and interviews have been scheduled for next week.

**Buildings** - President Kokinda contacted HT Lyons regarding the HVAC systems that need to be replaced. Quotes were received to replace the units for the Council Chambers, Borough Office, and the Community Center, which are in need of thousands of dollars in repairs. Costs for the projects are \$59,850 for council chambers, \$28,350 for the borough office and \$166,590 for the Community Center. The systems are 18 years old, and we have the ARPA funds that they plan to use for the projects. The only problem they may have is in the council chambers because they are in need of a bearing for the current unit. They are looking at a 60–90-day lead-time for the equipment. The one for the community sent is a much longer lead-time so they may have

to put money into it in the meantime. Councilwoman Ruzicka said all the bids have exclusions. Do they have to extra money to cover the exclusions that are listed on the quotes. President Kokinda said they should be able to cover those with the funds that are in the Capital Improvement account. There is some work that can be taken care of by the borough workers too. Vice President O’Gurek explained that the ARPA funds can only be used for certain things like public health, ventilation, etc. They are lucky to have the funds to cover the projects and not have to dip into the General Fund and affect the tax base. **Motion was made by William O’Gurek and seconded by Alan Kruslicky to have the HVAC systems in the Council Chambers, Borough Office and the Community Center replaced by HT Lyons for a total cost of \$254,790.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Emergency Services** - Councilman Weber said the Fire Co is requesting that Ludlow Street be blocked off from Market to Walnut for the food truck festival and cornhole tournament. **Motion was made by Joseph Weber and seconded by David Wargo to grant permission to the Diligence Fire Co. to block off Ludlow Street from Market to Walnut for the food truck festival on Saturday, May 27, 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council. Mr. Weber also spoke with Len Ogozalek to get an update on the truck that is on order. There are still some production delays, which are due to COVID. They are waiting for a chassis and have a possible delivery date at the end of the year.

**Sanitation** – Councilman DeGiosio stated that a letter was received from a property owner, who is also an LLC, stating that they did not request trash services at their property located at 200 West White Bear Drive. He said they get these requests often. In the past, they have always said that if you are a property owner, you are responsible to pay the trash bill. Councilman Wargo said there is a house on the property, so they are responsible to pay. As per the ordinance, they are required to pay. President Kokinda added that the borough does not get a break if someone does not pay their bill. If you want to own a property, then you need to pay your bill. **Motion was made by David Wargo and seconded by William O’Gurek to deny the request from 200 White Bear LLC to opt out of paying the sanitation bill.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Economic Development** – David Wargo said the next meeting will be held on May 22, 2023 at 7:00 p.m. where they will continue their discussion on the soliciting and peddlers ordinance.

**Motion was made by Karen Ruzicka and seconded by Gino DeGiosio to accept the Committee Reports for the month of April 2023.** Motion was opened for comment; none made. Motion carried unanimously by council.

**Communications** –

1. A letter was received from Panther Valley Class of 2019 to hold a 3 on 3 basketball tournament. Ms. Steber stated that they will provide a copy of the insurance and recommend they get a porta potty for the event. **Motion was made by William O’Gurek and seconded by Alan Kruslicky to grant permission to the Panther Valley Class of 2019 to hold a 3 on 3 basketball tournament fundraiser on Saturday, July 8, 2023 at the Ginder courts.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Communications for the Month of April 2023**

1. Request from the Panther Valley Class of 2019 use the Ginder basketball courts on Saturday, July 8, 2023 for a fundraiser 3 on 3 basketball tournament.
2. Letter from Carbon Engineering, Inc. informing their clients of their new policy. They will be reporting all paid and unpaid invoices to a credit reporting agency sixty calendar days after the date of invoice.

3. Letter from Robert Siesputowski about bringing people, businesses, and money to Summit Hill.
4. Notice of Occupation Assessment from the Carbon County Board of Assessment and Revision of Taxes.
5. Letter from ET&T regarding the IT Services they offer and to inform Boroughs that they will have a booth at the PSAB Conference in Hershey.
6. PA State Mayor's Association sent a letter about nominating the Mayor for the 2023 Mayor of the Year award.
7. PA One Call Pipeline Safety Bulletin for 2023
8. Spring 2023 Newsletter from Portnoff
9. PennDOT Information:
  - Winter Operations Training
  - Spring 2023 Technical Information Sheet #223
  - Spring 2023 Newsletter

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

**Bills** – General Fund \$121,652.30, Community Center \$526.30, Sanitation Account \$28,208.10, and Street Account \$8,761.83. **Motion was made by William O’Gurek and seconded by Joseph Weber to pay the bills from April 12 - May 9, 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**New Business** –

1. **Motion was made by David Wargo and seconded by William O’Gurek to adopt Ordinance No. 02-2023 Amending Ordinance No. 04-2021 Establishing the layout and taking over of various roads in the Borough.** Motion was opened for comment; none made. Motion carried unanimously by Council. Vice President O’Gurek mentioned that this touches on what was discussed earlier about paving. The Borough receives money from the state, called Liquid Fuels funds. To be eligible to receive these funds, a street must be adopted by ordinance. The ones that are listed in the ordinance are streets in the Borough that qualify but were never placed on the Liquid Fuels map.
2. Notice of Assessment Appeals from the Carbon County Board of Assessment and Revision of Taxes for hearing that will be held on May 31 and June 1, 2023.
3. Letter received from the Panther Valley School District asking if Council will be changing any of the bus stops in town for the 2023-2024 school year. Chief Woodward has been monitoring the bus stop at Ludlow and Elm Streets since the complaint was received from a property owner. He said he had addressed some kids that were climbing around on the property, and he has not seen them since. President Kokinda said they can work with the bus company to see if they would be willing to go around the cemetery and pick kids up at the opposite corner.
4. Councilman Wargo gave an update on the Blight Committee meetings that have been held. They started in February and the next meeting will be held in June. Several discussions have been held regarding Act 152.

Abby Gardiani, from Nesquehoning, has talked to the Commissioners several times and attended their meetings. The Commissioners have been contemplating it but there is a concern about how they will administer it, as well as several other things. There is some debate on if the funding will be enough to do anything to make a dent. A resident of Lansford reported to the group that he looked at funds that they have in Schuylkill and Monroe counties and both counties have an awful lot of funds in their accounts. It does accumulate over time, but the problem is you are comparing it to counties that have a lot industrial, commercial, and residential development compared to our county. Another issue they are having is dealing with magistrates. The process is the police officer or zoning officer goes out and cites the people. That citation goes to the magistrate where it is filed, and a hearing is held. That person goes to plead their case to the magistrate. The magistrate can set the fine amount that they want, as long as it does not exceed what the borough ordinances state. It is a problem that not only exists in Carbon County but also in Schuylkill County. Many of the magistrates feel that they do not want to or cannot enforce the fines the way they write them. Senator Argall's representatives met with the magistrate back in April and they were told that the property issues are not something they are not going to enforce the fines the way they are written. They are trying to make the magistrate understand that they are one of the tools in their toolbox to help them fight blight. Summit Hill is the only town in the area that has a full-time zoning officer. A brief discussion took place about enforcement with blight. President Kokinda said that the issue that they had for years is that people have no idea where Summit Hill is, but they go down to the courthouse, buy all these properties and rent them out. But, then they do not pay the taxes, garbage bills and other utilities. When they finally walk away from it, the Borough is stuck with it. Mr. Wargo said a big issue that is happening with LLC is that state law allows a recorder of deeds to record multiple transactions on one transaction. They allow LLCs to be recorded without demanding ownership depending on the situation, which is property transfers. They amended the rental inspection ordinance to include that if someone from an LLC applies for a rental inspection, they must identify who their partners are. If any of the partners are in arrears in the borough, they will not be granted a license, inspection, or certificate. This was done due to zoning officers that they had in the past were not consistent. Another subject they discussed is a landbank. How a landbank works is that every municipality in the county would put funds into a fund. That money would then be used with matching grants to get other money from the state or federal government to form bank. The officials that would run that landbank on behalf of the county would be able to go to Sheriff sales and buy these properties out from under the LLCs and prevent the slumlords from buying additional properties. They can then take the properties, rehabilitate them, sell them and then the funds would go back into the landbank to purchase more properties. This is something that may come up in the next several months. President Kokinda asked if they have a lien on a property and it goes for Sheriff Sale, can the borough get the property before the slumlords and LLCs buy them. Solicitor Frycklund said they would have to condemn the property. You can take over any property but then you are responsible for it. Mr. Wargo said that would be the reason for the landbank. You do not want to get in the business of flipping properties. Another suggestion that came up was that the whole county use the same Quality of life Ordinance, Zoning Ordinance, etc.

5. Councilman Wargo said he would like Council to consider adopting a policy in light of things that have been happening to make sure the information they release to the press to do their jobs is appropriate. We need some sort of policy to give the aggregated reports and police reports to the news media to use when they write their stories for the paper. They need to discuss what can and cannot be released. Solicitor Frycklund explained that his frustration with the articles that have been written completely misses the nuance. The Right to Know Act does state that a police blotter is subject to disclosure. A police blotter is defined as a chronological listing of arrests. The police reports that are given to Council contain more than a chronological listing of arrests. If Chief Woodward and Borough Council are comfortable with providing more than that, then so be it. Under the Right to Know Act, you can do that. It will then become the policy that Kira and I will follow going forward. When someone makes a formal RTK request, not the Freedom of Information Act, they have to formally respond in accordance with the law and with the borough's policy. Until now, they have not had that policy in place. Hopefully, it will be reported accurately this time. Mr. Wargo said it is not our job to instruct what the police department releases. They have their own

rules and policies as to what they release to the press. A brief discussion took place about the types of reports that are being given to Council. Ron Gower asked what was reported inaccurately because he has been denied reports. Solicitor Frycklund explained the difference between the police blotter and the submitted reports again. He spoke to Marta Gouger about it, and he spoke to Ron, who he hoped he would understand and report it. The transparency is great because it tells the community what the police are doing. If you give out too much, it compromises the police investigation. He understands what the concerns are with law enforcement giving out too much information about patterns of crime. Whatever Borough Council and Chief Woodward are comfortable with providing over and above the police blotter. He absolutely agrees with the media attorney that a police blotter can be fully disclosed but it is specifically defined in chronological listing of arrests. Borough Council needs to carefully formulate a policy about what information will be disclosed without compromising criminal investigations. Mr. Wargo said all he is trying to do is figure out what in the council packet can go out to the media to help them do their job. Solicitor Frycklund said there are criminal investigations and there are also noncriminal investigations such as zoning investigations. Mr. Wargo said that he will take it upon himself to write the policy. Mr. Gower added that he is looking for all reports and noted that all police report he has ever received had aggregated numbers. There was no additional information about any investigation, plus I do not think the Chief would put that into a report. Chief Woodward said Ron is correct and he would not give that information to Council either. A draft policy will be drafted and presented at the next meeting.

Council entered into an Executive Session to discuss possible litigation at 8:58 p.m.

Council entered back into Regular Session at 9:20 p.m.

**Motion was made by William O’Gurek and seconded by David Wargo to adjourn at 9 p.m. until the next regular meeting of the Summit Hill Borough on May 9, 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Michael Kokinda  
Council President

Kira Steber  
Secretary/Treasurer