

Summit Hill Borough Council
May 22, 2023, 6:30 p.m. Borough Hall

The special 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, Karen Ruzicka, Alan Kruslicky, Joseph Weber and David Wargo were in attendance. Vice President William O’Gurek, Solicitor Robert Frycklund and Mayor Jeffrey Szczecina were absent. Gino DeGiosio arrived at 6:35 p.m.

Council entered into an Executive Session to discuss personnel matters at 6:31 p.m.

Council entered back into Regular Session at 6:56 p.m.

New Business

1. Part-Time Assistant Secretary Position - **Motion was made by Karen Ruzicka and seconded by Joseph Weber to hire Jillian Watto for the position of Part-Time Assistant Secretary.** Motion was opened for comment; none made. Motion carried unanimously by Council.
2. Councilman Wargo presented a draft copy of a policy on meeting agenda, minutes and reports accepted at public meetings. He mentioned a blog entry about providing minutes and other basic records to the public. It mentioned that it is a benefit to provide some of the information to facilitate ease of discussion. If the people could read it, they will not argue it during the meeting. Same thing with the news media. The one concern that they have is about litigation because society is extremely litigious these days. Anything that does not come across the Council table but does come out of the police department directly is the police departments policy because they cannot set policies for the department. They can set policies for what comes into their meetings. This policy is to make sure they can give out what they need to get the job done, make things more efficient and give information to the people who need it. Part of the policy is to give all the employees notice that when they provide reports to Council, they do not need, and he does not care to see details about who did what where. What they need to know is how many permits came in and what kind of permits they were. It is irrelevant to Council to know who got the permits. If they want that information, they can contact the Zoning Officer. The last two items are how the information will be distributed. He is recommending that the news media go to the office to register that they get a packet of information on a regular basis. He is thinking it will only be the Time News and Channel 13 News, but they would be required to call the office. He is also recommending that there be some packets of information available based on this because there is no reason to be transparent with the public. Put together 5-10 copies of the reports for the public, like it was done in the past.

Councilman Kruslicky questioned if the meeting minutes would be available to the public before or after meeting. Councilman Wargo stated that the Office of Open Records recommends that whatever is being adopted that night should be available in the packets. Kruslicky expressed his concern about changes that may have to be made to the minutes. President Kokinda added that he feels once everything is adopted, then they are public records but prior to that he does not feel they should be disseminated. Wargo recommended that they place a copy of the meeting minutes from the prior meeting that was already adopted. Ms. Steber asked if he is recommending that she now make special packets for the public. She also noted that everything that is in the packets are not approved. Wargo said that the Office of Open Records is recommending that whatever is being adopted that night should be available to the public. He does agree that the meeting minutes provided should be the ones that were already approved. Kruslicky mentioned that anything that would need to be redacted should not be in the packets. There is nothing to hide, they just do not want to open themselves up to a lawsuit down the road. Wargo added that both the Mayor and the Chief stated that what they provide Council, they can provide to the public. Atty. Frycklund should not overrule

what the police department is providing. Councilwoman Ruzicka stated that Council should know what is going on, be provided the names, and other information. Wargo said they could call the Zoning Officer to get the information. A brief discussion continued about the topic.

Councilman Wargo stated that they have gone so far off from the Right to Know path that they forgot as government officials, they have to have transparency. Everything they do should be available to the public except for the things that could lead to civil litigation. Wargo recommend that both the Zoning and UCC reports get dialed back, list the number of permits that were received, and the detailed reports can be filed in the secretary's office. If Council wants to see the detailed report, they can go to the office and ask for it. President Kokinda recommended forwarding the policy to the solicitor to review in hopes to have something to adopt at the next meeting.

Councilman Wargo asked Ms. Steber what she provided to the news media in prior years. Councilwoman Ruzicka said before she was on Council the public was provided every report. Ms. Steber said that Ms. Ruzicka was correct, however, when she had her online seminar for the Duties of a Municipal Secretary, she learned that only the agenda should be provided to the public. If the public wanted any information after the meeting, they were to fill out a Right to Know request. Wargo explained that what started the whole thing was when Atty. Frycklund told Mr. Gower that technically the law says you have to file a Right to Know request for everything. But he also told him that Council is the final say as to what he does or does not get. They can override anything that the RTK law says because it is their records and their decision as a body as to what they want to require in the RTK law and what does not, except for the thirty exceptions that are in the law that states they cannot hand out that information. President Kokinda added that he understands what Dave is explaining but they are paying the solicitor to give his advice. If that is his advice, how can they ignore it. Wargo said that Frycklund suggested they draft a policy and that is what he did.

Motion was made by David Wargo and seconded by Michael Kokinda to adjourn at 7:17 p.m. until the next regular meeting of the Summit Hill Borough on June 13, 2023. Motion was opened for comment; none made. Motion carried unanimously by Council.

Michael Kokinda
Council President

Kira Steber
Secretary/Treasurer