

JIM THORPE BOROUGH COUNCIL
SEPTEMBER 12, 2019
MINUTES

Meeting called to order at 6:30 pm in the Memorial Park Hall, 115 East Tenth Street, Jim Thorpe by Vice-President Jay Miller with the pledge of allegiance and moment of silence for the men and women serving our country.

Roll Call of Members & Officials

Gregory Strubinger (a)	Kyle Sheckler	Joanne Klitsch
Thomas Highland	John McGuire (a)	Edith Lukasevich
Jay Miller	Borough Manager Sterner	PSM Yaich
Connor Rodgers, JCP	Police Chief Schatz	Solicitor James Nanovic
Mayor Michael Sofranko	Secy. McClafferty	

Public Hearing

Danielle Seip, 609 South St., she was here last time to talk about the berm at the top of the alleyway. She wanted to know if anyone looked into this?

Borough Manager Sterner said she does not know if we had the chance to look into this.

Danielle Seip said in the 600 block of Fern St., the plow removed this, she is looking for the replacement of this because she is having water running into her basement since this is gone.

Borough Manager Sterner said this was installed by a resident.

Mr. Miller said we are trying to go with concrete curbing and not macadam curbing.

Borough Manager Sterner will check on this tomorrow.

Seth McLaughlin, 820 Center St, he has questions about the smoke testing that was done. He knows he has to get a permit. He would like to know what type of permit will this be and what type of charges or fees will there be?

Borough Manager Sterner said this is a broken sewer lateral, he will need a sewer plumbing, permit the fee is \$90.00.

Seth McLaughlin asked why does the homeowner, tax payer have to pay \$90.00 to repair the services?

Borough Manager Sterner said under the Uniform Construction Code an inspection is required, this will recoup our costs for the inspection.

Seth McLaughlin said this is unfair to the property tax payer who supports the town. He does not know if he can do this in 90 days.

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Borough Manager Sterner said to stop in the office, or send an email with the plan of when you think you can get this done.

Seth McLaughlin said in his situation he will have to have his driveway removed, then he has to get it assessed to see what he has to do to correct the issue, correct the issue, get it inspected, and then arrange for them to come and inspect it. It may not seem like a big deal to you, but it is for him.

Mr. Miller said on the Borough's side of that we just spent millions of dollars to have the Waste Water Treatment Plant upgraded because of inflow and infiltration into the sewer system. That is the reason this has to be done. This is an ordinance but we did not enforce it until recently.

Borough Manager Sterner said he should write a note with the issues that he has or an email and request an extension of time, we are willing to work with anybody.

Seth McLaughlin asked if the town would consider financing to help the tax payers? This is going to be a \$20,000.00 project for him.

Mr. Miller said we can find your lateral and mark it off, we can help you that way.

Seth McLaughlin said Ed Gula was there and he was very helpful.

Borough Manager Sterner suggested he email her, and get onto DEP's website to see if they have some financing issues for sewer issues.

Jennifer Dades, 245 W Broadway, she just wants to say about the Short-Term Rental proposal. In regards to the inspections: they inspect this every time before a guest checks in, she would like to appeal to not having to pay for annual inspections. She asked that the people that already have STR that they be grandfathered in, B&B and hotels will need to be inspected, if they aren't it is not fair to the STR residents.

Jerry Strubinger said the elected Council people and employees, you have too much to say, you should say I'm talking on behalf of Council.

Mr. Miller said that is your opinion, that was not necessary, she does speak for us because we hired her as the Borough Manager. She is not raising the taxes. Mr. Miller said no ,she doesn't, we raise the taxes.

Jerry Strubinger said he would scrap the zoning, planning and all because they are all being selectively enforced. He would like to know what the position is for solar panels in the Borough?

Mr. Miller said he would have to talk to our solicitor on this.

Jerry Strubinger said the L.B. Morris has 11 acres behind the school, can they install solar panels there? What are the regulations on this?

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Solicitor Nanovic said you would have to fill an application out and submit it to the permit officer, they would review it.

Matt Rechs, 41 Susquehanna St, he handed out proposals for the STR to Council, he said this is the fair and smart way to handle this. He said the regulations of STR's is best handled by a non-government body. This would ensure rules are crafted fairly to manage growth while ensuring safety for guests as well as the comfort and convenience of the community. The Board of Directors would be appointed by Council to oversee the drafting of the Association bylaws. The board would consist of STR owner/operators and Council members. Council would pass an ordinance restricting the operation of STR's to those properties with JTSTRA permits. Permits would be issued by the Borough, upon payment of a fee, only after a certificate of compliance is issued by the Association. Sample Constitution: 7 member board of directors, \$100.00/unit/year association fee, one-time \$250.00/ unit permit fee paid to the borough, \$100.00/ inspection paid directly to inspector, by-laws, rules, inspections reviewed/adopted by board, approved by council, association bylaws includes 3-strikes in 2 years revocation of permit, quarterly report submitted to council, inspections performed by active retired public safety official. Initial census of STR inventory to be conducted by Curtis Jackson.

Mayor Sofranko said he had residents ask him if STR are considered a business?

The concerns the residents have is the people care about the community, because they care about their community, their zone, but if businesses are operating in an area that is residential area how is this going to be addressed? This is a concern of the community; you can operate a business in a residential area but you have to go through zoning variance hearing for special exception use. One concern they have is what does that do to their property value now being in a residential area beside a business?

Mr. Miller said there will not be a decision made on this tonight or until this is all discussed.

Sheila O'Neill, 40 W Broadway, she is an inn keeper, they do not dislike the STR, but they insist they follow the same criteria that they have to follow for a Bed & Breakfast with regards to safety. Surge protectors, fire alarms, and parking, that is all part of what they had to produce.

Mayor's Report

Mayor Sofranko said everyone received copies of the JT Police report. There is a request to have a meeting with the committee about Fall Foliage. They are scheduling a meeting with Mike Rivkin and the businesses, Borough Manager, PSM Yaich. One thing that the Police would like them to look into is the JTTA look into flagger force rather than JT Police Dept. be tied up with traffic all day. This way they would be able to walk the event and patrol to keep it a safety issue and leave traffic to flaggers. They will be meeting on 9/15/19.

Mayor Sofranko said they have a letter from the JTASD in regards to the Resource Officer. They will be sitting down to discuss this and then they will bring this back to Council. They are looking at a Part-Time Officer for this. The solicitor will be involved with this.

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Mr. Miller said the last he knew the town is still responsible for that. He doesn't know whether if this is all on the school board or some on the borough as far as legalities and responsibilities. He would like to know all the responsibilities for Council if something would happen with our officer.

Solicitor Nanovic said if he is one of our Police officers, he would be like every other Police officer.

Mayor Sofranko said the Civil Service Commission list, he asks that you certify this list and the Police Officer would be the replacement of Officer Schwarz.

MOTION: Thomas Highland second Joanne Klitsch to hire Ryan Poeldnork as the next full-time Police Officer for the Borough.

COMMENT:

Borough Manager Sterner asked Solicitor Nanovic if it mattered to approve the Civil Service list first.

Solicitor Nanovic said the Civil Service Commission has approved the list, we can accept the Civil Service list, that should be the first thing, then after we accept the Civil Service list then make a motion to hire the officer. He asked what the probation period is for an officer.

Police Chief Schatz said one year.

RESCIND THE MOTION

MOTION: Thomas Highland second Joanne Klitsch to approve certified Civil Service list and hire Ryan Poeldnork as the full-time officer for the Police Department.

YES 4

NO 1 Jay Miller

ABSENT 2 Gregory Strubinger &
John McGuire

SALDO

Carbon County Susquehanna Street Project

Borough Manager Sterner said this is just to let the public know the land development plans for the Susquehanna Street project have been formally withdrawn by the County.

Public Comment

JTB Planning Commission meeting schedule change

2018 Section 904 Recycling Grant Received

Carbon County Day of Caring – Deep Clean at Memorial Hall Community Center Oct. 16, 2019

Action

MOTION: Joanne Klitsch second Kyle Sheckler to approve the Council Workshop Minutes from August 1, 2019.

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YES 5 NO 0 ABSENT 2 Greg Strubinger &
John McGuire

MOTION: Joanne Klitsch second Thomas Highland to approve the Council Meeting Minutes from August 8, 2019

YES 5 NO 0 ABSENT 2 Greg Strubinger &
John McGuire

MOTION: Kyle Sheckler second Jay Miller to approve the Expenditures from all Funds as presented.

YES 5 NO 0 ABSENT 2 Greg Strubinger &
John McGuire

MOTION: Joanne Klitsch second Kyle Sheckler to approve the Treasurer Report August, 2019 as presented.

YES 5 NO 0 ABSENT 2 Greg Strubinger &
John McGuire

MOTION: Joanne Klitsch second Kyle Sheckler to approve to advertise the Budget Workshop Sessions as presented.

YES 5 NO 0 ABSENT 2 Greg Strubinger &
John McGuire

MOTION: Joanne Klitsch second Edith Lukasevich to approve Trick or Treat – Wed, Oct 30th from 6:00 pm to 8:00 pm.

YES 5 NO 0 ABSENT 2 Greg Strubinger &
John McGuire

MOTION: Edith Lukasevich second Kyle Sheckler to approve the Non-Uniform 2020 MMO Payment.

YES 5 NO 0 ABSENT 2 Greg Strubinger &
John McGuire

MOTION: Thomas Highland second Kyle Sheckler to approve the Police Minimum Municipal Obligation for 2020.

YES 5 NO 0 ABSENT 2 Greg Strubinger &
John McGuire

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MOTION: Edith Lukasevich second Thomas Highland to approve Employee #177 Longevity Pay.

YES 5 NO 0 ABSENT 2 Greg Strubinger &
John McGuire

MOTION: Kyle Sheckler second Employee #391 Pay Increase

NO SECOND TO THE MOTION

MOTION: Joanne Klitsch second Edith Lukasevich to send Reading & Northern Railroad Thank You.

YES 4 NO 1 Jay Miller ABSENT 2 Gregory Strubinger &
John McGuire

MOTION: Joanne Klitsch second Edith Lukasevich to approve the JT Lions Bridge Lights Request, this is permission to have the electrical work put on the poles.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

MOTION: Joanne Klitsch second Edith Lukasevich to approve the Jim Thorpe Lion's Club Halloween Parade Request to use Memorial Park Pavilion.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

MOTION: Joanne Klitsch second Edith Lukasevich to approve the Heritage Festival.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

MOTION: Joanne Klitsch second Edith Lukasevich to approve the Switchback Scamper 10 K Race/Walk 10/20/19.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

MOTION: Joanne Klitsch second Edith Lukasevich to approve Mauch Chunk Road Rally Quest - Waiver Request for Pavilion.

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YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

Borough Manager Sterner said this is an update to the Carbon County Municipal Waste Management Plan, no objections to the plan then there is no action required.

Tom Loughery said he sent the letter to the manager requesting a meeting with council, solicitor, himself, the other property owners and their advisors in regards to the issue with the High Street Steps.

No action.

MOTION: Joanne Klitsch second Jay Miller to deny the Antoni Pizzeria Request for a parking spot.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

MOTION: Joanne Klitsch second Jay Miller to approve Entech Work Order 4159-EWO-10043.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

MOTION: Joanne Klitsch second Kyle Sheckler to approve the D & L Trail Project Wilson Invoice #16 - \$340.00.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

Utility Action

Utility Accounts Lien Reports

Active Utility Accounts Garbage & Others Lien Report (0)

MOTION: Kyle Sheckler second Thomas Highland to approve the Active Utility Account Garbage Only Lien Report (4).

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

Active Utility Accounts Sewer/Garbage Lien Report (0)

Active Utility Accounts Water/Garbage Lien Report (0)

MOTION: Kyle Sheckler second Joanne Klitsch to approve the Active Utility Accounts Water/Sewer/Garbage Lien Report (1)

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YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

Temporary Off Lien Report (0)
Inactive (0)
Uncollectible Accounts Report – (0)

MOTION: Kyle Sheckler second Thomas Highland to approve the Utility Accounts Proposed Updates (2).

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

MOTION: Thomas Highland second Kyle Sheckler to approve the Account #1030 Payment Plan.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

MOTION: Kyle Sheckler second Thomas Highland to approve the Account #5890 Request, she had a leak looking for a credit on the sewer amount of \$43.16.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

MOTION: Kyle Sheckler second Thomas Highland to approve the Account #8217 Request.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

MOTION: Kyle Sheckler to not accept the Carbon County Request.

MOTION DIED LACK OF A SECOND

Tax Exoneration Action

MOTION: Edith Lukasevich second Joanne Klitsch to exonerate Patrick Foley – retired and Patricia Herman – retired

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

Committees

Administration

Public Service (Sewer/Sanitation/Water/Streets)

Police

Buildings/Parks

Emergency Services

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Old Business

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

MOTION: Thomas Highland second Kyle Sheckler to approve employee #391 pay increase.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

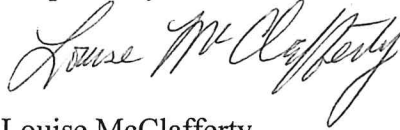
Executive Session

MOTION: Thomas Highland second Kyle Sheckler to adjourn.

YES 5 NO 0 ABSENT 2 Gregory Strubinger &
John McGuire

Adjourned at 7:23

Respectfully submitted



Louise McClafferty
Borough Secretary