

JIM THORPE BOROUGH COUNCIL MEETING
MAY 9, 2019
MINUTES

Meeting called to order at 6:30 pm in the Memorial Park Hall, 115 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
Sgt. Bokeko	Connor Rodgers, JCP	Solicitor James Nanovic
Mayor Michael Sofranko	Secy. McClafferty	Matt Boggs, Entech

SALDO

None

Mayor's Report

Mayor Sofranko thanked Council for the new police vehicle, it has been put into service.

Mayor Sofranko said Council received an invitation to the Crime Watch's National Night Out on August 6, 2019.

Mayor Sofranko said Council has a copy of the Police report. The Police Dept. is aware of the additional traffic and the traffic patterns that are happening throughout the borough. He asked the residents to be patient and to watch their speeding. They will be cracking down on speeding in the borough.

Police Chief Schatz said this is a budgeted item, they re-outfitted the officers with new bullet proof vests. They will be good for 5 years.

Police Chief Schatz said they are waiting for the rest of the computer stuff to come in for the new vehicle. This will be unmarked for now.

Mayor Sofranko said he had residents ask him who is paying the Jim Thorpe Police to sit at the bottom of the Mansion House with that project. The State or the contractor who is handling the rock removal. This is not being paid by the borough. They are working with the contractor to make sure the safety is there.

Mayor Sofranko said commercial vehicles should not be going over the Flagstaff Road. He said all the borough streets are 25 MPH unless they are posted.

Public Comment

President Strubinger said the Street Sweeping is scheduled to take place the week of May 13, 2019.

Borough Manager Sterner said the information will be posted on the website.

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Mansion House Hill Project – estimated start moved to May 6

President Strubinger said the Tire & Electronic Recycling Event – May 18, 2019 7:00 am to 11:30 am at the Memorial Park. This is for borough residents only; ID will be required. There will be a form that will need to be filled out for the hauler.

Bill Maehrer asked when the new speed limit signs will be posted on Broadway and West Broadway, since the road has new blacktop? He spoke about the newspaper article on May 3, 2019 in the paper. He asked how many years has Council been complaining to the Commissioners about the traffic congestion. Now they are talking about kiosks, they are hoping to have them installed by Fall Foliage in October. The cost will be over \$120,000.00, covered by the parking fee fund. It would be nice if they would give some of those funds to the borough. Bill O’Gurek said the Police force is happy about this. Commissioner Gerhard said parking has been a problem for years. Changing the plans for the parking garage to preserve the church.

Donna Donati, they received a letter Oct. 16, 2018 in regards to paving 5th Street and doing curbing. This street has never been paved since she is there, she spoke about her basement flooding out. The road is pitched so the water goes to their driveway.

President Strubinger said we have discussed this. Over the past several years we have had some unusual rains. The borough does have a curbing ordinance, much of the borough does not have curbing. Mr. Miller at the workshop meeting last week talked about looking at some of our paving projects taking another approach towards them. Possibly when we are looking to redo the street, we look at curbing. This is the only solution to hold the water in the street along with drainage, this will be costly too. We have to continue to look at our options.

Patrick Gremling, 77 Broadway, he is here to discuss his water and sewer that he is being billed for his building, part of this is commercial and part of it is residential. The agreement was the Building/Zoning Officer would visit the building, inspect the commercial area, to certify the findings to the manager and the solicitor. He was to make a determination. It was identified that a single bathroom on the second floor was considered a commercial unit. The building itself is a business, this is provided for his tenants. There are 2 floors and he provides 2 bathrooms. He does not understand how the bathroom on the second floor would be considered a different unit.

Solicitor Nanovic said he understands there is a residential unit, and there are 6 commercial units. The second floor there is 1 bathroom, serving the commercial units and on the 1st floor, there are 2 bathrooms and a sink serving the commercial units. Under our Sewer and Water ordinance it is what units are being serviced by sewer and water. We could argue that it’s all of them, because they are all being serviced having toilets and sinks available. We looked at it and said alright, the fairer way of doing this is there is one bathroom, we would assign an EDU for that one, and the first floor there are 2 bathrooms, we are charging 2 units for that because there are 2 separate bathrooms. That is how we came up with 3 for commercial and 1 for residential.

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Patrick Gremling said he does not think he should be charged for every sink that comes out of his wall. He has a business, it is a commercial retail building, which he provides working sinks for the tenants. He looks at this like it is a business and with one water and sewer. He has a coffee shop and this is what they use. He would like Council to consider this is one commercial unit for the Douglas House Market Place, one commercial unit for Curiosity Coffee & Ice House and one residential unit for his place where he lives.

President Strubinger said the recommendation is 3 commercial units and 1 residential unit. He said there are currently 6 businesses at this location.

Patrick Gremling said the Zoning Officer inspected and he saw the floor plans. The coffee shop, the machine is run on water, they have drains, there is no guess the coffee shop is a commercial unit that should be billed sewer and water.

Solicitor Nanovic said our letter said 4, 3 commercial unit and 1 residential unit. Patrick is saying 2 commercial units and 1 residential.

Patrick Gremling said the building has: the coffee shop, meadery/winery, jewelry/house wares, 2nd floor has a candle shop, art shop, and stone/art sketching shop. The only plumbing on the second floor is a half bath and he lives on the third floor.

Solicitor Nanovic said his interpretation of the ordinance is drafted, it says units served by sewer and water. The purpose of him going over there was to see what units are served by water and sewer. We looked at it and said there are 2 bathrooms on the first floor and 1 on the second floor, there is also a separate sink on the first floor. We based it on number of services for 6 units.

President Strubinger said he does not think what we are doing is not out of line. We will take this under advisement. He thinks basing it on bathrooms, he thinks this is fair.

Patrick Gremling said these are tiny businesses, tiny bathrooms, they don't use a lot of water. This is not a restaurant.

MOTION: Jay Miller second John McGuire to move the property at 77 Broadway to 2 commercial unit and 1 residential unit for billing purposes, at this time.

QUESTIONS

Mrs. Klitsch asked how many more businesses can be put in there?

Mr. Miller said the character of the inside of the building would change, it could cut them down even more.

President Strubinger said we have been auditing the utilities, what is the initial change?

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Borough Manager Sterner said we went by the number of commercial units, which according to the plans we had that were submitted for zoning hearing board application. There were 7 commercial units drawn on it. He did tell us he combined 2 of them to make them into one. We then billed for 6 commercial units. We did not have any information on what type of water services were where. We have not run into any issues like this.

ROLL CALL VOTE

Thomas Highland	Yes
John McGuire	Yes
Kyle Sheckler	Yes
Gregory Strubinger	Yes
Jay Miller	Yes
Joanne Klitsch	Yes, at this time

YES 6

ABSENT 1 Edith Lukasevich

Michael Rivkin, JTTA, he will connect with the Mayor and the Chief to discuss the festivals. The Blight conference that Doyle Heffley did recently. This addressed many state opportunities to attack some of the blight issues. He looks at 54 West Broadway which has been abandoned for years and 52 W Broadway absentee owner.

Mr. Miller said Council has discussed this property with our attorney, blight in this town. If you want to take care of your property you will, if you don't, we will take you in front of the County Judge, which was an example of what we did with 204 Center Avenue. She was given an extension of 30 days and she promised to do something and did nothing. His opinion, that person should be held in contempt of court and if it means jail, that's what it means. If he went before a judge and said he is going to do something he is going to do it. We have to rely on some other funding to get these things torn down. We have to find money to tear these down. We then have a lot, that is ours, unless the neighbor would like to buy it. We have discussed this.

Mr. McGuire said they are trying to do Act 90 or Act 104. The one they are pushing for the blight is to get some of the properties back on the tax base. We talked about land banks; we need help for the whole County.

Borough Manager Sterner said Council did just approve a program that the Chief and Zoning and her worked on for enforcing the Nuisance ordinance. They are in the process of training some Police Officers to help us handle that. She did ask Council to review Representative Hefley's website for the blight seminar. Next month we can talk about moving forward. Representative Heffley did say he would help facilitate us moving forward with the land bank.

Mayor Sofranko said we received a list of events that are going on. He said traffic trying to get in and about Jim Thorpe with all the construction on the Mansion House, there has to be serious conversations. We need to consider the residents that live here.

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Michael Rivkin said they have already expanded the parking options for fall foliage festival, they added the Sam Miller Field as another location. They will sit down and talk about this with the Police Dept and the Fire Chief.

Mr. Miller said his concern is the hill, the fireworks at the Sam Miller field. The traffic they have to get together on this. Will we be keeping things liquid or will we be shutting the hill down? He is glad it is where it is.

MOTION: Gregory Strubinger second Joanne Klitsch that the JTТА meet with the Borough to discuss the plans and needed services for the fall festival and present a plan for Council to review.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

David Hodor, 1230 North Street, he submitted a request for action form to address the drainage problems on 13th Street. A pipe has been put in on Mauch Chunk Lane and it has straightened some of the mess out. He asked for a catch basin to be put in and he said he couldn't put one in there because that belongs to the State. He asked why he couldn't go to the edge of the borough line and put a catch basin in it there. He has water on his lawn, 15 ft from his house. He requested the pipe be taken out. On 14th Street, the catch basin that was installed is 6-8 inches higher than the road, if there is any water there it is not going into the catch basin. He does not know what the plan is for that street, that pipe is clogged. He was told no one has the right to go on to that property between Mauch Chunk Lane and 14th Street towards SR 903. You have the authority to clean that pipe out, but nothing seems to be done. The water runoff, he gets the brunt of the water. He would like to request the engineer to look at this. He spoke to State Representative Hefley's office, Bill Richard's and Penn Dot's engineer about this stormwater problem. He would appreciate some feed back on what is going to be done. He spoke about the house that the CCTI built back in the 70's. Webby Borosh's lives in the house on West 13th Street, there used to be a 5 or 6 ft trench there, that trench has dwindled down. He does not know whose responsibility that is, that is where all of the water came down that needs to go to the pipe, it went across the street and down to the L.B. Morris School. That is the way that was designed. He is not sure if that pipe is working correctly, this should be looked at.

Mayor Sofranko said the pipe that is between the 2 properties that the CCTI built, he thinks this may have collapsed.

PSM Yaich said this has collapsed, he will not do anything until the CCTI is done with school and running the busses. We did have a meeting with Penn Dot about the water problem on 13th St. They gave us information to notify the property owners about discharges, and they talked about the wash out by Rehrig's. They told us it is up to the Borough to notify the property owner not them. The two catch basins by the Carwash, Penn Dot did say they would fix the paving around them to catch the water.

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Mr. McGuire said the SALDO, he does not know what they did 30 years ago or since, but every time someone spread out, nothing was engineered properly to take the water away. He spoke about the pipe that runs under his driveway. He stated there is not a curb put in since the 50's, we are suffering now for that too, the curbing should have been put in when it was developed. There is a big pipe that runs behind his house to 12th Street and it floods 12th St.

PSM Yaich said if you don't have curbing to direct the water to the catch basin they are not going to work. They both have to go in together to work. You have to use the curbing to get to the catch basins to take the water away.

Dave Hodor requested the pipe that was installed a year and a half go be removed, because he did not have the water issue until this was installed.

PSM Yaich said the main reason that pipe was installed, during one of the snow storms we had a borough truck in it.

MOTION: Jay Miller second Joanne Klitsch to get the Sewer jet truck up to clean 14th Street storm drain pipe.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

Mike Yeastead, said Fairview Hose Co. applied for a grant, this is for the emergency generator. The generator and the transfer switch, estimated value is \$14,975.00, they received the grant for \$11,842.59. They have to apply for the inspection fees. They would like to request relief for the inspections and administrative fees.

MOTION: Jay Miller second Gregory Strubinger to waive the building fees inspection fees for the Fairview Hoe generator installation.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

Action

MOTION: Joanne Klitsch second Jay Miller to approve the Council Workshop Meeting Minutes from April 4, 2019.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Jay Miller to approve the Council Meeting Minutes from April 11, 2019.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

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

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YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: John McGuire second Kyle Sheckler to approve the Treasurer Report April, 2019 as presented.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second John McGuire to approve the Shade Tree Commission 's Recommendation, to notify the home owner of 912 North St that they are to remove the dead in front of their property.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Thomas Highland to approve the request from Kathy & James Brown to remove the nuisance trees at 923 & 925 Center St.

MOTION: Jay Miller second John McGuire to not holding the July 4th Workshop Session.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Gregory Strubinger second John McGuire to allow the Runegades, Plan Update, to close around Hazard Square and the time extension for closing Flagstaff Road.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Jay Miller second Gregory Strubinger to accept the bids for the following Municibid Items:

- Blower #1 amount of \$621.00
- Blower #2 amount of \$775.00
- Emergency kit for Chlorine cylinder amount of \$50.00

YES 6 NO 0 ABSENT 1 Edith Lukasevich

Borough Manager Sterner said there were no bids on the touch scene. We are recommending that you reject the bid for the Sensus Auto Read touch gun with the charging stand and wand. We are going to explore other options.

PSM Yaich said he will get in touch with Rural Water Works and Nesquehoning.

MOTION: Gregory Strubinger second Jay Miller to reject the bids for the touch scene and Sensus auto read touch gun and charging stand and wand and explore other options.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

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MOTION: Kyle Sheckler second John McGuire to approve the High Street Wall Repair Warranty Period Expiration, with the condition that all of the repairs remain satisfactory until June 1, 2019.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Kyle Sheckler second Jay Miller to approve the D & L Trail, Entech Invoice - \$112.50.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Jay Miller to approve the WWTP Upgrade Project Eastern Environmental payment application #29 - \$59,426.25.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Thomas Highland to approve the Howard Company payment application #24 - \$4,750.00.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Jay Miller to approve Requisition #33 – \$80,106.25.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Jay Miller Entech Amendment #6 - \$122,900.00.

Questions:

Mr. Miller said this is about \$120,000.00 additional, do we have the money for this?

Borough Manager Sterner said there are funds remaining from the grant funds. The engineer did say they do not expect any other change orders.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

Utility Action

Utility Accounts Lien Reports

Active Utility Accounts Garbage & Others Lien Report (0)

MOTION: Thomas Highland second Jay Miller to approve the Active Utility Account Garbage Only Lien Report (5).

YES 6 NO 0 ABSENT 1 Edith Lukasevich

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Active Utility Accounts Sewer/Garbage Lien Report (0)
Active Utility Accounts Water/Garbage Lien Report (0)

MOTION: Thomas Highland second Kyle Sheckler to approve the Active Utility Accounts Water/Sewer/Garbage Lien Report (2).

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Thomas Highland second John McGuire to approve the Temporary Off Lien Report (2).

YES 6 NO 0 ABSENT 1 Edith Lukasevich

Inactive (0)
Uncollectible Accounts Report – (0)

MOTION: John McGuire second Thomas Highland to approve the Utility Accounts Proposed Updates (4).

YES 6 NO 0 ABSENT 1 Edith Lukasevich

MOTION: Joanne Klitsch second Jay Miller to approve Payment Plan #2975.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

Tax Exoneration Action

MOTION: John McGuire second Joanne Klitsch to approve the exoneration requests for: Gabe Ferko, Susan Bernhard and Mildred DeLash.

YES 6 NO 0 ABSENT 1 Edith Lukasevich

Committees
Administration

Public Service (Sewer/Sanitation/Water/Streets)

Police

Buildings/Parks

Borough Manager Sterner said there are a couple of different options for the telephone pole in front of the hall. One of them is with the School District, she has written them a letter, we are waiting to hear back from them. This is requesting the removal of several trees at our expense.

Emergency Services

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Old Business

Permit Parking
Readdressing Phase II
Susquehanna Street No Parking Ordinance
Blight Landbank
Zoning Ordinance Group Homes

Executive Session

Personnel

MOTION: Gregory Strubinger second John McGuire to go into executive session to discuss personnel.

YES 6

NO 0

ABSENT 1 Edith Lukasevich

Into executive session at 8:09 pm
Back from executive session at 8:40 pm

MOTION: Jay Miller second Kyle Sheckler to adjourn

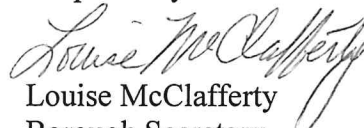
YES 6

NO 0

ABSENT 1 Edith Lukasevich

Adjourned at 8:41 pm

Respectfully submitted


Louise McClafferty
Borough Secretary