

**Summit Hill Borough Council**  
**September 10, 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 Joseph Web, Lacey Gonzalez, Karen Ruzicka, Alan Kruslicky, Edward Kane, Marlene Basiago, and Solicitor Robert Frycklund were all present. Mayor Jeffrey Szczecina was absent.

**Floor** –

1. Mickie Coleman, 135 West White Street, expressed her concern about the sewer transmission fee that Council would like to have the residents pay. She does not have an issue paying but feels any money collected needs to stay in Summit Hill because the bills get paid to the CLSH Sewer Authority. She found information online regarding Pennvest Loans, which was passed on July 24, 2024. She asked about the main and what happens from the main line into the homeowners house. She read information that she found regarding CIPP. President Wargo thanked her for bringing the information to Council. They are already aware of the CIPP because there was a demo given, which a few members of council attended. The funds collected from a Sewer Transmission Fee will stay in Summit Hill because they will be used to fix the towns infrastructure. In order to get into some of the programs she mentioned, which usually require matching money. Lehighton just awarded a bid on the program that she mentioned, and the cost was \$3 million for 3 miles of pipe. Vice President Weber stated the biggest problem they have is that the sewer fees are set by the authority and not the borough. There is a minimum fee that the authority needs to charge to get the Pennvest loan. The sewer fees would need to triple to even be considered for the Pennvest loan. President Wargo said Pennvest provides low interest loans. What they will do is come into the town, assess what you are looking to fix, and they will determine what rates the authority should be charging. They are going after federal money and looking into different solutions. One thing the sewer authority is looking into is a Vortex Separator. This removes the clean water from the wastewater that is infiltrating into the sewer plant. Ms. Coleman asked why the Sewer and Water Authorities do not combine. President Wargo said that it cannot happen because they are two different systems, and Council is not the right body to talk to about it. She would need to go to the Water and Sewer Authorities to have this discussion. Ms. Coleman recommended that the borough open a separate account to keep the money in so that it stays in Summit Hill. Ms. Steber explained that they already have an account just for sewer that they deposit the sewer safety margin in each year. Once they start collecting a sewer transmission fee, those funds will also go into the sewer account.
2. Debra Phillips, 222 West Fell Street, stated that she lives by the woods and her back patio gets a lot of cats. Most of them do not bother the house and just walk through and go on their merry way. She does have a neighbor who has two cats, which are now coming over to her home and spraying all over her patio. She has cats of her own that stay in the home, but these other cats are now bothering hers and they are very aggressive. It got to be so bad that they had to put plywood over the screen door because the neighbors cats are hanging on the screen trying to get at her cats. She does not want to see anything happen to the cats, but she would like them to stay off her property. President Wargo said there is an Animal Human ordinance that was passed in 2004. This ordinance allows the police to cite the owner for not keeping the animal controlled. If they continue to cause a nuisance, she needs to call the police.
3. Mary Ann Szczecina, 221 West White Bear Drive, asked why homes that have foster children are not being inspected under the rental property ordinance. President Wargo explained that the children that are living in the homes are not paying rent to the families they are living with. Ms. Szczecina said a prime example is the guy in White Bear who cleaned up the front a little bit but still has garbage all over the place, which is a fire hazard. This man has been getting away with this for years. The people in White Bear call it the hoarder house. She thought there was an ordinance that would take care of this problem. Ms. Steber explained that this person has been cited and taken to court many times because of the issue.

She is not sure if he is paying the fines, but she does know he has been found guilty. Vice President Joseph Weber said that Council is aware of the property she is referring. Changes had to be made to the Quality-of-Life ordinance, which just passed last month, but now they have a procedure that will allow them to move forward. President Wargo stated that the ordinance was not adopted just yet. There was a question about the Board of Appeals, which is being corrected. This will be taken care of at the next meeting.

**Minutes** – Motion was made by Marlene Basiago and seconded by Alan Kruslicky to approve the meeting minutes from the August 13, 2024 Council meeting. Motion was opened for comment; none made. Motion carried unanimously by Council.

**Mayor's Report** – Kira Steber reported the total collected from the District Justice was \$1,157.27 for August. Nothing received from Carbon or Schuylkill Counties for August at this time. **Motion was made by Karen Ruzick and seconded by Edward Kane to accept the mayor's report for the month of August 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Police Report** – Chief Woodward read the monthly report. **Motion was made by Alan Kruslicky and seconded by Karen Ruzicka to approve the Police report for the month of August 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Planning and Zoning Report** –

1. A letter of resignation was received from Edward Kane from the Zoning Hearing Board due to his recent appointment on Council. **Motion was made by Joseph Weber and seconded by Karen Ruzicka to accept the resignation of Edward Kane from the Summit Hill Zoning Hearing Board.** Motion was opened for comment; none made. Motion carried unanimously by Council.
2. **Motion was made by Alan Kruslicky and seconded by Karen Ruzicka to advertise the open seat on the Zoning Hearing Board with letters of interest due by 4:00 p.m. on October 8, 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Motion was made by Marlene Basiago and seconded by Edward Kane to accept the Planning and Zoning report for the month of August 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**UCC, Code Enforcement and Rental Inspection Reports** – Motion was made by Edward Kane and seconded by Marlene Basiago to accept the UCC, Code Enforcement and Rental Inspection reports for the month of August 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

**Work Leader Report** – Motion was made by Alan Kruslicky and seconded by Joseph Weber to accept the Work Leader Reports for the month of August 2024. 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 August 2024. Total taxes collected were \$4,439.30 with a commission of \$133.18. **Motion was made by Lacey Gozalez and seconded by Karen Ruzicka to accept the Tax Collector Report for the month of August 2024.** 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 August 2024. Total delinquent real estate tax collected was \$1,055.54. **Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to accept the Delinquent Real Estate Tax Report for the month of August 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 August 2024. Total EIT submitted was \$60,459.97 with a commission of \$1,045.96 and postage charges of \$8.34. Total LST submitted was \$189.37 with a commission of \$3.88 and no postage. Total DLT submitted was \$57.24 in delinquent Occupation Tax and \$22.00 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 August 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Delinquent Garbage Collection Report** – Creditech Collection Solutions submitted their Delinquent Garbage Collection Report for the month of July 2024. Total collected from Creditech was \$793.00, from the Borough was \$1,154.25 with \$374.16 submitted to the Borough for the collections. **Motion was made by Lacey Gozalez and seconded by Karen Ruzicka to accept the Delinquent Garbage Collection report for the month of July 2024.** Motion was opened for comment. Motion carried unanimously by Council.

**Receipts** – Total receipts received for the month of August 2024 were \$112,819.61. **Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to accept the Receipts for the month of August 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

### **Committee Reports**

#### **Recreation –**

1. Councilwoman Basiago stated that the Halloween event will take place on October 19, 2024 at 1:00 p.m. in Ludlow Park, with the rain date of October 20<sup>th</sup>. The Christmas event will be on December 8, 2024. On September 21<sup>st</sup> is a wrestling match at the community center to benefit the Recreation Commission.
2. President Wargo said that everyone has a copy of the revised agreement for renting the pavilion at the Ginder Park. Councilwoman Gonzalez asked if it is clear that there was some language, formatting, open flame, and pets that needed to be fixed. **Motion was made by Lacey Gonzalez an seconded by Karen Ruzick to approve the rental agreement for the Ginder Park area and building.** Motion was opened for comment, one made. Motion carried unanimously by Council.
3. **Motion was made by Lacey Gonzalez and seconded by Edward Kane to advertise bids to sell the dinnerware and flatware with bids being accepted until 4:00 p.m. on October 8, 2024 and bids to be opened at the meeting being held that night at 7:00 p.m.** Motion was opened for comment; none made. Motion carried unanimously by Council. President Wargo recommended putting the money aside to purchase new tables, if and when the items sell.

**Building** – Councilman Kane stated that he took a look at the floors in the community center, and they definitely need attention. Ms. Steber said the last time the floors were done was December 2022. Councilwoman Basiago said they are in really bad shape from all the traffic that goes through there, so they need to get something done. **Motion was made by Marlene Basiago and seconded by Alan Kruslicky to get a quote from the O’Gurek’s to clean and wax the floors at the community center like they have done in the past.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Emergency Services** – Councilman Kruslicky said the Fire Company held their floor sale last weekend and it was very successful. President Wargo said he spoke to Chief Hoben, who will be sending two uniformed officers down to the park in Jim Thorpe to accept a donation in the amount of \$500 from the Carbon County Council of Governments during the 911 services.

**Handicap Parking** – Councilwoman Basiago said a handicap application was received for 39 East Amidon Street. The investigation found everything to be in order and is recommending approving the application. **Motion was made by Marlene Basiago and seconded by Karen Ruzicka to approve the handicap parking application for 39 East Amidon Street.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Economic Development** – Councilwoman Gonzalez said there is nothing to report at this time, but she is looking into short term rentals and gathering information on an entertainment tax.

**Motion was made by Lacey Gonzalez and seconded by Marlene Basiago to accept the Committee Reports for the month of August 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

### Communications –

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

1. Letter from Bonnie Hoffman of the Lutheran Church of St. John in-the-Heights requesting the assistance of the fire police for the upcoming 53<sup>rd</sup> Switchback Scamper to be held on Sunday, September 29, 2024. The race begins in Summit Hill at 2:00 p.m.
2. Letter from David Wargo of the PV Blueprint Community Committee requesting a letter of support for the LSA grant that being applied for on behalf of the Christmas Street Light Committee to purchase new Christmas lights for the town of Summit Hill.
3. Letter from David Wargo of the PV Blueprint Community Committee requesting a letter of support for the LSA grant that is being applied for on behalf of the Nesquehoning Borough to purchase new Christmas lights for their town.
4. Request from Paige Brunell to use the Ginder Park Pavilion for a birthday party on September 22, 2024 from 12:00-5:00 p.m.
5. Request from Lindsey Hollenbach to use the Ginder Park Pavilion for a birthday party on October 26, 2024 from 12:00-5:00 p.m.
6. Notice of Occupational Assessment from the Carbon County Board of Assessment and Revision of Taxes
7. Audit of District Court #56-3-03, County of Carbon, for the year ended December 31, 2023
8. Information from the PennDOT Local Technical Assistance Program
  - LTAP Technical Assistance Information
  - Summer 2024 Newsletter
  - Summer 2024 Technical Information Sheet
9. Notice of 11/0/2023 Upset Tax Sale Distribution of Funds from the Tax Claim Bureau for the properties located at 322 East Fell Street and 241 West Holland Street.
  - **Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to grant permission to the Lutheran Church of St. John in-the-Heights for the assistance of the fire police on Sunday, September 29, 2024 starting at 2:00 p.m. for the 3<sup>rd</sup> Switchback Scamper.** Motion was opened for comment; none made. Motion carried unanimously by Council.
  - **Motion was made by Edward Kane and seconded by Karen Ruzicka to approve a letter of support from Council to DCED for the LSA grant being applied for on behalf of the Christmas Street Light Committee to purchase new Christmas lights for the town.** Motion was opened for comment; none made. Motion carried by majority vote. David Wargo and Joseph Weber abstained because they are part of the PV Blueprint Community Committee. Marlene Basiago abstained because she sits on the Christmas Street Light Committee.
  - **Motion was made by Marlene Basiago and seconded by Karen Ruzicka to approve a letter of support from Council to the Nesquehoning Borough for the LSA grant being applied for to purchase new Christmas lights for their town.** Motion was opened for comment; none made.

Motion carried by majority vote. David Wargo and Joseph Weber abstained because they are part of the PV Blueprint Community Committee.

- **Motion was made by Alan Kruslicky and seconded by Edward Kane to grant permission to Paige Brunell to use the Ginder Park Pavilion for a birthday party on September 22, 2024 from 12:00-5:00 p.m. with the understanding that they must complete the User Agreement and pay the fees.** Motion was opened for comment; none made. Motion carried unanimously by Council.
- **Motion was made by Joseph Weber and seconded by Alan Kruslicky to grant permission to Lindsey Hollenbach to use the Ginder Park Pavilion for a birthday party on October 26, 2024 from 12:00-5:00 p.m. with the understanding that they must complete the User Agreement and pay the fees.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Motion was made by Lacey Gonzalez and seconded by Alan Kruslicky to accept communications for the month of August 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Bills** – General Fund \$90,358.38, Local Services Tax \$3.88, Community Center \$533.56, Sanitation Account \$28,271.18, Street Account \$30,127.74 an Capital Improvement Fund – Borough Building \$4,163.92. **Motion was made by Karen Ruzicka and seconded by Marlene Basiago to pay the bills from August 14 – September 10, 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

#### Old Business -

1. **Motion was made by Marlen Basiago and seconded by Alan Kruslicky to adopt Resolution No. 07-2024 for Sections 450 and 460 to set fees for Handicap Parking and Special Purpose Parking.** Motion was opened for comment; none made. Motion carried unanimously by Council.
2. President Wargo said they need to discuss the changes that were made to the Parks and Recreation ordinance. One of the items missing was Memorial Park, which Kira took care of entering into the original document. What they have is a draft of the ordinance. In Section 329-2 – O, they added that “No person shall maintain any open fire(s) within a park or other Borough property at any time...” They also added that animals are allowed in the park(s) under L, M and N, but they are to be leashed and under control by the owner at all times and the owners are responsible to clean up after their animals. Councilwoman Basiago stated that she has an issue with L. She goes by the Ginder Park often and people are in the park with their dogs, however, the dog is not leashed because they are allowing them to run around. The other question is about motor vehicles. Quads, minibikes, two-wheel, or four-wheel vehicles should not be allowed in the park(s) at all. Another item to consider is now that there is a contract to use the Ginder Park, there should be something in the ordinance about making reservations and the fee schedule to rent it since it is now their requirement. Solicitor Frycklund stated that they can put something in that reservations or required and fees apply. She wrote something up regarding the regulations for renting the park(s). **Motion was made by Joseph Weber and seconded by Marlene Basiago to table moving forward with the ordinance until the solicitor makes the requested changes.** Motion was opened for comment; none made. Motion carried unanimously by Council.
3. Council would like to have Solicitor Frycklund put together a sewer transmission fee ordinance. **Motion was made by Joseph Weber and seconded by Alan Kruslicky to table the discussion of a sewer transmission fee ordinance until the solicitor put an ordinance together.** Motion was opened for comment; none made. Motion carried unanimously by Council.
4. President Wargo said Council was provided an addendum and a letter to property owners for review. Solicitor Frycklund is in the process of looking over the ordinance. Councilwoman Basiago stated that since there is close to 500 renters and no one has kept up with the ordinance and keep records on inspections, she feels they should start things over with a new agenda and treat everyone as a new person.

As it reads, a homeowner must have the water, sewer, garbage, and taxes paid. In the ordinance it says they must be inspected first before it occurs. She feels that should be removed and leave in the part where the four items need to be paid to get everyone licensed. Then go into the quarters as they discussed with the town divided. It would still be required to have your license secured within the 90-120 days. President Wargo said the only issue he sees with that is everyone will have a license which means they can rent the property right away. What happens when the property is inspected but they do not pass inspection. Do you seize the license. Councilwoman Basiago said you give the two opportunities to fix the issues and if they do not then you revoke it.

Councilwoman Gonzalez asked if they could add something on the initial license that states within the next two years based on your quadrant, you will have to pass inspection and if you do not then your license will be revoked. Solicitor Frycklund said that can be added.

Councilwoman Basiago stated that the information in the addendum says they would have to complete it and there will also be a cover letter that will go along with it. If all the information is not completed, they do not get a license until all the information is received.

A brief discussion took place as to the process for obtaining licenses and getting the properties inspected.

President Wargo said that Solicitor Frycklund has started reviewing the ordinance and they should have the revised ordinance with the changes for the October meeting. If Council is good with it, they will advertise it. Then there will be an informational session for landlords so they are aware of what the new procedures will be. They will also ask Ralph of Lehigh Engineering to look over the rental inspection part of the ordinance to make sure things are correct. Once Ralph has reviewed it, pass it on to Solicitor Frycklund.

### **New Business** –

1. President Wargo said they received a resolution to allow remote participation for council if they are not able to be at a meeting. There are circumstances under which remote participation is allowed which include illness or disability of the member of Council, care for the ill or newborn in the Council member's immediate family, an emergency and family or business travel. There also has to be a quorum of members physically present for a member to participate remotely. **Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to adopt Resolution No. 06-2024 allowing council members to remotely participate in council meetings.** Motion was opened for comment; none made. Motion carried unanimously by Council. President Wargo said they need to consider buying equipment to allow it to happen because the audience needs to be able to hear whoever is participating remotely.
2. Councilwoman Gonzalez said she knows that Council has been working on getting their budget in a solid place and having things aligned by seeing exactly what they are spending the dollars on in each category in the millage and thought it was a good idea to get it established. To do this, she feels by slowly starting to separate the accounts where they can put the street light millage in an account and pay for streetlights out of that account. **Motion was made by Lacey Gonzalez and seconded by Joseph Weber to open a new account with Jim Thorpe National Bank for street Lighting.** Motion was opened for comment; none made. Motion carried unanimously by Council.
3. **Motion was made by Edward Kane and seconded by Alan Kruslicky to approve the 2025 Minimum Municipal Obligation worksheets for the Summit Hill Borough and Police Pension Plans.** Motion was opened for comment; none made. Motion carried unanimously by Council. Councilwoman Gonzalez stated that it appears there is a surplus so when they vote to have or not have the police contribute all of it would roll into it.

**Motion was made by Lacey Gonzalez and seconded by Joseph Weber to amend the agenda to add the approval of a Heart & Lung application.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to approve a Heart & Lung application that was received for a police officer.** Motion was opened for comment; none made. Motion carried unanimously by Council.

4. Kira Steber briefly went over the quotes that were received and stated that she is waiting for another insurance agent to also give her quotes. Council asked that they wait until the special meeting to make a final decision on the insurance renewal for the borough so that they have time to review it further and to see if they receive additional quotes.
5. Trick or Treat night will be held on Thursday, October 31, 2024 from 6-8 p.m. with a rain date of November 1, 2024.
6. Fall Cleanup dates will be Saturday, October 5<sup>th</sup> for the east side of town, Knepper's Trailer Court, and East and West White Bear Drive. Saturday, October 12<sup>th</sup> will be the west side of town, Laurel Drive and East and West Mountaintop Road.
7. Council agreed to hold a special council meeting on September 23, 2024 at 7:00 p.m. with the budget meeting to follow.

Pat Williams, 313 East White Street, had questions about short-term rentals. President Wargo said that is what Councilwoman Gonzalez is looking into. Ms. Williams asked what they are going to do about parking if they allow it. We do not want it to look like Jim Thorpe. President Wargo said they do not know yet because they do not have an ordinance to talk about it yet. Councilwoman Gonzalez asked if they every got an answer on what was in the rental license about a communal bathroom, which is most often in a Bed & Breakfast, and would fall under the rental. President Wargo said she is referring to a boardinghouse. A boardinghouse is where there is a tenant who states long term and there is a shared bathroom. Councilwoman Gonzalez said you can share a bathroom in a Bed & Breakfast, but you are not there for an extended period of time.

**Motion was made by Alan Kruslicky and seconded by Lacey Gonzalez to adjourn the meeting at 8:33 p.m. until the next regularly scheduled meeting on October 8, 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

David Wargo  
Council President

Kira Steber  
Secretary/Treasurer