

Summit Hill Borough Council
June 11, 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, Lacey Gonzalez, Karen Ruzicka, Joseph Weber, Marlene Basiago, Solicitor Robert Frycklund and Mayor Jeffrey Szczecina were all present. Vice President William O’Gurek and Alan Kruslicky were absent.

Floor –

1. Mary Ann Szczecina, 221 West White Bear Drive, stated that she would like to get information for the Historical Society regarding the National Night Out; has there been any progress. Councilwoman Ruzicka said that she has some organizations and businesses that are bringing items to the park to set up. The event will be outside in Ludlow Park, there will be games and information stuff. If it rains, it will be moved inside. Next month she plans to hold a meeting with all the organizations to set up organized tables as to where everything will go.

Ms. Szczecina asked how many citations were given out for speeding in West White Bear in the past month. Chief Woodward stated that nine traffic citations were issued some were in West White Bear. Ms. Szczecina said that speeding has become an issue. White lines were painted about two years ago, but she is not sure they are being used. Chief Woodward explained that the lines were painted last year and have been used by himself, Officer Strauss, and Officer Bonner. Ms. Szczecina said a few years ago the presence of the police in White Bear helped with slowing down the speeders and asked if they could start doing it again because it does help.

2. Karissa Smith, Salon Essence, asked for an update on the signs that she requested to add additional hours for her business. She also recommended that Council consider adding diagonal parking on the opposite side of the street to allow for more parking. President Wargo said the parking suggestion can be looked into by the Street Committee and the request for updated signs will be discussed under the committee reports.

Minutes – **Motion was made by Karen Ruzicka and seconded by Marlene Basiago to approve the meeting minutes from the May 14, 2024 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 \$1,568.08 for April and \$1,597.54 for May. Total collected from Carbon County was \$117.54 for April and \$34.61 for May. Mayor Szczecina thanked the parade committee, recreation committee, the Summit Hill American Legion Post, Sals and Auxiliary, the fire company and a special thank you to Ronnie Yuricheck and Colton Black for the work they did to prepare the park for the ceremony. He also thanked everyone who was involved in the Memorial Day Parade. The annual Hootenanny is coming up at the end of the month. If there is anyone who can help volunteer for the event can reach out to Ed or Terri. **Motion was made by Joseph Weber and seconded by Karen Ruzicka to accept the mayor’s report for the month of May 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 Lacey Gonzalez and seconded by Karen Ruzicka to approve the Police report for the month of May 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Planning and Zoning Report – Officer Strauss read the monthly report. **Motion was made by Joseph Weber and seconded by Marlene Basiago to accept the Planning and Zoning report for the month of May 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

UCC, Code Enforcement and Rental Inspection Reports – Motion was made by Marlene Basiago and seconded by Joseph Weber to accept the UCC, Code Enforcement and Rental Inspection reports for the month of May 2024. Motion was opened for comment; none made. Motion carried unanimously by Council. Councilwoman Basiago asked if inspections are failing, are people allowed to be living in the properties. President Wargo said to his knowledge, if they failed the initial inspection and the reinspection, then legally they should not be living in the property. If they fail the first inspection, they are allowed so many days to fix the issues and get the property reinspected.

Tax Collector Report – Nathan Halenar submitted his Tax Collector Report for the month of May 2024. Total taxes collected were \$594,737.43 with a commission of \$17,842.12. Councilwoman Gonzalez said that her numbers are not matching up with what was submitted. She assumes that some of the deposits were made in the following month and would like to have some sort of breakdown so she can cross check it. **Motion was made by Marlene Basiago and seconded by Karen Ruzicka to accept the Tax Collector Report for the month of May 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 May 2024. Total delinquent real estate tax collected was \$3,840.82; no expense reimbursement to report. **Motion was made by Lacey Gonzalez and seconded by Joseph Weber to accept the Delinquent Real Estate Tax Report for the month of May 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 May 2024. Total EIT submitted was \$61,593.25 with a commission of \$1,065.56 and postage charges of \$65.77. Total LST submitted was \$859.28 with a commission of \$17.62 and no postage charges. Total DLT submitted was \$137.59 in delinquent Occupation Tax and \$64.25 in delinquent Per Capita Tax. **Motion was made by Lacey Gonzalez and seconded by Joseph Weber to accept the Wage Tax report for the month of May 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 May 2024. Total collected from Creditech was \$202.50 for May. Councilwoman Basiago said on the report it states that the account was cancelled by client request. Kira Steber explained that the list was sent over from the borough office and a payment was received in the meantime, so they had it removed from the list. **Motion was made by Marlene Basiago and seconded by Karen Ruzicka to accept the Delinquent Garbage Collection report for the month of May 2024.** Motion was opened for comment. Motion carried unanimously by Council.

Receipts – Total receipts received for the month of May 2024 were \$456,160.56. **Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to accept the Receipts for the month of May 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Committee Reports

Streets –

1. Councilman Weber stated that in regard to the comment about diagonal parking, he believes that an engineer study would need to be done before any changes could be made to prove that they would meet the legal requirements.
2. President Wargo said there is a request from Salon Essence to change the parking signs to add additional hours for the business. Karissa Smith said she is adding Tuesday hours and would like to include those hours on the signs. She paid \$25 for the signs and would be willing to pay that again to add the change. President Wargo said that the actual price for the current signs was \$42 per sign. Ms. Smith did not have an issue with paying the cost. Ms. Steber stated that the cost may be a little more per sign because they

will be adding the additional hours. She explained that the borough does not make the signs in-house. They have to contact a company to design and print the signs.

Recreation –

1. Councilwoman Ruzicka said it has been discussed to have an agreement to rent the pavilion at the Ginder Field. Anyone can use the pavilion because it is open air but when it is requested to use the building and bathrooms, it should be required to have an agreement and request insurance in case of damage. Ms. Steber explained that currently they are having people complete an acknowledgement and release form for Council to approve but people are asking for the bathrooms and garage/building area, so they use the electric for crockpots or other items that need to be plugged in. Councilwoman said she is going to work on a fee based off the Community Center agreement.
2. Councilwoman Basiago asked how they are going to address issues like the incident that took place over the weekend. There was a huge picnic under the pavilion they were discussing. They did not have permission to be there so what can they do. President Wargo suggested putting reservations are required signs on the building it might handle the problem. Ms. Steber added that it was a birthday party with open flame grills that were two feet high. Solicitor Frycklund said they will definitely need to post signs. President Wargo asked Ms. Ruzicka to include rules and regulations in the agreement that would address the issues. Mayor Szczecina mentioned that the officer on duty stated that there was nothing they could do about the situation because there are no rules or regulations governing it.

Borough Hall/Community Center –

1. Councilwoman Ruzicka stated that the floors at the community center were waxed about two years ago, but they need to have it done again because the building is being used pretty hard. She suggested putting bids out for the services. President Wargo said that the building is being used regularly for pickleball, but the concern is if the floors get waxed they are going to get scuffed again especially with putting the tape down on the floor. He recommended waiting until the courts are done so they can play outside. Ms. Ruzicka stated that it does not need to be done right away. Just look into it now to get prices.
2. President Wargo asked if the information was obtained for the china that is in the community center. Kira Steber said that the information was given to Council at a previous meeting.

Sanitation – Councilwoman Gonzalez mentioned that she is gathering all the information regarding the sanitation contract to prepare for the renegotiation.

Handicap –

1. President Wargo said there are two things that need to be discussed. The draft of the ordinance and the fee schedule. Most of the ordinance has been agreed upon except for a few items. The first thing to discuss is Section 450-46 , which addresses the anniversary date of the renewal. There was a debate on 30 days or 90 days. Councilwoman Basiago stated that the original ordinance has 30 days of the anniversary date. At the public meeting there was a gentleman who said it takes 2-3 months to get a doctor's appointment to get a handicap application completed by the doctor and will cost \$225. This information is false. She called seven doctors' offices in the area and each one said if you are a current patient and see the doctor on a regular basis, you can drop off the application and they will fill it out for you without making an appointment. This will eliminate the 90 days plus the additional 30 days, giving people four months to renew their application. Another issue was cost. She asked each if they charged to have the application completed; the answer was no. In her mind, there is no reason to give 120 days based off the false information that they were given at the public hearing. She recommends going back to the 30 days of the anniversary date, as has been done in the past. Solicitor Frycklund stated that it should read 30 days prior to the anniversary date because it currently sounds that it is within the 30 days. Councilwoman Gonzalez explained her concern with the 30 days because of the way the mail is currently. If the renewal is mailed

out, it can take about a week for the letter to be received. This leaves them two weeks to see their doctor, get the application completed, get the application back and put it back in the mail to the borough. She agrees that 90 days is a bit long but feels 30 days is not long enough due to the mail situation. Ms. Basiago asked Kira if there was ever an issue in the past with the 30-day time period. Ms. Steber stated that she does not recall any issues and believes the letter states it is 30 days from the date the letter is received. A brief discussion took place on the timeframe to allow an applicant to renew their application. Councilwoman Gonzalez pointed out that letter A and letter E are similar. Solicitor Frycklund agreed and said he will take care of cleaning it up by taking E out completely but move the sentence about failure to renew to A. Council agreed to change the 90-day timeframe to 30 days.

President Wargo said B states that every second year from the anniversary date of the previously granted permit, each applicant shall also provide an updated Physician’s report outlining their continued eligibility to have a space. Councilwoman Ruzicka asked if it will be required if the applicant has a permanent disability. President Wargo said they need to consider that while most things are permanent, not everything is permanent. As time goes on, you need to account for the possible technology to improve people’s lives. He does not think it hurts to have a periodical evaluation of the applicant. Councilwoman Basiago stated that there is no charge for the application to be completed so she feels it needs to stay in the ordinance and would agree to keep it at every two years. Councilman Weber said this will also give a check that someone is not moving along as well. He also said who determines the word permanent. President Wargo feels this is a good safety net and would like to keep it in the ordinance. Asking them to have a physician complete it every two years is not unreasonable. Most, if not all, people who have a disability see their doctor on a regular basis. Council agreed to leave this section in the ordinance.

President Wargo said Section 450-47 is about fee waivers. They are the only borough who has this section in their handicap parking ordinance. He learned that the same people who are asking to keep this in the ordinance are the same people who stated they are taking an expensive trip in the near future. The only way to look at income is by federal guidelines, which means you have to look at the household not the individual. Council agreed to remove the entire section.

President Wargo mentioned that under 450-50 regarding violations and penalties, it will be changed to conform with the codification guidelines from General Code company.

Motion was made by Marlene Basiago and seconded by Joseph Weber to advertise the Handicap Parking Ordinance amendment once it is edited by the solicitor. Motion was opened for comment; none made. Motion carried unanimously by Council

2. President Wargo said they need to discuss the fee schedule. The ordinance has two sections that require a fee schedule. There are three types of fees in the handicap parking and three types of fees in the special purpose parking ordinance. The fee schedules were worked on to bring everything into conformity. President Wargo went over the breakdown of the fees.

450 Article 5 Handicapped Parking

- Initial Application Fee (Non-Refundable) \$ 25.00
- Installation Fee (for Approved Permits) \$150.00
- Renewal Fee (for Renewed Approved Permits) \$ 35.00

460 Article 6 Special Purpose Parking

- Application Fee (Non-Refundable) for Signed Parking Spaces \$ 25.00
- Approved Special Parking Space with Sign \$150.00
(plus costs for customization of sign as quoted by sign company)
- Approved Line Painting for Garage and Off-Street Parking Egress \$ 50.00

Councilwoman Gonzalez the renewal fees do not reflect what they have talked about in the other meetings. President Wargo explained that the renewal fee is \$25.00 to cover ongoing maintenance for the parking space and \$10.00 for processing the application. It covers the material costs and not the labor. There currently is no renewal under special purpose parking because the ordinance currently does not have it listed. They will work on updating the ordinance to include renewals and then the fee schedule can be updated. **Motion was made by Marlene Basiago and seconded by David Wargo to adopt Resolution No. 05-2024 to set the fee schedule for Handicap and Special Purpose Parking.** President Wargo asked for a roll call vote.

David Wargo	Yes
Lacey Gonzalez	No
Karen Ruzicka	No
Joseph Weber	Yes
Marlene Basiago	Yes

Roll Call vote ended in a 3-2 vote. Motion carried by majority vote.

Motion was made by Marlene Basiago and seconded by Karen Ruzick to accept the Committee Reports for the month of May 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

Communications –

Communications for the Month of May 2024:

1. Request from Rev. Robert George to approve the church holding their annual festival from July 19-21, 2024 and to have the proper streets blocked off that are closest to and run parallel to the church during the festival.
2. Request from Lansford Borough for a letter of support for an LSA grant to purchase an excavator.
3. Request from Terri Kane, Summit Hill Hootenanny, requesting to use the Ginder Field for parking during the event on June 30th, provided there is no rain. Also requesting No Parking on both the North and South sides of Ludlow Street between Market and Walnut Street for additional food vendors.
4. Request from Tayler Koreisl to use the Ginder Park/Pavilion on Saturday, June 22, 2024 from 1:00-5:00 p.m. for a birthday party.
5. Request from the Knight of Columbus to use the Ginder Field on Saturday, September 22, 2024 from 8:00 a.m. – 1:00 p.m. for a Punt Pass and Kick Contest.
6. Notice of Occupational Assessment from the Carbon County Board of Assessment and Revision of Taxes
7. Notice of Property Assessment from the Carbon County Board of Assessment and Revision of Taxes
8. Notice of Assessment Appeal from the Carbon County Board of Assessment and Revision of Taxes
9. Spring 2024 Newsletter from the Teamsters

President Wargo said they need to amend the agenda to approve a request from the Terri Kane regarding the Summit Hill Hootenanny. **Motion was made by Joseph Weber and seconded by Marlene Basiago to amend the agenda to include a request from Terri Kane regarding parking and no parking areas for the Summit Hill Hootenanny.** Motion was opened for comment; none made. Motion carried unanimously by Council.

- **Motion was made by Joseph Weber and seconded by Marlene Basiago to grant permission to Rev. Robert George of St. Joseph Parish of the Panther Valley to hold their annual festival July 19-22, 2024 and to have the proper streets blocked off that are closest to and runs parallel to the church during the festival.** Motion was opened for comment; none made. Motion carried unanimously by Council.
- **Motion was made by Joseph Weber and seconded by Lacey Gonzalez to write a letter of support for the Lansford Borough for an LSA Grant to purchase an excavator.** Motion was opened for comment; none made. Motion carried unanimously by Council.
- **Motion was made by Joseph Weber and seconded by Lacey Gonzalez to approve the request from Tayler Koreisl to use the Ginder Park/Pavilion on Saturday, June 22, 2024 from 1:00-5:00 p.m. for a birthday party.** 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 the request from the Knights of Columbus to use the Ginder Field on Saturday, September 22, 2024 from 8:00 a.m.-1:00 p.m. for a Punt, Pass and Kick contest.** Motion was opened for comment; none made. Motion carried unanimously by Council.
- **Motion was made by Marlen Basiago and seconded by Karen Ruzicka to grant permission to Terri Kane to allow to use the Ginder Field for parking during the Summit Hill Hootenanny, as long as the field is dry and drivable. Also to allow no parking on both the north and south sides of Ludlow Street between Market and Walnut Street to allow additional room for vendors.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Motion was made by Joseph Weber and seconded by David Wargo to accept communications for the month of May 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

Bills – General Fund \$74,953.43, Community Center \$383.55, Sanitation Account \$28,222.30, and Street Account \$384.44. **Motion was made by Joseph Weber and seconded by Marlene Basiago to pay the bills from May 15 – June 11, 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Old Business -

1. President Wargo said they need to discuss the changes that were made to the Quality-of-Life ordinance. Last month Officer Strauss and Chief Woodward brought some items to their attention that needed definition. Most of the items fell under the discretion of the police officer to honor the ordinance in the spirit it was written. There were a few items that needed further definition.
 - Section 108.6 under the Property Maintenance Code. They defined the number of days to 30 days, unless extended by the Code Official as necessary for reasonable cause shown.
 - 350-8 under Definitions. Motor Vehicle Nuisance, letter G, except for minor maintenance work (e.g., repair and/or maintenance of oil, tires, brakes, battery), which such work must be completed, and the vehicle removed. They defined hours within a period of 48 hours.
 - 350-9 under Quality of Life, letter E, regarding outside placement of indoor appliances/furniture. They defined the number of days to 30 days, unless extended by the Code Official as necessary for reasonable cause shown.

Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to authorize the solicitor to amend the Quality of Life ordinance and prepare it for adoption. Motion was opened for comment; none made. Motion carried unanimously by Council.

2. Councilwoman Basiago gave an update on the Community Christmas Light committee meeting. She stated that seven people attended the meeting and the main objective for the meeting was to discuss having a table at the Hootenanny selling walking tacos. The next meeting will be held on June 18, 2024 at 6:30 p.m. in the training room at the community center. She welcomed everyone to come to the meeting and give their support. They hope to succeed in raising funds to purchase new Christmas lights. The cost ranges anywhere from \$485 to \$6,000 apiece and 20 are needed.

Motion was made by Marlene Basiago and seconded by Joseph Weber to accept old business for the month of May 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

New Business –

1. **Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to adopt Ordinance No. 02-2024 amending the Code to repeal and adopt a new Article to increase the amount collected for the Local Services Tax.** Motion was opened for comment; none made. Motion carried unanimously by Council.
2. **Motion was made by Marlene Basiago and seconded by Joseph Weber to approve the adoption agreement amendment for the Police Pension Plan to waive the contributions for the police, which was amended by Resolution No. 02-2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.
3. President Wargo said a letter was received from Carbon Engineering in response to the borough's letter that was sent requesting any items that belong to the borough be returned. Enclosed with the letter were two invoices. One in the amount of \$962 for the community funding application and the other in the amount of \$130.75 for the balance of work done to prepare a grant for FY2024 funds. Kira Steber noted that Invoice No. 4406 has been voided by Carbon Engineering so only Invoice No. 4405 is due. **Motion was made by Joseph Weber and seconded by Marlene Basiago to pay Invoice No. 4405 in the amount of \$130.75 to Carbon Engineering for work done to prepare a grant for FY2024 funds.** Motion was opened for comment; none made. Motion carried unanimously by Council.
4. **Motion was made by Marlene Basiago and seconded by Joseph Weber to transfer funds in the amount of \$199,751.28 from the General Fund to the Sewer Account to reimburse the account for funds borrowed for operating expenses in 2023 and 2024.** Motion opened for comment; none made. Motion carried unanimously by Council.
5. Councilwoman Gonzalez asked the status of opening a new account for LST as discussed at a previous meeting. Kira Steber said the bank is working on it for her.

Motion was made by Karen Ruzicka and seconded by Lacey Gonzalez to enter into Executive Session at 8:20 p.m. to discuss litigation. Motion was opened for comment; none made. Motion carried unanimously by Council.

Motion was made by Marlene Basiago and seconded by Karen Ruzicka to enter back into regular session at 8:40 p.m. Motion was opened for comment; none made. Motion carried unanimously by council.

Motion was made by Marlene Basiago and seconded by Joseph Weber to adjourn at 8:42 p.m. until the next meeting of the Summit Hill Borough on July 9, 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

David Wargo
Council President

Kira Steber
Secretary/Treasurer