

**Summit Hill Borough Council**  
**April 11, 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. Mary Ann Szczecina, 221 West White Bear Drive, directed her questions to Solicitor Frycklund. She stated that the residents come to the meetings as tax paying citizens. There is no transparency because they do not get any information and only receive the agenda, which tells them nothing. She did submit a Right-to-Know request and it was rejected except for the Mayor’s report, which was information that meant nothing to her. Sadly, with the men on Council, as well as the other elected officials, they are not doing their job because they hear about it and they see it when they ride through town. President Kokinda asked her to name a few things that she is referring to. Ms. Szczecina said there are abandoned cars, no speed limit signs, never see the police in White Bear. She asked what information is available to them and what accountability is there to let the taxpayers know that the people they elected are doing their job. Are the police giving citations, are the laws being enforced and why are they not being made aware of these things. Solicitor Frycklund asked if Ms. Szczecina received his response to her Right-to-Know request; she said she did. He explained that it cites the Right-to-Know Law and that there are certain exceptions to disclosure under this law. One of the disclosures is information that pertains to criminal investigation. What the police investigate is criminal, which makes it exempted by necessity because it can compromise a criminal investigation. Ms. Szczecina stated that she sees in other towns the citations they are being given. She does not want to know who is getting cited, she just wants to know that people are being cited for speeding, that slumlords are being checked on, that garbage issues are being addressed. It is the little things that are not being taken care of that are the issues within the borough. Solicitor Frycklund explained that she cannot request a record that does not exist, or ask for information that does not exist, or ask for the borough to create a document that does not exist. Ms. Szczecina wants to know if there is anything that exists that lets the taxpayers, as people who elected all of them, know that they are at least trying to do something. Solicitor Frycklund encouraged Ms. Szczecina to go to the Office of Open Records website because it will explain what records are considered public records and what are excluded. He recommended that she speak to an attorney or appeal the decision to the Office of Open Records. Ms. Szczecina asked if it was ok to tell people on Facebook that in Summit Hill there is no way to find out whether Council is doing their job or not. Solicitor Frycklund said that she can do that at her own legal peril. Councilwoman Ruzicka asked if what they receive in their packets is something that the public is allowed to see. Solicitor Frycklund explained that it pertains to a criminal investigation.

Mayor Szczecina clarified that the Police Department does report to Council at every meeting. He had the February and March reports, which stated the numbers of calls handled, the number of criminal arrests made, the number of juvenile arrests made, traffic citations issued, non-traffic citations issued, parking tickets issued, summary criminal arrests made throughout the month, and there are two pages that summarize the 341 calls that the officers responded to during February and March. It has been submitted to Council like this every month and has been reported to Council for the last twenty years. Nothing has been changed, the police report what they do, they report their citations and when there is a major incident, the Police Chief prepares news releases. Ms. Szczecina said it is all great but how are they to know that it is being done. President Kokinda explained that at the advice of the solicitor, they cannot release this information. Ms. Szczecina asked if this was just in Summit Hill. Solicitor Frycklund again stated that it is the Pennsylvania Right-to-Know Law and again recommended that she go to the website and read it.

**Minutes** – Motion was made by William O’Gurek and seconded by Joseph Weber to approve the meeting minutes from the March 14, 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 \$533.38 and from Carbon County was \$235.81. He also said that it was a relatively busy month. He mentioned the events that he attended.

- March 17, 2023 he attended the Irish American Banquet at the Hill Top Community Center where Joe “Fuzzy” O’Donnell, a longtime resident and business owner of Summit Hill, was honored.
- March 18, 2023 he and his wife attended the Panther Valley JROTC military ball, which was held in Nesquehoning. The Major in charge of the program had one of the cadets reach out to all the community leaders and invite them to the ball.
- April 8, 2023 he assisted the Summit Hill Recreation with their Easter Egg Hunt. Several volunteers from the Commission were at the event, they stuffed over 800 eggs, had over 100 bags of candy and small toys to give the children, as well as two dozen prizes for the various age categories. There were approximately 100 children, with their parents, who attended.
- On April 15, 2023 he will be attending an Eagle Scout Ceremony for a young man from town who will be receiving an award for his Eagle Scout. It is customary to invite the Mayor of your town when holding this type of ceremony.
- The Arbor Day celebration will be held on April 29, 2023. They are in their 20th year as a Tree City USA member.
- April 10, 2023 he attended the American Legion meeting in preparation for the Memorial Day Parade. They are in the process of selecting the Grand Marshall for the parade.
- The Fire Company just announced that they will be holding their annual Cornhole Tournament, food truck event and basket raffle over Memorial Day weekend.
- Mayor Szczecina mentioned that there were four 12–13-year-old girls who participated in a softball tournament in New Jersey. It included teams from New Jersey, Delaware, and Pennsylvania. The manager of the team is Tom Goida, who is a Summit Hill resident, and is assisted by Paul Frets, who is also a Summit Hill resident. The team finished second in the tournament. He named the players from Summit Hill: Sadie Frets, Paige Goida, Kensington Strohl and Candice Drake. Also representing Summit Hill was Danika Blazosky from Nesquehoning, whose grandparents are Robert and Cathy Crampsie of town and Jovi Breiner from Lake Hauto, whose grandparents are Rev. Walter Breiner and his wife Bobbi from White Bear.

Mayor Szczecina stated that it was a busy month and was very honored to be invited to several of the functions. He wanted Council to know that positive things are going on in Summit Hill, there are a lot of great volunteers and there is a lot of good going on in the community. When you build a facility like the Community Center that is being used by our residents, when they put money into the baseball/softball fields it is also being used by our residents. He also wanted to give this update to let people know that there are a lot of positive things going on in Summit Hill.

**Motion was made by David Wargo and seconded by Joseph Weber to accept the mayor's report for the month of March 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Police Report** – Chief Todd Woodward presented two quotes for the upfitting to the 2023 Dodge Durango. Rottet Motors in Tamaqua quoted \$11,297.01 and 10-8 Emergency Vehicle Service in Wilkes-Barre quoted \$11,113.65. President Kokinda mentioned that the car was delivered, and a motion would be needed to have the vehicle upfitted so they could get it on the road. Chief Woodward explained that the difference between the two is the type of equipment that will be installed. The equipment from Rottet will be the same as they have in the other Durango and the equipment from 10-8 is not the same brand, which would be a slightly different layout too. He prefers to stay with Rottet because it will be identical to the other Durango. **Motion was made by Karen Ruzicka and seconded by Gino DeGiosio to accept the quote from Rottet Motors in Tamaqua to do the upfitting to the 2023 Dodge Durango at a cost of \$11,113.65.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Chief Woodward mentioned that he spoke to Ron Yuricheck about the 2015 Ford Taurus, which had the water pump replaced, and the 2013 Ford Taurus, which is starting to have similar issues as the 2015 vehicle. They both feel that the 2013 is the one they should sell or junk. He did speak to Rich Holota, the PV School police officer, and the Superintendent, about possibly donating the vehicle to the school district. Currently Mr. Holota is using his own vehicle to go back and forth to the different buildings in the school district. Solicitor Frycklund recommended tabling this discussion until he can look into it further. Under the Borough Code, there are certain procedures they have to follow.

**Motion was made by David Wargo and seconded by Gino DeGiosio to accept the Police report for the month of March 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Planning and Zoning** – Kira Steber presented a reverse subdivision plan for Jay and Tammy Faenza on West Mountaintop Road. She explained that both the County and Borough Planning Commissions have approved the plan, as well as Lehigh Engineering, and it is their recommendation for Council to approve the plan as well. The only thing questioned was that the application was not signed by the applicants. She had Mr. and Mrs. Faenza come to the office to sign the application. Everything else was in order. **Motion was made by William O'Gurek and seconded by Alan Kruslicky to approve the reverse subdivision for Jay and Tammy Faenza on West Mountaintop Road.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Ms. Steber presented Council with training information for Jason Bell. It is a Zoning Officer 101 training to be held in Swarthmore, PA on August 29, 2023 for a cost of \$150. **Motion was made by David Wargo and seconded by Karen Ruzicka to grant permission to Officer Bell to attend the Zoning Officer 101 training in Swarthmore, PA on August 29, 2023 for a cost of \$150.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Councilman Wargo stated that at the last blight meeting it was requested that each borough have their Code Enforcement/Zoning Officer attend the next meeting on May 2, 2023 at 6:00 p.m. at Memorial Hall in Jim Thorpe and to have each officer paid two hours of overtime to attend. The reason for this is to brainstorm how each officer manages the countywide issue of blight. **Motion was made by David Wargo and seconded by William O'Gurek to authorize Officer Bell to attend the blight meeting on May 2, 2023 at 6:00 p.m. in Jim Thorpe and to receive two hours overtime to attend.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Mayor Szczecina added that Officer Bell has been doing Zoning for the past month and has been learning the job very rapidly. As you can see by his reports, he has been doing a lot. Several citations have been issued,

search warrants have been executed and properties have been starting to be cleaned up. It is a slow process but the training he was just approved for will give him the knowledge of what is required of a Zoning Officer. He has also taken other courses online, which has helped him with the new position. These are some of the things that the police department, himself and Officer Bell are trying to do to address the zoning issues. Mayor Szczecina does receive emails from the PSAB and when he sees something that he feels would be appropriate for the new Zoning Officer, he forwards the information to Kira and the Chief for review. The training he will be attending in August is in person, which he felt would be beneficial since there will be other zoning officers in attendance that he could get advice from regarding certain situations. These are some of the other things that are happening behind the scenes that are not always publicly addressed. He mentioned that David Wargo, President of the Police Committee, is continually active in trying to get the situation cleaned up. There is a plan and an approach, but the problem is that they cannot just pick on one person. Some respected residents may be unhappy with the results if they have violations on their property. They are just making sure everything is in order before they move forward. With Spring coming up, they do have an approach and will move forward. Councilman Weber complimented Officer Bell for the job that he has done in a short amount of time that he has been in the position. Councilman Wargo added in the 10 years he has been on Council Jason's reports are the best he has ever seen.

**Motion was made by David Wargo and seconded by William O'Gurek to accept the Planning and Zoning report for the month of March 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**UCC and Code Enforcement Report – Motion was made by Joseph Weber and seconded by William O'Gurek to accept the UCC and Code Enforcement report for the month of March 2023.** 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 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 March 2023. Total collected was \$1,367.87; the monthly expense reimbursement was \$321.61. Motion was made by David Wargo and seconded by Karen Ruzicka to accept the Delinquent Real Estate Tax Report for the month of March 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 March 2023. Total EIT submitted was \$22,244.35 with a commission of \$388.29 and postage charges of \$25.56. Total LST submitted was \$45 with no commission and postage charges of \$8.94. Total DLT submitted was \$277.75 in delinquent Occupation Tax and \$231 in delinquent Per Capita Tax. Motion was made by David Wargo and seconded by Gino DeGiosio to accept the Wage Tax report for the month of March 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Delinquent Garbage Collection Report – Central Credit Audit submitted their Delinquent Garbage Collection Report for the month of March 2023. Total collected from Central Credit was \$893.80 and total collected by the Borough was \$2,034.75. Motion was made by David Wargo and seconded by William O'Gurek to accept the Delinquent Garbage Collection Report for the month of March 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Receipts – Total receipts received for the month of March 2023 were \$157,257.72. Motion was made by William O'Gurek and seconded by Karen Ruzicka to accept the Receipts for the month of March 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

## Committee Reports

### Streets –

1. Councilman Kruslicky presented a Special Purpose Parking application from Michelle Midas for Salon Forty Three located at 41-43 West Ludlow Street. Kira Steber added that she has opened another business next door to the Vermillion Dental office. **Motion was made by William O’Gurek and seconded by Joseph Weber to approve the Special Purpose Parking request for Michelle Midas for Salon Forty Three located at 41-43 West Ludlow Street.** Motion was opened for comment; none made. Motion carried unanimously by Council.
2. Councilman Kruslicky presented Council with the 2023 paving suggestions and storm water inlet projects that Ron Yuricheck has put together for approval. Ms. Steber informed Council that an inlet located on the corner of Elm Street and Richards Avenue needs repairs. They had planned to fix it when they did the others but this one started to collapse, and they did not want anything further to happen to it. In the meantime, they do have it covered and will address it as soon as they are done street sweeping. **Motion was made by David Wargo and seconded by William O’Gurek to approve the paving and storm water inlet projects for 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.
3. Councilman Kruslicky wanted to bring to Council’s attention the current fee for a special purpose parking request is \$20, which does not come close to covering the cost for the sign or the time to install it. He recommended changing the fees to cover the cost of it. Solicitor Frycklund asked that we get all the information together and send it to him so he could create a resolution to change the fees.
4. Ms. Steber mentioned that the Borough crew plans to address the rainwater issue and the sidewalk this summer at the corner of Pine and Holland Streets. The project was originally done by PennDOT a few years ago and ever since they finished the project, it has not been right, and the rainwater is washing everything out when there are heavy downpours. Ron Yuricheck has a plan as to what he is going to do to fix the issues. President Kokinda expressed his concern about doing work in a PennDOT right away without notifying them first.

### Recreation – Councilwoman Ruzicka mentioned the upcoming events.

- Yoga classes have restarted and will be held on Thursdays from 6:00-7:00 p.m. at the Community Center.
- They will be holding their annual breakfast sandwich sale on Memorial Day before the parade.
- The Hootenanny will be held in June in Ludlow Park
- Councilwoman Ruzicka said she wrote a grant to upgrade the electric in Ludlow Park, which was approved. The electrical panels will be upgraded, and they are going to be doing some underground wiring.

**Personnel** - Vice President O’Gurek mentioned that the Assistant Secretary position was advertised but no applications were received, and Mary Ann’s last day is approaching. He recommended advertising the position again. **Motion was made by William O’Gurek and seconded by David Wargo to re-advertise the Assistant Secretary position.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Buildings** - Vice President O’Gurek stated that while maintenance was being done on the HVAC systems, the technician noticed some issues that he recommends repairing. The unit for the Council Room needs to have a bearing replaced. The cost for that is \$1,959. President Kokinda said that he has reached out to his contact at HT Lyons and is expecting a call back tomorrow. **Motion was made by William O’Gurek and seconded by Joseph Weber for conditional approval pending President Kokinda’s discussion with H.T. Lyons for repairs the HVAC unit for Council Chambers at a cost of \$1,959.** Motion was opened for comment; none made. Motion carried unanimously by Council. Vice President O’Gurek said the unit for the Community Center needs a new reversing valve. The cost for that is \$6,290. **Motion was made by William O’Gurek and seconded by Alan Kruslicky for conditional approval pending President Kokinda’s discussion with H.T. Lyons for the repairs to the HVAC unit for the Community Center at a cost of \$6,290.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Emergency Services** - Joseph Weber mentioned that he will be meeting with the Fire Chief to get an update on the status of the fire truck that was approved through the grant.

**Sanitation** – Gino DeGiosio reminded everyone of the Spring Cleanup and Electronics Recycling dates. Reminder that anyone putting out tires must register the tires and have a sticker from the borough attached to the tires; limit of tires is four.

- a. Saturday, April 22, 2023 – East side of town along with Knepper’s Trailer Court and East & West White Bear Drive
- b. Saturday, April 29, 2023 – West side of town along with Laurel Drive and East & West Mountaintop Road
- c. Electronics Recycling will be held on Saturday, May 6, 2023 from 7:00–11:00 a.m. – Drop off only and ID is required.

**Handicap Committee** – Joseph Weber said that an application for 32 West Walter Street, Apt. B was resubmitted for further review. He stated that they completed the missing information, and everything looks like it is in order. **Motion was made by Joseph Weber and seconded by William O’Gurek to grant the handicap parking application for 32 West Walter Street, Apt. B.** Motion was opened for comment; none made. Motion was 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 ordinances.

**Motion was made by William O’Gurek and seconded by Karen Ruzicka to accept the Committee Reports for the month of March 2023.** Motion was opened for comment; none made. Motion carried unanimously by council.

**Communications** –

1. A letter was received from the Summit Hill Parade Committee regarding the Memorial Day Parade. **Motion was made by David Wargo and seconded by Gino DeGiosio to grant the Summit Hill Parade Committee permission to use the services of the Summit Hill Police and Fire Police on Monday, May 29, 2023 to assist with the parade and to have the parade route and areas around Ludlow Park marked as No Parking for the parade and services in Ludlow Park.** Motion was opened for comment; none made. Motion carried unanimously by Council.

2. An Acknowledgement and Release form from the Anthracite Baseball/Softball Organization regarding their 2023 baseball/softball season. A copy of their insurance was provided. **Motion was made by David Wargo and seconded by Karen Ruzicka to grant permission to the Anthracite Baseball/Softball Organization to use the Ginder Field from April 17-June15, 2023 from 4:00-8:00 p.m. for practice.** Motion was opened for comment; none made. Motion was carried unanimously by Council.
3. Additional request received from Elise Reabold from the Summit Hill Hootenanny Committee. **Motion was made by David Wargo and seconded by Joseph Weber to grant to additional request to have South Market Street blocked off for additional food vendors that will need to set up in the street for the Hootenanny on Sunday, June 25, 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Communications for the Month of March 2023:

1. Letter from Tom Vermillion, Summit Hill Memorial Day Parade Committee Chairman, requesting the services of the Summit Hill Police and Fire Police on Monday, May 29, 2023, to assist with the parade. He is also asking that the parade route and areas around Ludlow Park as “No Parking” for Monday, May 29<sup>th</sup>.
2. Acknowledge and Release form from the Anthracite Baseball/Softball Organization to use the Ginder Field from April 17 – June 15, 2023 from 4:00 – 8:00 p.m. for practice. A copy of the insurance was provided.
3. Additional request was received from Elise Reabold, Summit Hill Hootenanny Committee, to have South Market Street blocked off for additional food vendors that would need to be set up in the street for the event on Sunday, June 25, 2023.
4. Notice of Occupation Assessment for the Carbon County Board of Assessment and Revision of Taxes.

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

**Bills** – General Fund \$106,643.90, Community Center \$1,010, Sanitation Account \$29,357.34 and Street Account \$2,890.98. **Motion was made by Karen Ruzicka and seconded by Gino DeGiosio to pay the bills from March 15-April 11, 2023.** Motion was opened for comment; none made. Motion carried unanimously by Council.

**Old Business** –

1. Ms. Steber informed Council that she spoke to Jesse Walck at the Panther Valley School District regarding the complaint received from the property owner of 354 East Ludlow Street about the bus stop located at the corner of Elm and Ludlow Streets. Mr. Walck told her that it is up to Council where they would like to place the bus stop. The only thing he recommends is keeping it on the east side of the highway or else crossing guards will need to be hired and the Borough would be responsible for paying half the salary. He also asked if any changes are made if they can wait until the start of the 2023-2024 school year since there are only a few weeks left of school. Chief Woodward stated that he has been monitoring the bus stop. It is the only one that is in front of a home, however, the kids stand on the sidewalk, which is public property. He cannot legally tell someone to move off the sidewalk. Most kids are there 5-10 minutes before the bus arrives. He found two kids that were hanging out at the rear of the house and chased them out of there. He has not seen them since. A brief discussion took place about where they can place the bus stop to try and help prevent any further issues.

Council entered into an Executive Session to discuss possible litigation at 7:55 p.m.

Council entered back into Regular Session at 8:36 p.m.

**Motion was made by William O’Gurek and seconded by David Wargo to adjourn at 8:38 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