

JIM THORPE BOROUGH COUNCIL
MEETING
APRIL 13, 2017
MINUTES

Meeting called to order by President Gregory Strubinger at 6:30 p.m. in the Memorial Park Hall, 103 East Tenth St, with the Pledge of Allegiance and a moment of silence for the men and women serving our country.

Mayor's Report

Mayor Sofranko said they will be receiving \$67,000.00 from the LSA grant for the kiosk. He thanked the Police Chief, Borough Manager, Senator Yudichak and State Rep. Heffley.

Police Chief Schatz asked council for permission to use the Memorial Park for August 1, 2017 for National Night Out.

Mayor Sofranko informed everyone that Penn Dot has been contacted for the speed limit control sign.

ROLL CALL OF MEMBERS

Curtis Jackson	John McGuire	Thomas Highland
Joanne Klitsch	Jay Miller (a)	Kyle Sheckler
Gregory Strubinger (a)	Mayor Michael Sofranko	Police Chief Schatz
Borough Manager Sterner	PS Manager Vince Yaich	Boro. Secy. McClafferty
Kim Mazur, Entech	Solicitor James Nanovic	

Public Comment

Bill Maehrer asked next year for snow removal, once they get up to the Opera House if they could start at the top of West Broadway for cleaning up the snow and work their way down.

Louis Hall said the JT Planning Commission has been working on:

- zoning changes, this is in the borough hands,
- the Re-Addressing is done and is in the borough's hands
- the study for the downtown parking
- they are working on the plan review
- Railroad communication tower
- the Jim Thorpe Memorial sign
- VRBO/short term rentals

Louis Hall asked if the house in Leisure Land has a storm water runoff plan?

Borough Manager Sterner said she will check with BIA

Ed McArdle asked what roads are going to be sealed this year?

PSM Yaich said they have a list of roads that we will be patching for 2017, they don't know if they are going to be doing any crack sealing this year. They are going to fix the storm drains before they start to fix the roads. They will be vacuuming the storm drains this year.

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Bill Malatak said 7th Street between Center Street and School Street there is a hole that needs to be patched up.

PSM Yaich said that is going to be repaired this year with the water main replacement.

Bill Malatak asked the Police Services at the Glen, who is responsible to respond.

Mayor Sofranko said the Jim Thorpe Police do not respond.

Police Chief Schatz said that was a hit and run they are investigating this. The incident occurred in Jim Thorpe.

Bill Malatak asked if council was invited to the D & L pedestrian bridge project.

Borough Manager Sterner said there were three of us there.

Jake Arner has submitted a zoning application for a farm stand and operate a winery. He asked about the agricultural amendment to the ordinance. He said he will be happy to work on this. He would like to be informed of any ordinance amendments.

Mr. McGuire said the reason we are doing this is we have nothing in our current zoning ordinance for agriculture, we want it included in the ordinance.

Mr. Jackson said the Planning Commission may look at this and come up with some options for council and BIA to look at.

Jerry Strubinger said the D & L pedestrian bridge project council needs to react not pro-active. He said he understands the borough is responsible for shoveling snow on the bridge.

PSM Yaich said the borough is responsible for the bridge and on Route 209, 125 ft a little bit past the old bridge, where the new fence is up to the new bridge.

Jerry Strubinger asked who is responsible for the bridge

Mr. Jackson said the state is responsible for the bridge.

Jerry Strubinger asked who is responsible for the lots where Kuzo and Bilsak's house were located? He said Front Street should be changed to two ways.

Mark Reitz said the Carbon County Commissioners hotel tax article. He wants the money spent in Jim Thorpe. He thinks council should ask the Commissioner's to help promote the borough.

Mr. Jackson said the disbursement of the funds for the hotel tax is the discretion of the County. You need to go to the County meetings and let them know.

Bill Malatak asked how much money is the borough getting for the hotel tax this year?

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Borough Manager Sterner said last year we received \$4,000.00, this goes towards police services for fall foliage.

Action

MOITON: Joanne Klitsch second John McGuire to approve the Work Session Meeting Minutes from March 2, 2017.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Kyle Sheckler to approve the Council Meeting Minutes from March 9, 2017.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Kyle Sheckler second John McGuire to approve the Expenditures from all Funds as presented.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Kyle Sheckler to approve the Treasurer Report as presented.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Kyle Sheckler to adopt Ordinance 2017-02 Fern Street No Parking.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: John McGuire second Thomas Highland to approve Vince Rodger's - easement agreement

COMMENTS:

Borough Manager Sterner said this easement is for behind Memorial Hall. It was drafted by Kim and solicitor Nanovic, it has been signed by Mr. Rodger's.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Thomas Highland second Kyle Sheckler to approve St. Mark's & St. John's Episcopal Church – Race St Run July 1, 2017

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

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MOTION: Kyle Sheckler second Joanne Klitsch to approve St. Mark's & St. John's Episcopal Church – Police Service contract.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Thomas Highland second John McGuire to approve the American Legion Post #304 & Germantown Grove 4th of July event – use of 100 chairs and that the borough will provide police services without a police service contract.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Thomas Highland second John McGuire to approve the American Legion Post #304 “Stay at Home” festival 7/1/17 rain date 7/2/17 firework only.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Kyle Sheckler second Thomas Highland to approve St. Luke's Miners – Black Diamond event June 3, 2017 permission to close Packer Hill to vehicles only.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Kyle Sheckler to approve the YMCA/YWCA Anthracite Triathlon 7/16/2017.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Thomas Highland to approve the JTNB 21st Community Banking day – May 5, 2017 rain date May 12, 2017.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Thomas Highland second Joanne Klitsch to approve the JT Police National Night out event – August 1, 2017 in the Memorial park.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Kyle Sheckler second Thomas Highland to approve the purchase of the Postage Meter \$5,923.72.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Thomas Highland to approve Resolution 2017-07 MCTC Loan modifications to #21288 to a new fixed rate of 3.5% for 3 years & Loan #50911 fixed rate of 3.5% for 3 years.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

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MOTION: Thomas Highland second John McGuire to approve Resolution 2017-08 Support Use of Radar by Local Police.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Kyle Sheckler to approve Resolution 2017-09 Support Small Games of Chance Prize cap amount.

COMMENTS:

Mr. Jackson asked what is the point of this.

Borough Manager Sterner said the point is to help the non-profits with the fundraisers, the fire companies were hit hard when gambling became legal. By limiting the amount of prize money doesn't help them. Eliminating the limit on the prize money to conduct the fundraisers and bring people back to those types of fundraisers. The current limit is \$35,000.00 and now there will be no limit.

ROLL CALL VOTE

YES	NO	ABSENT
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Thomas Highland Kyle Sheckler John McGuire Joanne Klitsch	Curtis Jackson	
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YES 4	NO 1 Curtis Jackson	ABSENT 2 Jay Miller & Gregory Strubinger
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MOTION: Joanne Klitsch second Thomas Highland to award the 1992 Kodiak Truck – Michael Argyros \$5,100.00.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Kyle Sheckler to advertise for the WWTP Sludge removal bids.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Thomas Highland second Kyle Sheckler to advertise the Public Service material bids.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: John McGuire second Thomas Highland to advertise for Bituminous Seal Coat bids.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

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Borough Manager Sterner said she would like to be advised how council would like to move forward with High Street Wall Repairs. The grant money is slim, there is a possibility of multi-model funding.

Kim Mazur spoke with Penn Dot and the project does qualify for this program. This is a 30% match for the borough. The application closes the end of July. Penn Dot does not meet until November or December to decide where the funds go.

Borough Manager Sterner said the other options are to secure financing now.

Mr. Jackson asked what are the options right now for either securing the wall or replacing the wall?

Borough Manager Sterner said anything we do with the wall is going to require bidding and financing. Both things will take time. Does council want us to move forward?

Mr. McGuire thinks we need to move, he does not think this will last until next year. It is not only the road, it's the people we would be displacing, utilities and people below.

Solicitor Nanovic asked who will be preparing the bid specs for the repairs to High Street wall?

Borough Manager Sterner said the engineering firm that works with the one contractor. Does council want to do the nail stabilization method or the tear down and rebuild method?

Kim Mazur said the nail stabilization will cost less. He thinks if the borough does the tear down and rebuild the wall you will have to relocate the utilities in the road and that will get costly.

Borough Manager Sterner said Entech engineering will work with the company that does the nail launching. They will draw up the specs. It will be Entech Engineering project. They will work with them.

Kim Mazur said they will be working with Earth Environmental they do the technical specs and drawings. Entech would put the front end documents, bidding, prevailing wage, surveying, soil boring and work through the bidding process. The estimated cost is \$60,000.00

Borough Manager Sterner said that was included in the \$688,000.00 total. She asked council if they want to fix the wall.

All of council said yes.

Solicitor Nanovic asked if council would like to do this this year? Which method would you like to go with the soil nail launch or the tear down and rebuild it.

MOTION: John McGuire second Kyle Sheckler to authorize engineering to begin preparing the specs for the soil nail launching method to repair High Street Wall and to authorize the Borough Manager to start looking for funding for the project.

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YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

Borough Manager asked council while we are preparing bid specs do you want the facade done at this point and time or not?

General consent of council is to get the specs drawn up both ways one with the facade and one without.

MOTION: Kyle Sheckler second John McGuire to approve the waiver to be granted for the 400 SF Keith Hontz conditioned that he complies with:

1. lower volume portion of the ordinance
2. contact the County Conservation District, regarding their requirements
3. Borough to carbon copy the County Conservation District on the action council has taken
4. Provide the borough with a copy of the determinations of the County Conservation District that any permits or plans or requirements from them and follow through

COMMENTS:

Borough Manager Sterner said he will still have to do all the building and zoning code and any other ordinances. This is only for the Storm Water ordinance.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: John McGuire second Joanne Klitsch to authorize Barry Isett & Associates to draft a new Storm Water Management ordinance for the borough estimated cost not to exceed \$1,040.00

COMMENTS:

Mr. Jackson asked if this exceeds the cost it should come back to council.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: John McGuire second Kyle Sheckler to authorize Barry Isett & Associates to draft up Zoning Ordinance for the sign section in the zoning ordinance, cost not to exceed \$900.00

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second John McGuire to authorize Barry Isett & Associates to draw up a draft definition for agricultural use in the zoning ordinance not to exceed \$450.00

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

Borough Manager Sterner said we would like to bring the Utility Billing current. Does council want to go over a 14 month period or do you want to go over a 24 month period? We are running 2 months behind, this will bring this current. This would change the bill due date to the 15th of the month not the 10th of the month, there will be no 5 day leeway for the people. Shut offs will be per tenant law.

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Borough Manager Sterner said all bills will be mailed to the landlord's only.

MOTION: Kyle Sheckler second Thomas Highland approve the drafting of the Utility billing ordinance for the 14 month change in the billing cycle.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Thomas Highland to authorize to begin the process to reduce the speed limit on Packer Hill.

COMMENTS:

Solicitor Nanovic said a study will need to be conducted.

Borough Manager Sterner said provided the study does result in 15 MPH being an accurate speed and also lower the speed limit and keeping the cement blocks there. They will remain until full restitution is paid by Mr. Karnish then you have to buy new guiderails.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Thomas Highland to take Packer Hill one way off of the agenda.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Kyle Sheckler second John McGuire to draft a letter to DEP for Chapter 109 concerning the increase in the increase in updates and fees.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second John McGuire to approve the Eastern Environmental payment application #4 – \$45,505.00.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second John McGuire to approve Howard Company payment application #1 – \$20,577.00

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Kyle Sheckler to approve Requisition #7 – \$99,622.26

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

Bill Malatak asked where the borough stands with the flaggers.

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Mr. Jackson said we can't get out of this, and we are trying to make arrangements to split the cost with the County on the days we have activity on both sides.

Utility Action

Utility Accounts Lien Reports

MOTION: Joanne Klitsch second Thomas Highland to approve

- a. Active Utility Accounts Garbage & Others Lien Report (0)
- b. Active Utility Account Garbage Only Lien Report (2)
- c. Active Utility Accounts Sewer/Garbage Lien Report (0)
- d. Active Utility Accounts Water/Garbage Lien Report (0)
- e. Active Utility Accounts Water/Sewer/Garbage Lien Report (1)
- f. Temporary Off Lien Report (1)

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

Uncollectible Accounts Report – none

MOTION: John McGuire second Kyle Sheckler to approve the changes to the two accounts they are for one on South Street and one on South Avenue, changes are to correct what they are being charged, they are being charged the incorrect rate.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Joanne Klitsch second Thomas Highland to approve Utility Account #8843 – water leak outside of sewer system; sewer credit due and Utility Account #1320 – commercial garbage contracted with hauler effective 1/1/17.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Kyle Sheckler second Joanne Klitsch to approve Utility Account #2795 Payment Plan

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

MOTION: Kyle Sheckler second Thomas Highland to approve Utility Account #2900 Payment Plan And Utility Account #3630 Payment Plan.

YES 5 NO 0 ABSENT 2 Jay Miller & Gregory Strubinger

Tax Exoneration Action

Committees

Administration

Executive session was held on March 13, 2017 for personnel

Executive session was held on April 13, 2017, prior to the regular meeting, for litigation

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Borough Manager Sterner said the Amusement & Mechanical Devices Taxes have increased the number of entities to pay the taxes.

Public Service (Sewer/Sanitation/Water/Streets)

Tire & Electronic recycling will be held on Sat. May 20, 2017 start 7:00 am to 11:30 am

Jake Arner asked if he volunteered to clean up the TV's from around Flagstaff Road if he will be able to bring them to the event and not be charged.

General consent of council is to allow him to do this.

Borough Manager Sterner said Winter Storm Stella the total cost was \$33,393.00

Police

LSA Grant

Buildings/Parks

Memorial Hall & Skating Rink booking protocol

Mr. Jackson said they will be holding a committee meeting to discuss the plans and opportunities for the park and skate park.

Mr. Jackson informed everyone they received the appraisal for the Phoenix fire company, this will be reviewed by the committee.

Emergency Services

Mr. Sheckler said everyone received a copy of the municipal ordinance to review.

Old Business

- A. Property Maintenance Board of Appeals Three (3) Vacancies
- B. Planning Commission – Nuisance Ordinance
- C. Collection Agency for delinquent utility fees
- D. Cuoco
- E. Petition to Vacating Portion of 2nd Street
- F. W. Front St & River St Dedication Ordinance
- G. Municipal Fire Department
- H. Act 172 of 2016 – Incentives for Emergency Services Volunteers
- I. Shared Water & Sewer Lines
- J. Police Contract
- K. 204 Center Ave
- L. Proposed Zoning ordinance amendments

MOTION: Joanne Klitsch second Kyle Sheckler to adjourn

YES 5


NO 0

ABSENT 2 Jay Miller & Gregory Strubinger

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Adjourned at 8:18 pm

Respectfully submitted


Louise McClafferty
Borough Secretary