

JIM THORPE BOROUGH COUNCIL MEETING
SEPTEMBER 8, 2016
MINUTES

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

ROLL CALL OF MEMBERS

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

Mayor's Report

Mayor Sofranko asked everyone to look at the Police Dept. report they are doing excellent work.

Mayor Sofranko informed everyone that Police Chief Schatz has been nominated as a "Home Town Hero" today. B104 has honored him one of the 15 people of this region as a hero, dedication to the community, & his family.

Mayor Sofranko said on North Street there have been speed limit signs placed. He thanked Paul Hoherchak & State Representative Doyle Heffley for getting these for the borough. The signs are not costing the borough anything. We have seen a reduction in speed on North St. They have talked to them about moving the signs to Hacklebernie on Center Avenue and by the Liberty's.

Mayor Sofranko said he spoke to Charles Weatherford about handi-cap parking in the downtown area.

Public Comment

Mr. McGuire said the Librarian won't be able to make to the meeting tonight. He asked that she be placed on the agenda for the October council meeting.

Ed McArdle said the garbage truck parking over by Mollies, the chef's car is parked there all day long. The borough is losing money, the garbage is over flowing they need to empty the garbage truck.

Police Chief Schatz said he will tell them about this, this is for deliveries, loading and unloading.

Ed McArdle said the crack sealing that you will do for next year you should have a schedule, the 700 block of Center St. wasn't done, and preventive maintenance hasn't been done.

Mr. Miller said we have done a lot this year. Council took action and put two people in charge. We are looking at a lot of things. Things have been left go and council should be proud what has been done over the last 7 months. Ms. Sterner & Mr. Yaich have done a fantastic job. We took \$300,000.00 out of the Sanitation fund, we did a lot of streets on both sides of town. If we went with the budget that we normally have we would have only done 2 or 3 blocks. We will have preventive maintenance.

Jake Arner said he sent a letter to council last month requesting written confirmation that his septic & well permits for 2 lots were extended.

Borough Manager Sterner asked Jake if he received her email today.

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Jake Arner said no he hasn't seen it today.

Borough Manager Sterner said solicitor Nanovic did complete a review and it has been sent out to Bill Brior so he needs to review that.

Action

MOTION: Joanne Klitsch second Thomas Highland to approve the Work Session Meeting Minutes from August 4, 2016.

YES 7 NO 0

MOTION: Jay Miller second Joanne Klitsch to approve the Council Meeting Minutes from August 11, 2016.

YES 7 NO 0

MOTION: Jay Miller second Gregory Strubinger to approve Expenditures from all Funds for August 2016, as presented.

QUESTION

Mr. Miller said under the ES I am responding, that is software he wants to know how many stations this covers for \$650.00. Is this a complete bill for all three fire stations? The Manager can make the decision on this, he just wants to make sure we aren't getting another bill.

Borough Manager Sterner said she will have to check on this tomorrow.

YES 7 NO 0

MOTION: Curtis Jackson second Gregory Strubinger to approve the Treasurer Report as presented.

YES 7 NO 0

MOTION: Joanne Klitsch second Jay Miller to approve Resolution 2016-15 naming the Confidential Representative for Berkheimer Associates.

YES 7 NO 0

MOTION: Joanne Klitsch second Thomas Highland to approve the Resolution 2016-16 2016 LSA Grant Application for kiosk total we are applying for is \$79,003.20

YES 7 NO 0

Borough Manager Sterner said Lehighton Ambulance and the Jim Thorpe Sports Hall of Fame asked if the borough would be the applicant for the grant. You can do letters of support. Lehighton Ambulance is going to ask one of the other municipalities to be the applicant for them.

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MOTION: Jay Miller second Curtis Jackson to approve a letter of support to Lehighon Ambulance to submit the LSA grant application for a new ambulance.

YES 7 NO 0

MOTION: Gregory Strubinger second Jay Miller to approve a letter of support to the Jim Thorpe Sports Hall of Fame for the LSA grant if the organization would decide to have another government entity apply for the grant.

YES 7 NO 0

MOTION: Jay Miller second Joanne Klitsch to approve the Shade Tree Commission Tree Vitalization grant for trimming trees.

COMMENTS:

Mr. Miller said Ben Walbert & Bob Handwerk were at the meeting last week and said any matching money they will raise. He did explain to them there is a sight problem with all the trees on North Street.

YES 7 NO 0

MOTION: Jay Miller second John McGuire to Table the Shade Tree Commission Tree Vitalize grant for new tree planting.

YES 7 NO 0

MOTION: Joanne Klitsch second Curtis Jackson to approve Ordinance 2016-5 WWTP Interim Financing with the MCTC & JTNB.

COMMENTS:

Mr. Miller said this interim financing will be no longer than 2 year maximum. He will withdrawal from the motion because of the appearance of a conflict of interest.

Solicitor Nanovic said this is \$6,129,000.00, and this is the interim money until the RUS money comes in.

Borough Manager Sterner said the payments are monthly or quarterly.

YES 6 NO 0 ABSTAIN 1 Jay Miller

MOTION: John McGuire second Joanne Klitsch to advertise the Proposed Zoning Ordinance Amendment.

COMMENTS;

Mr. McGuire said this is for the C-2 & C-3 parking.

Solicitor Nanovic said we will have to hold a public hearing for the residents in the C-2 areas and they need to be notified, it will probably be in November.

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YES 7 NO 0

MOTION: John McGuire second Jay Miller to appoint Clem McGinley term to expire 12/31/17 and Jolene Evans term to expire 12/31/19 to the JT Planning Commission

YES 7 NO 0

MOTION: John McGuire second Thomas Highland to approve the Police Pension Minimum Municipal Obligation amount of \$135,285.00.

YES 7 NO 0

MOTION: Jay Miller second Thomas Highland to approve the Non-Uniform Pension Minimum Municipal Obligation amount of \$93,664.00

YES 7 NO 0

Mr. Miller informed everyone that in 2 to 5 years we are going to have to look at people that are licensed to run Water & Sewer plants. We have to be looking for people for replacement.

MOTION: John McGuire second Kyle Sheckler to approve the Germantown Storm Water project.

COMMENTS:

Borough Manager Sterner said everyone received a copy of the engineers report on the costs for the different stages going into next year finishing mid-August.

YES 7 NO 0

MOTION: Jay Miller second Joanne Klitsch to purchase two snow blowers with shields cost not to exceed \$6,000.00.

YES 7 NO 0

MOTION: Gregory Strubinger second Jay Miller to approve placing equipment for sale on the Municibid.

YES 7 NO 0

MOTION: John McGuire second Joanne Klitsch to approve the handicap sign request for Paul Burgie.

COMMENTS:

Borough Manager Sterner said he will just be notified that he will be taking over the annual fees for the handicap sign at 221 West Broadway.

Police Chief Schatz said this was Janice Teichert's spot.

YES 7 NO 0

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Utility Action

MOTION: Jay Miller second Joanne Klitsch to approve the Utility Accounts Lien Reports

- a. Active Utility Accounts Garbage Only Lien Report
- b. Active Utility Accounts Garbage & Other Lien Report
- c. Active Utility Accounts Sewer/Garbage Lien Report
- d. Active Utility Accounts Water/Garbage Lien Report
- e. Active Utility Accounts Water/Sewer/Garbage Lien Report
- f. Temporary Off Lien Report

YES 7 NO 0

MOTION: Jay Miller second Joanne Klitsch to approve the Utility Account #7337 Payment Plan

YES 7 NO 0

Uncollectible Accounts Report - none

Tax Exoneration Action

MOTION: Jay Miller second Joanne Klitsch to approve Sean McFadden exoneration request - retired – Occupation Tax.

YES 7 NO 0

Committees

Administration

President Strubinger said we have three (3) vacancies for the Property Maintenance Board of Appeals and the Shade Tree Commission one (1) Vacancy.

Planning Commission update

Louis Hall said they have been spending time on the amendment to the zoning ordinance and the readdressing.

Mr. Jackson said we need to set a date and target that date to have the changeover for the addresses. This will be on the adoption of the address ordinance and sign ordinance.

Borough Manager Sterner said we will need the list of street signs that will be needed and they are anticipating the Borough purchasing the street signs.

Mr. McGuire said we would like the signs to be uniform with the borough signs. We will be asking the homeowners to get in compliance if not they will get fined \$25.00.

Mr. Miller asked will the emergency service departments going to have a problem with finding the homes when they plow the streets in Leisure Land.

Mr. Jackson said you will be able to tell by the numbers where the property is located.

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Louis Hall said they had a public meeting and there was some public push back.

Mr. Jackson said when he built, the zoning officer gave him his number. All of the lots will now have numbers, there will be no deciding what number the lots will have, this is done in case someone would like to subdivide their lots.

Public Service (Sewer/Sanitation/Water/Streets)

Sewer

Mrs. Klitsch said there is a bill from Entech, they would like to hold until next month until RUS can look at this.

Mr. Miller said PPL 3 phase power to the Sewer plant. His concern is getting the proper power at the sewer plant. The contract bids are out and he wants to know if we are going to have any problem with the contractor ordering the proper equipment. He doesn't want to see delays.

Kim Mazur said they have been working with PPL. They have been given the information over the past few years. He received an email from them about the right-of-way. They said they need to schedule and get a license for the railroad. In the email it says this could take months or years to get. He spoke to them and told them we have this project and we are being funded for this project. He explained we can't have this hold us up. We had a meeting with the PPL supervisors. They feel since we already have an easement from the railroad, they feel we will need flaggers on the railroad and we need to make them aware of this. This project will be split into two phases. The pole and the transformer bank and the anchor installed now. We told them the borough's schedule for the project. They are going to reach out to the railroad. It is just the one railroad on the west side – Reading & Northern Railroad.

Mr. Miller said he is worried about liquidated damages if things are held up. We have verbals from PPL and Reading & Northern, he would like to see something in writing from both organizations.

Borough Manager Sterner asked if we have to have something in our bids award to be contingent upon receiving notification.

Solicitor Nanovic said he understands the concerns and will request this be asked for to cover the borough.

MOTION: Gregory Strubinger second Jay Miller to approve the right-of-way agreement with PPL this is for them to install the pole on the borough's property.

YES 7

NO 0

Mr. McGuire said he has a questions in regards to the JTPC applying for the C2P2 grant. They would like to upgrade some things in the park.

Borough Manager Sterner said she will have to contact DCNR because there is a different type of Growing Greener grant that would be a proper fit. She will get that information.

Mrs. Klitsch said they will be holding the Tire & Electronic recycling on 10/8/16 7:00 am to 11:30 am

Mr. McGuire said he will help her out. He said Tamaqua Transfer did a really good job.

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Mr. McGuire spoke about walking out along the Reservoirs. He was out there recently and there were people swimming in the reservoir, the people were camping out there. He told the people they had to clean up and put the fire out. He also sees ATV and motor cycles out on the borough's property. He believes this is the borough's liability. He doesn't want to stop the people from having fun. There are trespassing signs posted.

Mr. Miller said we have it posted in the areas where we don't want the people to be around. We are responsible for damages. He said we could breach that dam but it will be costly to the borough. He said they don't need the reservoirs to produce the water. He spoke about the two rescues up at the Glenn Onoko over Labor Day.

Water

Mr. Miller said Well #4 is being worked on, everything else is good.

Police

Mr. Highland said the Civil Service Commission will be doing the testing on 9/10/16 at 9:00 am

Mr. Highland asked Chief how he is doing with the scheduling for the Fall Foliage festival.

Police Chief Schatz said he is working on this and he will do his best to be there for all 3 weekends.

Buildings/Parks

Borough Facilities Feasibility Study

Borough Manager Sterner said she spoke with Sal and he is going to work on some type of income type figures and she will do a spreadsheet on different options.

Mr. Miller said we need to decide and look at everything and get the costs. The Building Committee should sit and discuss this. He said the Borough Manager cannot be loaded down with this she has enough with the 2 contracts, the budget, that is enough for her.

Emergency Services

Old Business

- A. Packer Hill Road proposed one way Ordinance – no update
- B. Collection Agency for delinquent utility fees – no update
- C. Cuoco

Executive Session

MOTION: Gregory Strubinger second Joanne Klitsch to go into executive session to discuss litigations.

YES 7

NO 0

Into executive session at 8:33 pm

Back at 9:43 pm

MOTION: Jay Miller second Curtis Jackson to begin the process to form a Municipal Fire Department.

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QUESTIONS:

Mr. McGuire asked the solicitor if he will need the help from the Emergency Service Committee.

Solicitor Nanovic said if he does need the help he will contact them.

ROLL CALL VOTE

Curtis Jackson
Joanne Klitsch
Jay Miller
Gregory Strubinger
John McGuire
Kyle Sheckler
Thomas Highland

YES 7

NO 0

MOTION: Curtis Jackson second Gregory Strubinger to adjourn.

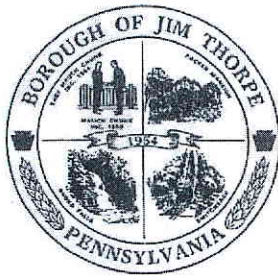
YES 7

NO 0

Adjourned at 9:44 pm

Respectfully submitted


Louise McClafferty
Borough Secretary



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Conflict of Interest
Abstention Memorandum

To: Louise McClafferty, Borough Secretary
Jim Thorpe Borough, Carbon County, Pennsylvania

From: JAY T. MILLER, council member

Date: 9/8/16

Pursuant to Pennsylvania's "Public Official and Employee Ethics Law" (65 PA CSA 1101 et seq), I hereby declare that I am required to abstain regarding the following issue/motion:

TEMPORARY FINANCING - SEWER PROJECT

My conflict/reason for abstaining is as follows:

EMPLOYEE - JIM THORPE NEIGHBORHOOD BANK

Jay T. Miller
Signature of Public Official

Note: Section 1103(J) requires the following procedure:

"Any public official or public employee, who in the discharge of his official duties, would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his interest as a public record in a written memorandum filed with the person responsible for recording the minutes for the meeting at which the vote is taken..."

(Please note the State Ethics Commission requires a public official to complete a form every time he has a conflict of interest).