

Summit Hill Borough Council
March 12, 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, Alan Kruslicky, Marlene Basiago, Solicitor Frycklund and Mayor Jeffrey Szczecina were all present. Vice President William O’Gurek and Joseph Weber were absent.

Floor –

1. John F. M. Evans, 119 West White Street, stated that last year he got into an argument with the Fire Chief about him blocking his garage when he parks in the rear of the fire company. The problem continues today, and he would like something to be done about it. Mayor Szczecina explained that the police did investigate the complaint and Chief Hoben is parking off the street between the curblin and the firehouse and is not violating any laws. Mr. Evans said that he used to park in front of the firehouse but now parks out back, which is being done to harass him, and has already contacted an attorney.

Minutes – **Motion was made by Marlene Basiago and seconded by Alan Kruslicky to approve the meeting minutes from the February 13, 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 \$1,685.31 and from Carbon County was \$180.16. He publicly congratulated Brenda Banks, a 10th grade student at Panther Valley High School, who is the first ever heavyweight female wrestling champion who won states. He also mentioned that the Marian Girls Basketball team is playing in the state quarter final round this evening and wanted to wish them luck. **Motion was made by Karen Ruzicka and seconded by Lacey Gonzalez to accept the mayor’s report for the month of February 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 Karen Ruzicka and seconded by Alan Kruslicky to accept the Police report for the month of February 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Planning and Zoning – **Motion was made by Marlene Basiago and seconded by Karen Ruzicka to accept the Planning and Zoning report for the month of February 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

UCC, Code Enforcement and Rental Inspection Reports – Kira Steber mentioned that Ralph Hummel, from Lehigh Engineering, recommended that Council consider adopting the 2021 version of the International Property Maintenance Code. They current are using the 2012 version and a lot has changed. President Wargo said that he will refer it to the Ordinance Committee, and they will discuss it further at the next committee meeting. Councilwoman Gonzalez asked if there is an update on the rental inspections that have failed the inspections and are they being rented. Kira Steber said that they have not been reinspected yet because they need to fix the issues and reapply for a re-inspection. There are a few that are being lived in. **Motion was made by Lacey Gonzalez and seconded by Alan Kruslicky to accept the UCC, Code Enforcement and Rental Inspection reports for the month of February 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 Marlene Basiago to accept the Work Leader report for the month of February 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Tax Collector Report – No report for the month of February 2024.

Delinquent Real Estate Tax Report – Portnoff submitted their Delinquent Real Estate Tax Report for the month of February 2024. Total delinquent real estate tax collected was \$1,253.63. **Motion was made by Karen Ruzicka and seconded by Alan Kruslicky to accept the Delinquent Real Estate Tax Report for the month of February 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 February 2024. Total EIT submitted was \$59,632.76 with a commission of \$1,031.65 and postage charges of \$140.55. Total LST submitted was \$157.96, with a commission of \$3.24 and no postage charges. Total DLT submitted was \$140.75 in delinquent Occupation Tax and \$75.00 in delinquent Per Capita Tax. **Motion was made by Karen Ruzicka and seconded by Lacey Gonzalez to accept the Wage Tax report for the month of February 2024.** 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 February 2024. Total collected from Central Credit was \$1,381.76. **Motion was made by Karen Ruzicka and seconded by Alan Kruslicky to accept the Delinquent Garbage Collection Report for the month of February 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Receipts – Total receipts received for the month of February 2024 were \$155,175.98. **Motion was made by Karen Ruzicka and seconded by Marlene Basiago to accept the Receipts for the month of February 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Committee Reports

Streets –

1. Karen Ruzicka said that there was a complaint received about water runoff from the street onto a property. She drove by and the runoff was not coming down Walter Street into the garage but from McMurtrie Street and going into the garage. President Wargo said the issue on McMurtrie Street was already repaired. The complaint was from Mr. Bonner on Fell Street. Kira Steber believes that Councilman Weber did look at the property on Fell Street and said that the garage is lower than the street and that is why there is an issue with water running into the garage.
2. President Wargo stated that an issue with sum pumps was passed on to ARRO Consulting. The recommended four potential solutions. There are really no good solutions so he would like to refer this to the Street Committee to discuss it further at the committee meeting.
3. President Wargo said a list of projects for spring/summer of 2024, as well as paving suggestions and storm water inlet replacements was received from the borough work leader. He asked that the Street Committee take a look at the suggestions and discuss them at the next committee meeting.
4. Marlene Basiago explained that she was reviewing the Special Purpose Parking Ordinance which pertains to the signs that are given to businesses. There are no rental fees required to keep and maintain the signs. She is suggesting that Council add an annual fee once they are approved for the sign. It would be very similar to the recommended fees for the handicap parking ordinance. She was thinking the fee would be \$55, with \$35 being paid up front for renewal. The committee would then decide if it was appropriate for them to keep the sign. If so, then the remainder of \$20 would need to be paid. It would need to be paid within 14 days and if it would not be paid, then the sign would be removed. The application was rewritten which includes the combination of initial fees and renewal fees. Councilwoman Gonzalez asked what she is considering for the new fees. Ms. Basiago is recommending the renewal fee to be \$55 and the initial fee to be \$225. Ms. Gonzalez asked who is responsible for the maintenance of the parking spaces and line

painting. Ms. Basiago said if they require the lines to be repainted, it will cost another \$25. President Wargo said that this will also be discussed at the next committee meeting.

Recreation –

1. Meeting minutes for the March 5, 2024 commission meeting.
2. Marlene Basiago said that at the meeting they discussed the list of events for the year.
 - Currently preparing for Easter on the Hill
 - There is a decrease in interest in the yoga classes
 - They were not able to apply for the PMVB grant for funding for an outdoor pickleball court because they were not able to present it to Council for approval before the deadline of March 3rd. They are looking at making the basketball courts at the Little League Field into a pickleball court.
 - It was suggested to reseal the basketball courts at the Ginder Field since it has been a few years since it was done.
 - A Youth Garden Program will be held every other Saturday starting on March 23rd.
 - On Memorial Day they will be selling breakfast sandwiches prior to the parade.
 - Considering selling sweatshirts, t-shirts or hats which would come from Valley Athletic.
3. Ms. Basiago said that she currently does not have a cost for the pickleball court but is working on it. It was also recommended that they also add new mulch and sand at the two playgrounds in town.
4. Kira Steber mentioned that the two sand diggers that are located in Bill Black Park are broken and cannot be fixed.
5. President Wargo discussed a letter that was received from DCNR regarding the area in the Ginder Field where the borough garage and salt shed were built. According to a previous grant from years ago, it was to be preserved as open space for a recreational area. They now have to come up with a way to replace the square footage that is being utilized by the two buildings and is no longer considered recreational. Councilwoman Ruzicka asked if they could reach out to the coal company to see if they would be willing to lease land to the borough. Maybe they can use that area as a dog park or some additional parking. President Wargo said that White Bear is part of Summit Hill and was wondering if there was any land down there to put a playground. There are three playgrounds in town but nothing in White Bear. They can discuss it further at the next committee meeting. Ms. Steber added that they also need to purchase the permanent signs right from the PCI website. The cost is around \$65, and they have the templates on file that are required by DCNR. **Motion was made by Marlene Basiago and seconded by Karen Ruzicka to purchase three signs to DCNR specifications at a cost of \$65 a sign to be displayed at the areas where grant funds from DCNR were used to develop the recreational areas.** Motion was opened for comment; none made. Motion was carried unanimously by Council.

Borough Hall/Community Center – President Wargo asked Ms. Ruzicka if she was able to get the brand name of the china that is over in the community center. Ms. Ruzicka did not and asked Kathy Gieniec if she would be able to get the information.

Emergency Services - Councilman Kruslicky mentioned that the new tanker truck was delivered but was not in service yet due to some minor issues that need to be addressed.

Handicap – Councilwoman Basiago stated that she and Kira have been working on revising and updating the application for initial and renewal of handicap parking spots. They also revised the applications for the resident and physician to be completed and returned to the office. The process is for the applicant to fill out the application, pay \$25, the committee will review the application and give their recommendations to Council.

Every year the applicant will have to have the spot evaluated to make sure they are appropriate for the applicant. If approved, the applicant would have to pay the remainder of \$125 to cover the cost of the materials, labor, and administrative costs. The yearly renewal fee would be \$55, paying a nonrefundable fee of \$35 up front. If approved, the balance of \$20 would be owed to the borough. If lines need to be repainted, it will cost \$25. If a new sticker is needed, the cost is \$10.

Ms. Basiago asked what Council would like to do about the renewals. There was talk about monthly, annually, or bi-annually. Councilwoman Gonzalez recommended doing it by a set date. Maybe have them sent out every July. If someone applies for a spot in the middle of the year it should be prorated. Ms. Steber suggested renewals be done monthly if they are going to change the process for renewals. Currently the process is to send a letter to the applicant, ask them to verify their information and pay the fee. If they would do it monthly, she would go based off the month they were approved. If they were approved in March, the letter would go out in February. Councilman Kruslicky stated that he feels the renewals should be done quarterly. If it were done once a year, they would be processing 55-60 renewals at one time. There was a discussion about the renewal process and the feeling of redoing the entire application each year. Ms. Gonzalez feels that if you have already gone through the entire vetting process, most likely your situation has not changed then you should not have to go through the process all over again. President Wargo said they will discuss it further at the next committee meeting.

Ms. Basiago questioned Section 450-47, which is a fee waiver. In the past they would allow applicants that have low income to apply for a waiver. She does not feel that this is appropriate to do because the cost of the materials and labor would be lost.

Ms. Basiago also mentioned Section 450-48, the criteria for handicapped parking space. Letter G states the possibility of construction of off-street parking area to provide the applicant with adequate/sufficient parking to meet the applicant's ambulatory needs. She would like clarification as to what this means. President Wargo said that is something else they can discuss at the next committee meeting.

President Wargo asked Council's thoughts on the hardship waiver. Councilwoman feels that they should not have a waiver because costs are costs. It was discussed to repeal Section 450-47 Fee Waivers and remove letter G under Section 450-48 Criteria.

President Wargo said they would like to hold a public hearing to have the public come and give their input on the draft of the ordinance. Council is looking to hold the public hearing on Monday, April 22, 2024 from 5:30-7:00 p.m. Ron Gower informed Council that April 23rd is the primary election so the 22nd will be when all the voting districts will have the areas set up for election. President Wargo said they will hold the meeting in the Community Center.

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

Communications –

Communications for the Month of February 2024:

1. Acknowledgement and Release request from Alaisha Ketchledge to use the Ginder Park on April 6, 2024 from 11 a.m.-6 p.m. for a Birthday Party.
2. Letter from the Summit Hill United Methodist Church regarding replacing the "No Parking" sign in front of the church.
3. Letter from the Summit Hill Parade Committee asking for permission to use the services of the Summit Hill Police and Fire Police on Memorial Day, Monday, May 27, 2024, to assist with the

parade and if the parade route and areas around Ludlow Park be designate “No Parking” for Monday, May 27th.

4. Letter of complaint received from residents surrounding West Mountaintop Road regarding the condition of Lot #1 and Lot #2 on West Mountaintop Road.
 5. Memo from Carbon Conservation District regarding Dirt & Gravel / Low Volume Pave Funding
 6. Letter from Team Recycling offering their services to hold an event for recycling TVs, electronics, and appliances
 7. Information from the Iron Pigs Baseball regarding games on March 29th and April 9th
 8. Information from PSAB regarding the 112th Annual Conference & Exhibition in Hershey from June 2-5, 2024.
1. **Motion was made by Alan Kruslicky and seconded by Marlene Basiago to grant permission to Alaisha Ketchledge to use the Ginder Field on April 6, 2024 from 11 a.m.-6:00 p.m. for a birthday party.** Motion was opened for comment; none made. Motion carried unanimously by Council.
 2. **Motion was made by Lacey Gonzalez and seconded by Marlene Basiago to replace the “No Parking” sign in front of the Summit Hill Methodist Church with the church to paying the cost of the sign.** Motion was opened for comment; none made. Motion carried unanimously by Council.
 3. **Motion was made by Marlene Basiago and seconded by Alan Kruslicky to grant permission to the Summit Hill Parade Committee to hold the annual Memorial Day Parade in town on Monday, May 27, 2024, to utilize the Police and Fire Police for traffic control and to post the parade route and areas around Ludlow Park “No Parking”.** Motion was opened for comment; none made. Motion carried unanimously by Council.
 4. President Wargo said a letter of complaint was received from residents surrounding West Mountaintop Road regarding the condition of Lot #1 and Lot#2 on West Mountaintop Road. He asked if there was a signature on the complaint. Jayne Turner asked if she could find out who is making the complaint because she is the owner of Lot #2. She received a citation for it, it went to court, and she is afraid to go onto her property because when she does the neighbor decides to start having target practice. They cleaned up the lot and the judge was ok with it. Mayor Szczecina explained that there is a target framed out on his property. Chief Woodward looked into the complaint and spoke to the Game Commission. They stated that he is not in violation of anything. He is on his own property, and he has the proper background for shooting. Chief Woodward said that what he is doing is legal as long as he is not shooting in the direction of other homes or at people. The only way to change it is by creating a local ordinance. President Wargo feels it is something that they need to look in to. He also mentioned that the letter received has a list of names attached to it but not one physical signature. Council will not act on it because it is not signed.

Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to accept communications for the month of February 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

Bills – General Fund \$106,324.30, Community Center \$783.83, Sanitation Account \$28,873.77, Street Account \$2,738.81, and Capital Improvement Fund – Borough Bldg. \$240. **Motion was made by Karen Ruzicka and seconded by Alan Kruslicky to pay the bills from February 14 – March 12, 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Old Business -

1. RFPs for Abatement Program – President Wargo said there was a mix up with communications, so they need to extend the deadlines for the RFPs to the April meeting. **Motion was made by Lacey Gonzalez and**
Summit Hill Borough – March 12, 2024 Council Meeting

seconded by Marlene Basiago to advertise the RFPs for outside residential cleaning and extermination services to be submitted by 4:00 p.m. on April 8, 2024. Motion was opened for comment; one made. Motion carried unanimously by Council.

2. President Wargo said that Marlene and Kira have been working on updating the application and ordinance for rental inspections. He feels the best way to handle it is to hold a public hearing or workshop. He would like to discuss it further at the next committee meeting.
3. Sidewalk Ordinance – President Wargo said they received an ordinance from Councilwoman Ruzicka from another borough at their last committee meeting. Ms. Ruzicka stated that she would like to have a public workshop on March 25th. President Wargo said before a workshop would be scheduled, it would need to be drafted into the proper format for their ordinance.
4. Kira Steber updated Council on the request from Liz Saba from the Girl Scouts. She was informed that they had found another facility to hold their bi-weekly meetings.
5. Kira Steber updated Council on the status of the Risk Control visit items that were required by McKee Risk Management. She has done everything that is on the list except for two items. All completed items have been forwarded to McKee and they were ok with what was submitted.

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

New Business –

1. President Wargo said that invoices were received from Carbon Engineering from 2023 for the Chapter 94 Wasteload Management Annual Report in the amount of \$205.25 and for the CFR Grant for FY2024 in the amount of \$987.75. Kira Steber said even though they switched Engineers last year Council approved Carbon Engineering to complete the Chapter 94 report as well as submit the CFR grant on behalf of all three boroughs and the Sewer Authority. She was notified that Carbon Engineering just came across these bills and forwarded them on to her stating they were outstanding. This was the first time she had seen either of the bills and wanted to bring it to Council’s attention before paying them. Solicitor Frycklund stated that the bills do not explain the work that was done and are very vague. Mayor Szczecina, member of the Sewer Authority Board, explained that several grants were applied for in relation to the vortex separator. At the Sewer Authority meeting there was discussion about Carbon Engineering billing the boroughs separately. They were informed that the board did not want this to be the case because the authority did not want to lose track of what was being charged. That is why the authority was paying the bills and deducting that amount from the yearly Safety Margins. Looking at the invoice in question, it states CFR grant, Susan Wild, which explains nothing. He is going to question this at their meeting at the end of the week. **Motion was made by Alan Kruslicky and seconded by Lacey Gonzalez to approve the invoice for Carbon Engineering in the amount of \$205.25 for the submission of the Chapter 94 report.** Motion was opened for comment; none made. Motion carried unanimously by Council. **Motion was made by Alan Kruslicky and seconded by Lacey Gonzalez to table approval of the second invoice from Carbon Engineering until they hear back from the Sewer Authority.** Motion was opened for comment; none made. Motion carried unanimously by Council.
2. President Wargo stated a letter was received from Rose Chapello, Carbon Engineering, regarding federal appropriations for FY2025 on behalf of the CLSH Sewer Authority and the three boroughs. The cost will be approximately \$1,000 for the submission. He would suggest they defer this until they hear from the Sewer Authority. **Motion was made by Alan Kruslicky and seconded by Lacey Gonzalez to table this request until further information is received from the CLSH Sewer Authority.** Motion was opened for comment; none made. Motion carried unanimously by Council.

3. Councilwoman Ruzicka said she is looking for approval to participate in National Night Out on Tuesday, August 6, 2024. It is a national community building campaign that promotes police and community partnership. It is about community safety, the best way to build a safer community, getting to know your neighbors and your surroundings. Includes participation from the police department, fire department, nonprofit organization, and businesses. President Wargo asked who will be in charge of it. Ms. Ruzicka said she would like the chairman of the Police, Emergency Services, and the Recreation committees to work on it with her and she will also be working with the Recreation Commission. She will oversee it. **Motion was made by Lacey Gonzalez and seconded by Marlene Basiago to grant permission for Councilwoman Ruzicka to form a committee to organize and produce a National Night Out for Summit Hill on April 6, 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.
4. President Wargo is recommending they set up a meeting with Coaldale and Lansford Borough's Street Committees to discuss the Shared Services Agreement. It has been quite some time since they sat down and discussed how the shared services agreement works and now Panther Valley School District is involved. **Motion was made by Marlene Basiago and seconded by Lacey Gonzalez to schedule a meeting with Coaldale and Lansford Street Committees and the school district.** Motion was opened for comment; none made. Motion carried unanimously by Council.
5. President Wargo is also recommending they set up a meeting with the CLSH Sewer Authority and the two other boroughs to get an update on the moratorium and the plans for the grant. **Motion was made by Marlene Basiago and seconded by Karen Ruzicka to schedule a meeting the CLSH Sewer Authority and Coaldale and Lansford Boroughs.** Motion was opened for comment; none made. Motion carried unanimously by Council.
6. President Wargo would like to request meeting minutes from the Sewer and Water Authorities, as it was done in the past. **Motion was made by Alan Kruslicky and seconded by Karen Ruzicka to request the CLSH Sewer Authority and the Summit Hill Water provide monthly meeting minutes to Council.** Motion was opened for comment; none made. Motion carried unanimously by Council.
7. Spring Cleanup and Electronics Recycling dates have been set.
 - Saturday, April 20, 2024 for the east side of town along with Knepper's Trailer Court and East and West White Bear Drive.
 - Saturday, April 27, 2024 for the west side of town along with Laurel Drive and East and West Mountaintop Road.
 - Saturday, May 4, 2024 for the electronics drop off, which is for Summit Hill resident only and ID is required.

Motion was made by Alan Kruslicky and seconded by Lacey Gonzalez to enter into Executive Session at 8:39 p.m. to discuss personnel matters. Motion was opened for comment; none made. Motion carried unanimously by Council.

Motion was made by Karen Ruzick and seconded by Alan Kruslicky to enter back into regular session at 8:47 p.m. Motion was opened for comment; none made. Motion carried unanimously by council.

Motion was made by Alan Kruslicky and seconded by Marlene Basiago to adjourn at 8:48 p.m. until the next meeting of the Summit Hill Borough on April 9, 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.