

Summit Hill Borough Council
November 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, Vice President Joseph Weber, Lacey Gonzalez, Karen Ruzicka, Alan Kruslicky, Edward Kane, Marlene Basiago, Solicitor Robert Frycklund and Mayor Jeffrey Szczecina were in attendance.

Floor –

1. Larry Consoli, 117 East Walter Street, presented Council with medical information regarding his health issues. He does have a disability sign due to his neck muscles and arthritis. He is considering getting a rack installed on the rear of his vehicle to transport a motorized wheelchair to help him get around. He explained his parking situation because of Mr. Wargo's handicap parking space next door to him. He asked how he would be able to back in his parking space when it is already tight due to Mr. Wargo's handicap spot and it being over the boundary line. President Wargo asked Mr. Consoli if he has a handicap parking space. Mr. Consoli said he does not but did pick up the paperwork to apply until Mr. Wargo got the spot first. Vice President Weber said that the property line does not extend into the street. Mr. Consoli stated that it will be impossible to park his car with a rack on it because of Mr. Wargo's handicap spot. President Wargo explained that the street is a public street and property owners do not own the street. He recommended that he apply for a handicap parking space. Mr. Consoli became argumentative with Council. President Wargo stated that he is out of order. Mr. Consoli continued to speak out of line, cursing at Council and walked out of the meeting.
2. John and Mariann Wesley, 171 West Mountaintop Road, approached Council regarding a reverse subdivision that they have been trying to get approved. They hired Carbon Engineering to draw up the plans in November 2023, they finally got a call to pick up their plans in February and a bill that doubled in price. It was turned into the borough and a planning commission meeting was scheduled. The planning commission rejected the plans because they were not correct. They had Carbon Engineering fix the plans, for another fee. In June they resubmitted the plans to the borough office. In September there was another hearing, and the planning commission said they still would not approve the plans because not all the corrections were made, as they requested. Carbon Engineering gave them a letter explaining the statute, which states that the proper process was not followed by giving them proper notification of a decision within 15 days. All they are asking for is deemed approval, as per the statute states. Members of the Planning Commission were in attendance and gave Council an explanation on what took place at the hearings. Council will have Solicitor Frycklund review the information and bring it back to Council at their next meeting in December.

Minutes – **Motion was made by Karen Ruzicka and seconded by Alan Kruslicky to approve the meeting minutes from the October 28, 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 \$662.21. He mentioned that the town was extremely busy on Halloween and thanked the fire police and police officers that were out assisting during Trick-or-Treat. **Motion was made by Joseph Weber and seconded by Marlene Basiago to accept the mayor's report for the month of October 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Police Report – Chief Woodward read his monthly report. President Wargo stated that information was given about changing the standards of the testing for Civil Services. Chief Woodward explained that the current physical fitness requirements for the testing of a position of police officer for the Summit Hill Police Department are outdated and potentially discriminatory. The PA State Police is encouraging every municipal department to follow their lead and adopt the MPOTEC standards. He has provided the MPOTEC Physical Fitness Assessment Standards Entrance and Retention in the Act 120 Police Academy, so Council knows what to include in the Civil Service ordinance. **Motion was made by Marlene Basiago and seconded by Edward Kane to accept the Police report for the month of October 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Planning and Zoning – **Motion was made by Edward Kane and seconded by Alan Kruslicky to accept the Planning and Zoning report for the month of October 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

UCC and Code Enforcement Report – Councilwoman Gonzalez asked if they got any updates on the rental inspections that needed to be reinspected because they did not pass the initial inspection. Ms. Steber said that they are waiting to hear from the property owners to tell them the work has been done. Councilwoman Gonzalez asked if the properties are vacant. Ms. Steber said that he has them marked if there are tenants living there or not. The ones that were left blank are probably ones that were inspected before Council asked for him to start marking it on the report. President Wargo asked that he update the report. **Motion was made by Marlene Basiago and seconded by Edward Kane to accept the UCC and Code Enforcement report for the month of October 2024.** Motion was opened for comment. Motion carried unanimously by Council.

Work Leader Report – **Motion was made by Alan Kruslicky and seconded by Josph Weber to accept the Work Leader report for the month of October 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 October 2024. Total collected was \$4,352.82 with a commission of \$130.58. **Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to accept the Tax Collector Report for the month of October 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 October 2024. Total collected was \$2,275.46 and the quarterly expense reimbursement was \$729.19 for July, August, and September. **Motion was made by Lacey Gonzalez and seconded by Karen Ruzicka to accept the Delinquent Real Estate Tax Report for the month of October 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 October 2024. Total EIT submitted was \$21,714.47 with a commission of \$375.66 and postage charges of \$35.96. Total LST submitted was \$115.93 with a commission of \$2.38 and no postage charges. Total DLT submitted was \$27.48 in delinquent Occupation Tax and \$16.50 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 October 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Delinquent Garbage Collection Report – Nothing to report at this time.

Receipts – Total receipts received for the month of October 2024 were \$52,399.92. Councilwoman Gonzalez asked if Council could get a copy of the mayor’s report. **Motion was made by Lacey Gonzalez and seconded by Alan Kruslicky to accept the Receipts for the month of October 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Bills – General Fund \$89,595.49, Local Service Tax Account \$2.38, Community Center \$400, Street Lighting Account \$4,656.27, Sanitation Account \$28,186.25, Street Account \$478.90 and Capital Improvement Fund - Borough Building \$2,504.42. **Motion was made by Karen Ruzicka and seconded by Lacey Gonzalez to pay the bills from October 29 - November 12, 2024.** Motion was opened for comment; none made. Motion carried unanimously by Council.

Committee Reports

Streets -

1. President Wargo stated that the Mayor received a complaint about parking on the 200 block of West Ludlow Street. The suggestion was to change the direction of parking on the South side of the street along the park during winter and possibly make it permanent. The concern is that when there is a large amount of snow, the street becomes narrow, and parking becomes an issue. They were asking to change the parking to parallel during winter and Chief Woodward suggested making it permanent. President Wargo said that they do have the ability to make experimental changes to parking patterns for 90 days to see how it affects the area. Then they can make the decision if they want to make the change permanent or not. The options are to leave it the way it is or do the 90 days to see how it works. After the 90 days, they can evaluate it and make a final decision. One thing to remember is when there are events in the park, more parking will be needed. They can always switch it to parallel parking and then allow angle parking when there are events.

Councilwoman Gonzalez stated that she does not want to lose parking spots permanently, from an Economic Development point of view. If they are only going to allow angle parking for events, it may become cumbersome. She knows that during some events they block off both sides of the street. Winter is the most critical point when they would have the most issues so she would not be opposed to trying the 90 days from January 1 - March 31.

Councilwoman Basiago thought they automatically changed the parking during winter. President Wargo said there is nothing in the ordinance to do it and they never mandated it. Councilman Kruslicky said it was done in the past, but it was probably the residents that started parking that way because of the snow. Councilwoman Ruzicka stated that Lansford Borough changes their parking in the business district during the winter months. She also agrees with doing it in the winter but thinks it should stay angle parking the rest of the time.

Councilman Kruslicky agrees with changing it during the winter because it can be hard for those parking there to back out on ice or snow.

Chief Woodward said that Councilwoman Basiago mentioned that one of the issues is those that are backing into the parking spots at the very end of west Ludlow Park. Council may want to consider taking away a few of those spots and not allow them to park so close to the corner. He also suggested that Council consider adding something to the ordinance so he could enforce it. As it stands, they can be parked 3 feet away and he cannot do anything about it.

Councilwoman Gonzalez asked how many spaces they would need to remove at the corner if they left it as angle parking. Councilwoman Basiago said the last 2 because that seems to be where the problem is occurring. The residents are parking with their front end out into the roadway. Since it has been brought to their attention, those parking there seem to have backed their vehicles closer to the curb and it seems to have helped.

Motion was made by Marlene Basiago and seconded by Lacey Gonzalez to change the parking on the 200 block of West Ludlow from angel parking to parallel from January 1 - March 31 and to purchase the appropriate signs. Motion was opened for comment; none made. Motion carried unanimously by

Council. Ms. Steber asked what would happen if there was a storm in December. President Wargo said in an emergency condition, EMA has control of the borough. If EMA deems it needs to be changed to parallel parking for safety issues, that can be changed by order of the Mayor or EMA.

2. Councilman Kruslicky stated that they received a request to have lines painted on the corner of Walnut Street next to 201 West Hazard Street. They were told that buses cannot make their turn when cars are parked on the corner. Kira spoke to the bus company, the police, the fire company, and the garbage company regarding the issue and no one had any issues with it because the intersection is wide enough. If there was a crosswalk at the corner, they would have to mark off 20 feet. From the corner of Hazard and Walnut to the corner of Carbon Avenue, there is 140 feet. There is one garage there, so remove 20 feet, leaving you with 120 feet. With all that, you are most likely going to get 5 cars to park in the spots. If they marked off no parking for a crosswalk, you would lose another spot. He does not see any issues and feels that, at this time, there is no reason to paint the lines.
3. Councilman Kruslicky said that he was informed that certain contractors may not be obtaining street opening permits when doing work out in the street. He was wondering whose responsibility it was to get the permit. What happens when the contractor says that they will take care of the permits, charges you for the permits but never gets the permits. Should they change the ordinance to state that it is the homeowners responsibility to get the permits. We do get notified because of the PA One Calls and the borough workers will talk to residents to let them know they are required to get a permit. Mayor Szczecina said that the ordinance states that each person shall obtain a permit, and the definition reads that a person is a natural person, partnership, firm, association, corporation, or contractor. President Wargo suggested looking at other borough's ordinances and do some research to see what they can do to tighten up the ordinance.

Recreation - Kathy Gieniec stated that Christmas on the Hill will be on Sunday, December 8th from 5-7 p.m. The trolley will give rides through town from 5-7 p.m., the fire company will bring Santa at 6:30 p.m., the Legion was very kind and gave a check to pay for the trolley and Craig Walters paid for the teddy bears to be handed out to the children. The rain date will be December 15th from 5-7 p.m.

Economic Development - Councilwoman Gonzalez wanted to piggyback on the parking discussion and was wondering if there was any information on making more parking spaces in the business district. Councilman Weber said as per the width of the street, being 66 feet, what is needed for angle parking is technically not wide enough to have double angle parking on both sides. Councilman Basiago said that the email received from ARRO it states that you need 24 feet on both sides of the angle and 24 feet for the driving lanes. Councilwoman asked if anyone looked at or measured the size of the parking spaces on the parallel parking side to see if they are oversized that they might be able to make some extra spaces. Councilwoman Basiago said that she had a business there for 24 years and she would say that it cannot be done.

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

Communications –

Communications for the Month of October 2024:

1. Letter from Robert Barron, Jr., from 128 West Hazard Street, Apt. 2, asking permission to paint the gazebo in Ludlow Park. He has the paint and the supplies.
2. Letter from Coaldale Borough Council asking for a letter of support from Summit Hill for a grant application they are submitting for new Christmas lights.

3. Letter from Tyler Calkins asking permission to hold wrestling events on January 11, March 8, May 10, July 12, September 13, and November 8, 2025 to benefit the Summit Hill Recreation Commission.
4. Notice Occupational of Assessment from the Carbon County Board of Assessment and Revision of Taxes.
5. Notices of Property Assessment Determinations from the Carbon County Board of Assessment and Appeals Determination.
6. Information received from Critical Systems Generator Services offering their services.
7. Information received from acela architects and engineers offering their services
8. Fall 2024 Newsletter from Esri News.
9. Information received from PA LTAP:
 - School Transportation Management Course and Technical Assistance
 - Fall 2024 Technical Information Sheet #235
 - Fall 2024 Moving Forward Newsletter
- Request from Robert Barron, Jr. to paint the gazebo. **Motion was made by Edward Kane and seconded by Karen Ruzicka to table this request until further information is received and to have a liability waiver signed.** Motion was opened for comment; none made. Motion carried unanimously by Council.
- **Motion was made by Lacey Gonzalez and seconded by Marlene Basiago to write a letter of support for Coaldale Borough for a grant application they are submitting to purchase new Christmas lights.** Motion was opened for comment; none made. Motion carried unanimously by Council.
- Ms. Steber stated that all dates requested from Tyler Calkins are available except the date in November 2025. She will notify him of it and see if there is another date he would like. Councilwoman Ruzicka asked if the borough pays a cleaning crew to come in after an event. Kathy Gieniec said that they cleaned it all up and you could not even tell they were there. Ms. Steber explained that Andrea, who cleans for them, still goes in to clean the bathrooms. Councilwoman Gonzalez asked if the cleaning crew came in at a time after the event to clean. Ms. Steber confirmed that she did come in to clean after the event. Councilwoman Gonzalez said that they have to make sure to cover the cost of cleaning when they are using the building. Ms. Steber added that Andrea comes in every two weeks to clean the building from pickle ball, yoga, etc. **Motion was made by Joseph Weber and seconded by Lacey Gonzalez to grant permission to Tyler Calkins to hold wrestling events in the Hill Top Community Center to benefit the Recreation Commission on the dates requested, except the November date due to it being booked, pending there is no conflict with the fire company's events.** Motion was opened for comment; none made. Motion carried unanimously by Council.

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

Old Business -

1. Sewer Transmission Fee Ordinance - **Motion was made by Joseph Weber and seconded by Alan Kruslicky to table the discussion of the Sewer Transmission Fee ordinance until they meet with Bill McMullen from ARRO.** Motion was opened for comment; none made. Motion carried unanimously by Council.

2. President Wargo said that Solicitor Frycklund revised the Rental Property Ordinance, with the changes that Council requested. He gave an update on the changes that were made. He did create a Rental Inspection Program Regulation document that was provided to everyone and asked that they take the time to review it. They would need to adopt it before the program starts in January. The program also identifies what the records clerk would need to do to enforce the ordinance is responsible for. He also sent the fees out to everyone for review. The license fee will be \$75, and the inspection fee will be \$175 per inspection.

Councilwoman Basiago asked if they took into consideration the cost for the copy as stated in 361-4 J. Councilwoman Gonzalez said the cost was worked into the fees. Ms. Basiago also asked about Section 361-9 #4-B and states that if there are three occurrences they will be given written notice of the violation within 30 days, yet in Section 361-7 #2 it states they will only have 10 days. President Wargo explained that one is an offense about licensing, which may require more notice so they can adjust what they need to do. The other is undisruptive conduct, which is if the police go out and ticket someone you would not need as much notice. Ms. Gonzalez stated that the 30 days is also for someone to file an appeal, which makes a difference.

Councilwoman Basiago mentioned Section 361-10 and asked if they have to give the tenant notice that they are going to be inspection. In the original ordinance that she wrote it stated that you have to give 3 days' notice and the landlord 15 days' notice. Solicitor Frycklund said that it would be up to the landlord to notify the tenants of the inspection. Councilwoman Gonzalez asked what would happen if Ralph showed up to do the inspection, the tenant was never notified by the landlord, and they will not allow Ralph in to do the inspection. President Wargo said that inspection program specifies that the landlord or agent must be present for the inspection. Ms. Gonzalez asked if they would be charged for the visit. President Wargo explained that the program states that if the landlord does not cancel the inspection within 24 or more hours, the landlord is responsible to pay for the visit. The landlord must have the fee paid before an inspection is scheduled and if they do not, the landlord will be in violation until the fee is paid.

Councilwoman Basiago asked who will pay for the inspection of the Townhouses. President Wargo said that is up to the Townhouses. They are the ones getting it inspected so they would be responsible for paying the fees.

Vice President Weber stated that when he attended the blight meeting with David Argall, it was strongly recommended that this is the first step that you take towards fighting blight.

Motion was made by Alan Kruslicky and seconded by Edward Kane to advertise Ordinance No. 04-2024 amending the Real Estate Rental Licensing and Inspection of Residential Rental Units. Motion was opened for comment; none made. Motion carried unanimously by Council.

President Wargo said the rental inspection program was just given to everyone today and would recommend reviewing it before adopting it. **Motion was made by Lacey Gonzalez and seconded by Joseph Weber to table the approval of the Rental Inspection Program Regulations until Council has time to review it.** Motion was opened for comment; none made. Motion carried unanimously by Council.

President Wargo mentioned the fee schedule and recommended that they break it down for everyone, so they know where they came up with the fees. They can discuss it further in December. He also asked that it be put on the agenda to discuss hiring someone to oversee the program.

3. President Wargo said they need to discuss the Appeals Board for the Property Maintenance/Quality of Life Ordinance. They were looking to have it changed to three members of the borough who are at least 21 years of age, which is preferably a building contractor and live in the borough for at least two years. **Motion was made by Joseph Weber and seconded by Lacey Gonzalez to table the approval of the changes until Solicitor Frycklund has time to revise it.** Motion was opened for comment; none made. Motion carried unanimously by Council.
4. Solicitor Frycklund said that he has not had time to work on the ordinance for charging stations. Ms. Steber said that she will work on it and have it prepared for the December meeting. **Motion was made by Joseph Weber and seconded by Marlene Basiago to table the approval of the Charging Station Ordinance until the document can be prepared.** Motion was opened for comment; none made. Motion carried unanimously by Council.

New Business –

1. **Motion was made by Marlene Basiago and seconded by Lacey Gonzalez to approve payment for the Election of Relief from Charges and Notice of Solvency Fee for FY2025 in the amount of \$1,315.36.** Motion was opened for comment; none made. Motion carried unanimously by Council.
2. Councilwoman Basiago stated that the Christmas Street Light Committee is overwhelmed with the amount of support they have received so far. The community has been very generous. She thanked those that have provided with a monetary donation for the lights and gave a huge thank you to those that sponsored lights. They received 21 sponsors out of 33 lights that are needed. The week before Thanksgiving the crew will be putting up the Christmas lights and there will be 3 new ones hung, which were donated by Attorney Velitsky. She named those that have sponsored lights. They are currently selling t-shirts, sweatshirts, and hats until December 1st. If anyone is interested, they can reach out to the committee. She hopes that in 2025 they will have all 33 lights hung for next Christmas.
3. President Wargo said he would like to table the discussion of the part-time police roster. **Motion was made by Lacey Gonzalez and seconded by Joseph Weber to table the discussion of the part-time police roster until the November 18, 2024 special council meeting.** Motion was opened for comment; none made. Motion carried unanimously by Council.

President Wargo said that behalf of Council and the Mayor they would like to wish everyone a very Happy Thanksgiving.

Motion was made by Lacey Gonzalez and seconded by Joseph Weber to enter into an Executive Session to discuss personnel matters at 8:49 p.m. Motion was opened for comment; none made. Motion carried unanimously by Council.

Motion was made by Alan Kruslicky and seconded by Karen Ruzicka to enter back into regular session at 9:15 p.m. Motion was opened for comment; none made. Motion carried unanimously by Council.

Motion was made by Joseph Weber and seconded by Marlene Basiago to adjourn at 9:17 p.m. until the next regular meeting of the Summit Hill Borough on December 10, 2024. Motion was opened for comment; none made. Motion carried unanimously by Council.

David Wargo
Council President

Kira Steber
Secretary/Treasurer