

JIM THORPE BOROUGH COUNCIL MEETING

MAY 10, 2018

MINUTES

Meeting called to order at 6:30 in the Memorial Park Hall, 103 East Tenth Street, Jim Thorpe by President Strubinger with the pledge of allegiance and moment of silence for the men and women serving our country.

Roll Call of Members & Officials

Gregory Strubinger	Kyle Sheckler	Joanne Klitsch
Thomas Highland	John McGuire	Edith Lukasevich (a)
Jay Miller	Manager Maureen Sterner	PSM Vince Yaich (v)
Police Chief Joe Schatz	Matthew Boggs	
Mayor Michael Sofranko	Secy. Louise McClafferty	

Mayor's Report

Mayor Sofranko said last week at the workshop meeting the unmarked vehicle is out of service and they will be looking to scrap or trade the vehicle.

Mayor Sofranko said he received a phone call from St. Joseph's Regional Academy they are asking for permission to close the street to hold a closing ceremony.

Mayor Sofranko said the bi-centennial paperwork was provided to Council to review. Old Home week will be held from June 30 to July 7, 2018. The Senator will be at next month's Council meeting to present the same proclamation that was presented to the committee.

Mayor Sofranko said Michael Rivkin informed them during Fall Foliage weekend they are looking at closing Race Street. They would like to put stands down there. They would like to take the parking off of Race Street and place stands where the cars would be parked, this way the street would be opened if there was ever an emergency. This would be Saturdays and Sundays 9:00 am to 6:00 pm.

Police Chief Schatz said the kiosks were all installed and ready to go. They are looking at the middle of May to do the trial run. Once the ordinance is adopted they will get these in service.

Police Chief Schatz said the Jim Thorpe Area School District called him. On May 29, 2018, they would like to do an Active Shooter drill. They would like permission to close the streets at: Fern St. and 10th St., 11th & Center St., Olympian Way, East 13th and Fern St. They will provide the barricades. This will be for about 2 hours.

President Strubinger asked if we have to notify the insurance company about the kiosk.

Borough Manager Sterner said yes we have to get this over to the insurance company.

Public Comment

President Strubinger said the Borough was honored with having Boy Scout Troop #555 step up to take on the signage project at the Jim Thorpe Mausoleum.

Noah Rodgers said the Boy Scouts will be present next month to receive the certificates from the Borough. Mrs. Klitsch mentioned the project to our leader Ray Attewell.

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Noah Rodgers said they thought it could be an Eagle Scout project but with the time frame and the paperwork there was no way that would be able to be done. So they decided it could be a Troop project so it could be done by Jim Thorpe's birthday. He explained the whole project to everyone present.

Mrs. Klitsch said she would like to thank them, it is beautiful. She would like to recognize some of the projects Troop #555 have done over the years for the Borough. They are: they painted a mural on the stage that we had in the park, they replaced the steps to the stage, breakfast with Santa, they painted the block building inside and put on shelves, cleaning up around the dumpster in Leisure Land. She thanked them for always being there for the Borough.

President Strubinger said they will do the presentation of the certificates to the Boy Scouts at the June Council meeting.

President Strubinger said there is one vacancy on the Police Pension Board.

President Strubinger said we are having our semi-annual Tire & Electronic Recycling – May 12, 2018 from 7:00 am to 11:30 am.

Mr. McGuire said the Penn State trailer for cleaning up on the Flagstaff Road has worked well for them. He thanked Vince, Jimmy and the whole crew for going up and cleaning up and operating it. This does a nice job and it worked well. The trailer with the winch, cost us about \$2,300.00, this will help in areas that are tough to get to.

Louis Hall said there should be some signs put up along Flagstaff regarding dumping. He is here to discuss the Parking Permit Ordinance. This has been given to Council to review.

Mr. McGuire said he sent a draft of this to Chance Management and NEPA talked about it. They thought it was a good ordinance, they only had one comment: figure out where you want the signs. This is on the handwritten ordinance. Some people say we should wait until the study is completed before this is adopted.

Louis Hall said the thought process is to protect the residents. This is going to get worse with the VRBO's. Anything that NEPA may add, can also be incorporated, this will help the residents in that area.

President Strubinger informed Louis Hall that there were some residents at the workshop meeting last week, and they expressed their concerns with the ordinance. We think it is wise to hold off, have a meeting, and have them involved with this.

Mr. McGuire said we should have Chance Management, and NEPA here at the meeting to talk about their concerns. He said they should send us their concerns in writing, so we have that for them to review. They need to be involved with the public meeting.

Louis Hall said if you give it to them and have a public meeting, if you wait for them it will be some time down the road.

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Betty Lou McBride told Council they need to have a public meeting.

Russell Renczkowski said you need to have a public meeting to discuss this because some of his neighbors don't know about this ordinance.

Louis Hall said they had residents involved. They have not held a special meeting. Council has to have a meeting to discuss this.

Borough Manager Sterner said you may want to have 2 meetings, one in the day and one in the evening. Have those meetings before you have Chance Management in, let the residents that live, work and have businesses there tell us their feeling of what they may be looking at, and then have Chance Management in, their time would be better spent.

Louis Hall does not think two meetings is necessary.

Mr. McGuire said you have your agreements with your neighbors, when you bring more and more people from outside coming in that will change.

Louis Hall said this is only after 5:00 PM.

Betty Lou McBride said she has questions on this. She hopes the meetings that Council have that they are to fulfill the requirements.

Borough Manager Sterner said the grant is not our grant, it is NEPA grant to do a parking study for downtown Jim Thorpe. NEPA invited the Borough and other agencies to join them and be on their committee.

Mr. McGuire said NEPA's main concern now is the traffic study during the big event, foot traffic and traffic are involved with this study. This won't be completed until the beginning of 2019.

James Dougher said this is the first step to have this discussion. As a resident of West Broadway, he would concur and appreciate if you would do something now, rather than wait until later.

Louis Hall said things are changing in the area, this can always be modified.

Mayor Sofranko said let the traffic study happen, when that is all done they will come in and tell us how the traffic affects the parking situation.

Betty Lou McBride came to thank the Street Department for paving Spring Alley and doing a good job. The Borough has on the books an ordinance on parking. It says off street parking spaces shall be provided and shall be within the property on which they are consented to use. It also says it shall be on the same lot as the principle building used or intended to use or on another lot within 300 feet by stone or leap, by the owner or lease of the lot. The other one is bed and breakfast, one off street parking space shall be provided for each guest room. Her question is these are on the books, why are these not enforced?

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Mr. McGuire said they are enforced. The question is why aren't Air B&B's and VRBO's treated the same as Bed & Breakfast places? This would oblivate the parking problems if they had the met the requirements.

Solicitor Nanovic said the question was, the VRBO's are not registering. There is a list of about 50 VRBO's. Each one is individual, each one is a little different. Bed & Breakfast has a definition.

Betty Lou McBride said ordinance 500-31 off street parking. It says off street parking shall be provided for each building. Parking spaces shall be located on the same lot. It is required to have the parking spaces and the zoning says it should be on the same lot. Her question is: why put a new one on the books, when you already have the rules on the books and nobody pays any attention to it. Who is going to enforce the West Broadway parking ordinance? Council needs to address the definition of the terms for VRBO and Bed & Breakfast.

Bill Maehrer said Lansford Borough is looking for parking meters, Council should make them an offer for the old ones.

Vince Rodgers was present with some of Boy Scout Troop #555, all of the members will be present at the June Council meeting.

Russell Renczkowski asked how the residents on West Broadway will find out about what the ordinance will say, will they be notified.

Borough Manager Sterner said we will post it on the website. If we do have a special meeting on this we will notify all the property owners and put a copy of it in with that letter.

Bill Malatak stated Flagstaff Road, the appropriate sign should be travel at your own risk. April 29, 2018, the County parking lot was jumping. Hazard Square was closed, why was that closed? The County is sucking up all the money on the meters.

Police Chief Schatz said Council authorized that street to be closed.

Bill Malatak asked why the railroad doesn't pay amusement tax.

Borough Manger Sterner said they pay amusement tax for any trips that originate within the Borough.

Bill Malatak spoke about the train derailment along the D&L trail by the County parking lot. He wants to know why this was not reported.

Mr. McGuire said he talked to the County Commissioners about this, the Comm Center was notified about this. The Commissioner's said they will talk to Andy Mueller about this. We are sending them a letter about this asking them what they are going to do about this. We don't want accidents to happen in our Borough. He will follow up with Wayne Nothstein.

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Jerry Strubinger said regarding the parking, you should make a deal with the Immaculate Conception Church for parking.

Mr. McGuire said he spoke to the priest the other day. Where the old school was the creek runs under that and the other lot keeps dropping. We looked at Monk Fur and that would be an expense because the Army Corp of Engineers would have to get involved.

Jerry Strubinger said you should have the County put more decking on the Susquehanna structure.

Mr. McGuire said they don't want to go any higher on the structure on Susquehanna Street. We are talking about that in the NEPA study and we are trying to keep the County involved with this.

Jerry Strubinger said the lot by McGarvey's field by Pine Street. You should take some of the rocks from Mansion house hill and fill that in for more parking.

Action

MOTION: Joanne Klitsch second John McGuire to approve Council Workshop Meeting Minutes from April 5, 2018.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Thomas Highland to approve Council Meeting Minutes from April 12, 2018.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Gregory Strubinger to approve the Expenditures from all Funds as presented.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Jay Miller second Joanne Klitsch to approve the Treasurer Report April, 2018 as presented.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Jay Miller second Gregory Strubinger to transfer \$150,000.00 from the Water account to the Water Capital Reserve and put it in a Certificate for 5 months with PLIGET.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Thomas Highland to table Ordinance 2018-02 Nuisance.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

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MOTION: John McGuire second Kyle Sheckler to adopt Ordinance 2018-03 Parking Zones

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second John McGuire to approve the PPL Right of Way for Jim Thorpe Market.

COMMENTS:

Borough Manager Sterner said this was reviewed by PSM Yaich, the Street Dept. and the Solicitor.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: John McGuire second Thomas Highland to reject and rebid the Liquid Sludge Hauling Bids.

COMMENTS:

Borough Manager Sterner said none of them conformed to the bid specs.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second John McGuire to grant Waste Management Hauling & Disposal a 2-year extension on the De-Watered Sludge.

QUESTION:

Mr. Miller asked if this is allowed?

Borough Manager Sterner said yes, this is part of the contract, the pricing was included in the original bid specs.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Gregory Strubinger to approve the JTNB Community Day on May 25, 2018.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Kyle Sheckler second John McGuire to approve Jim Thorpe Community Athletics Association to host the overnight camping at the Sam Miller field on June 10, 2018.

QUESTION:

President Strubinger asked if this is allowed?

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Borough Manager Sterner said yes, it is allowed. It is a special event, so they will need to fill out an application for the permit. We did check with the zoning officer and it would not fall under zoning. There will be 200 bicyclists, this is in conjunction with the dedication of the new pedestrian bridge with D&L.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Thomas Highland to approve St. Joe's Closing Ceremony to close West 6th Street from North Street to School Street on June 16, 2018 12:00 noon to 6:00 pm.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Thomas Highland second Kyle Sheckler to approve the JTASD to close Olympian Way, 10th, 11th, 13th and Fern Street on May 29, 2018.

QUESTION:

Mr. Miller asked if they will be notifying the residents that this will be a simulation.

Police Chief Schatz said the goal is to not to let the students off the school property. They will notify the neighbors.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

Borough Manager Sterner said Flagstaff Road, Penn Dot gave the Borough different options for when the Mansion House project will be conducted:

1. close the road totally during construction
2. prohibit all trucks including local deliveries
3. prohibit all trucks except local deliveries
4. prohibit all trucks including all deliveries during the project time period. After the project prohibit all trucks except local deliveries, from that point on. Penn Dot told us they would conduct a traffic and engineering study, which would be needed in order to make it a permanent prohibition, except local deliveries. The Committee met with Penn Dot this seemed to be the recommendation they were leaning towards. They will be doing some emergency wall work also, this is going out to bid.

MOTION: Kyle Sheckler second John McGuire to approve Flagstaff Road option #4, authorize the Borough Manager to contact Penn Dot, and authorize the solicitor to draw up the ordinance.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Jay Miller to include Lehigh Valley Inspection Services to our list of inspectors.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

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MOTION: John McGuire second Kyle Sheckler to hire Gary Heydt as the Part Time Buildings & Groundskeeper \$15.00 an hour not to exceed 25 hours per week.

YES 5 NO 1 Joanne Klitsch ABSENT 1 Edith Lukasevich

MOTION: Thomas Highland second Gregory Strubinger to approve the Comp Time Payouts for the Police dept. total \$1,075.48.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch to Place the order for a New Police Vehicle.

QUESTIONS:

Borough Manager Sterner said the Police Chief did provide the quote for the vehicle \$33,525.96. She contacted leasing companies, and financial institutions for rates. The rates they are giving us now would not be held until the vehicle comes in, we would have to get new rates. There is one bank and one leasing company that will give us no prepayment and will also start the payments in 2019 (year).

MOTION DIES DUE TO A LACK OF A SECOND

MOTION: Jay Miller second Gregory Strubinger to take Police Vehicle 84 out of service and salvage it.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Thomas Highland second Kyle Sheckler to approve the purchase of a new Copy Machine for the Police Dept. price is \$1,572.00

YES 6 NO 0 ABSENT 1 Edith Lukasevich

Wilson Consulting Invoice #14 - \$

MOTION: Joanne Klitsch second John McGuire to approve the D & L Trail JTB Invoice #13418 - \$1,942.01.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Thomas Highland to approve the JTB invoice #100418 - \$1,418.31.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Kyle Sheckler to approve JTB invoice #10518 - \$1,593.75

YES 6 NO 0 ABSENT 1 Edith Lukasevich

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High Street Wall Project – N/A

MOTION: John McGuire second Kyle Sheckler to approve Entech Engineering – WO #9253 – 7th Street CDBG Paving.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: John McGuire second Joanne Klitsch the WWTP Upgrade Project approve Eastern Environmental payment application #17 - \$251,255.27.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Kyle Sheckler to approve Howard Company payment application #14 - \$18,653.25.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Gregory Strubinger to approve Requisition #20 – \$355,369.74.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second John McGuire to approve Eastern Environmental Change order #10 - \$14,212.16.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second John McGuire to approve Eastern Environmental Change order #11 - \$4,000.74.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: John McGuire second Kyle Sheckler to approve Eastern Environmental change order #12 - \$5,793.53.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

Utility Action

Utility Accounts Lien Reports

MOTION: Thomas Highland second Kyle Sheckler to approve the Active Utility Accounts Garbage & Others Lien Report (1).

YES 6 NO 0 ABSENT 1 Edith Lukasevich

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MOTION: Jay Miller second Gregory Strubinger to approve the Active Utility Account Garbage Only Lien Report (2)

YES 6

NO 0

ABSENT 1 Edith Lukasevich

Active Utility Accounts Sewer/Garbage Lien Report (0)

MOTION: Jay Miller second Gregory Strubinger to approve the Active Utility Accounts Water/Garbage Lien Report (1)

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Jay Miller second Thomas Highland to approve the Active Utility Accounts Water/Sewer/Garbage Lien Report (3)

YES 6

NO 0

ABSENT 1 Edith Lukasevich

Temporary Off Lien Report (0)

Inactive (0)

Uncollectible Accounts Report – (0)

MOTION: Jay Miller second John McGuire to approve the Utility Accounts Proposed Updates (7).

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Jay Miller second Thomas Highland to approve Payment Plan #2795.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Jay Miller second Thomas Highland to approve Payment Plan #2975.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: John McGuire second Jay Miller to deny Delinquent Notice request for #5505

YES 6

NO 0

ABSENT 1 Edith Lukasevich

Tax Exoneration Action

MOTION: Joanne Klitsch second Thomas Highland to exonerate the following people from paying the occupational taxes: Karen Knappenberger, Renee Herman, Christine Herman, Gail Solomon, Coleen McCauley, Catherine Cassidy, Christina Sofranko, Lottie Plesniarski, Margarite Rivera, Donna O'Donnell and Jens Kindt.

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COMMENTS.

Mr. Miller said he will not be voting because he notarized one of the signatures.

YES 5

ABSTAIN 1 Jay Miller

ABSENT 1 Edith Lukasevich

Committees

Administration

Mr. McGuire spoke about the report that will be coming from Chance Management who is doing the traffic study for the Borough.

Mayor Sofranko asked if the crosswalks will be painted this year.

PSM Yaich said the State checks the crosswalks every year, they will tell us what has to be painted and what doesn't.

Mr. McGuire meet with NEPA representative, Commissioner's and we tried to figure out how to extend the sidewalks without taking all the parking spaces away. They would have to get Right-of-Ways from the railroad. They talked about going down one or two parking spaces then doing a crosswalk to Subway. That will require Penn Dot approval. We need to keep the people safe in that area crossing the street.

Mr. McGuire said the Burning Ordinance is with the Planning Commission. He hopes to have this for next month's meeting for Council to review.

Mr. McGuire said when people call with complaints, like Mr. Malatak talked about shooting out in Germantown. He spoke to the Chief, that was fire crackers not shooting. He said shooting ordinances are something difficult to deal with because of gun rights. There are ordinances out there that deal with it, to protect within city or borough limits. Hunters, safe zones, how far you can be, directing target practice, it can only happen in an area that is safe enough to have it. The State calls out for back stops, that any bullet can't travel more than 15 feet past the target and the back stop also protects against deflections, then the safe zones around that. This will not take anyone rights away from hunting in safe areas or target practice in safe areas. It will protect. It would give the Chief something to enforce. He has a draft on this. This will be for discussion at the next Administration meeting.

Mayor Sofranko asked Police Chief Schatz if we have a large number of complaints about shooting.

Police Chief Schatz said no.

Mr. McGuire said it will give the Chief something to enforce.

Mayor Sofranko said he did not know we had a problem with this. We don't have a huge amount of complaints that we need to draw an ordinance to address this.

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Mr. McGuire said when someone comes to the meeting and complains about this and we say we have nothing that is a bad thing. He will bring it to Council and go from there.

Public Service (Sewer/Sanitation/Water/Streets)

Police

Buildings/Parks

Emergency Services

Mr. Sheckler said up on Center Avenue, who is responsible for the putting the speed limit signs up there?

Police Chief Schatz said that is Penn Dot.

Mr. Sheckler said there are really no speed limit signs going out, there is one coming in, in the 500 block of Center Avenue. He had a resident ask him about this.

Old Business

- A. Health reimbursement account
- B. Parking Permit Ordinance

Executive Session

MOTION: Gregory Strubinger second John McGuire to adjourn.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

Adjourned 8:30 pm

Respectfully submitted

Louise McClafferty
Borough Secretary