

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

Meeting called to order at 6:30 pm in the Memorial Park Hall, 115 East Tenth Street, Jim Thorpe by President Gregory Strubinger with the pledge of allegiance and moment of silence for the men and women serving our country, first responders and their families.

Roll Call of Members & Officials

Gregory Strubinger	Kyle Sheckler	Joanne Klitsch
Thomas Highland	Robert Schaninger	Edith Lukasevich
Michael Yeastedt	Borough Manager Sterner	PSM Yaich
Connor Rodgers, JCP	Police Chief Schatz	Solicitor James Nanovic
Mayor Michael Sofranko	Secy. McClafferty	

Public Hearing

Mayor's Report

Mayor Sofranko said everyone received a copy of the JTPD report. He said the Police Chief has been working on a project to deal with traffic throughout the borough, something that will help the entire borough.

Police Chief Schatz said we are taking on the events in the borough and one of our concerns is the traffic and traffic control devices. Currently they use the borough work force barricades, we are looking at securing their own traffic control devices. They came up with a plan to find a sponsorship for a utility trailer and this would be able to be used as a command unit. If we need to they can run emergency responses from that unit. They are in the planning stages; they are hoping to have this up and running by Fall Foliage.

Jeff Day presented a \$500.00 donation from the Fairview Social Club.

Mayor Sofranko said he received an email from the Earth Day festival. The time that they have is 3 hours' time allot for the Earth day festival will be sufficient. Molly Maguires Pub and Wildoner's Insurance has agreed to pay the bill for the Police protection. The only thing he asks council is when this money comes in that you know this money is being used for the traffic devices for the Police dept.

Mayor Sofranko said the trains will be coming back in town for this weekend for Winter fest.

Mayor Sofranko said we have an outstanding football team in town, but we have an outstanding girls' basketball team too. It has always been his policy, as mayor, that we allow them to have a championship parade through town.

Solicitor Nanovic said this is a civic event, and under the borough code we are authorized to expend money for civic events.

Public Comment

Maria Loyd, Artisanal Gifts LLC

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

Maria Loyd, Artisanal Gift, 103 Broadway spoke about becoming a resident of the United States and her business was compromised by cyber security. She had worked with the Police dept. on this issue, they helped her out. She presented a \$300.00 donation to the police for the traffic devices.

President Strubinger announced there was an Executive Session meeting held on February 3, 2020 for litigation and personnel.

Andrew Roberts, 16 W Broadway, said his question is about the Zoning official & Nuisance publication. He looked for the public notice for that job and it was not publicly listed.

Andrew Roberts said last week at the workshop meeting you said you received an application from someone without it being public notice. He hopes you reconsider not hiring one of the companies that you had interviewed. You said you will be hiring an individual to be the zoning officer and then have them trained to be the building code official.

President Strubinger said council did seek out an individual and at this time, he is not sure how we solicited for proposals; the manager would be the one to answer that question.

Roy Christman, 6495 Pohopoco Drive, Lehigh, he is representing the non-partisan fair district in Pennsylvania. There is a group that is working to end jerrymandering in this state. The HB #22 & HB #23. He asked council to examine the documents, and adopt them.

Ken & Denise Hoffman, 131 W. Broadway wrote a letter to council to review prior to the meeting. He is here tonight to find out what is going on at the Bus Road. They are turning this property into a Bed & Breakfast; he has gone through the zoning office and got the proper permits to change the zoning. Before they purchased the property, they went to the County mapping department and pulled the records and asked what is with the Bus Road. They said it is vacated as much as the knew and they told us to stop at the municipal building. Zoning said it looks like it is vacated. His concern is if someone would get hurt on the Bus Road, it goes through his property and he doesn't want to be sued. He asked what is the position of the Bus Road? Is it vacated or not? Who is responsible if someone would get hurt? The parking on Hemlock St, there is parking on the side, they park directly in front of his door. Hemlock Street needs attention the bricks are showing on the roadway. He spoke about cars not moving for days. He stated no one was ever told they could not use the Bus Road; he wants everybody in town to enjoy that road. Hemlock Street is plowed and maintained by the borough.

Police Chief Schatz said Hemlock Street, you could flip the parking around, because that is not an active roadway.

PSM Yaich said he should fill out a request for action form then council can make that decision. Hemlock St he is not sure if this is on the Liquid Fuels map, but as long as we can prove we have ownership we can use Liquid Fuels money on it.

Solicitor Nanovic said the trail is owned by somebody? How do we find this out? He knows where the properties are and some are owned by the County, some by the borough, some are owned by the Municipal Authority.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

Solicitor Nanovic said the Water Authority leased the Bus Road to a transit company, that was years ago back in the 1940's. That is the last documentation of ownership. It has not been used as the Bus Road for years.

Ken Hoffman said he would like to get the answer on this.

Solicitor Nanovic said if you have it surveyed on either side that would be helpful.

Ken Hoffman said he is not paying for the survey. How does he find out who owns it?

President Strubinger said the only way is to have it surveyed.

Dennis Hager said the Hoffman's are honest people and hard workers.

Shelli Holland, Earth Day festival, she said Molly Maguires & Wildoner's Insurance stepped up and paid for the Police service contract. There has not been a non-profit rate established for an event or having a PT officer over there for that day.

President Strubinger said the Police Service are provided over there, are just to cover costs. These events taking place have to be done in a safe manner and our Police should determine what is needed there. We have a Police Service agreement made and we are going to abide by that.

Ray Braider, Jim Thorpe Olympian Birthday event, they have the same issue, they are non-profit and this is the 25th year doing this. This is important to continue this celebration to show our acknowledgment to our town's name sake. They are at the point, the additional cost, they don't have the money. They do pay for 2 officers to lead the runners from the mausoleum over the Josiah White park. They appreciate the fact that the officers are there. Anything that they need over and above the escort, he doesn't know how much more support they need from the police dept., there is a limited budget. He is asking for the borough's support with this and any help you can give them would be appreciated.

President Strubinger said, certainly these events, no one here is discouraging them, they are great for the town and great for the businesses. We are concerned about the safety, and we defer this to the professionals that handle this and the costs. We support any events that are happening.

Robert Ewashko, 40 W. Broadway, he would like to bring it to the borough's attention recently a property was sold on his street that was a B&B. He saw it advertised that it has room for 20 people to stay there and there are only 6 bedrooms there. The borough needs to start moving forward with the STR ordinance.

President Strubinger said this is being worked on.

Ken Wimmer, 330 W. Broadway, said W. Broadway is a drag strip, you should put a stop sign on West Broadway and you need mirrors on the sharp turn by 300 W Broadway.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

Mayor Sofranko said that is State highway, the borough has no jurisdiction on placing stop signs on state highway.

Lisa Gaugler, 62 Broadway, thanked council for all their time and negotiation with the railroad staying in town.

Bill Malatak, said he saw Mr. Strubinger on TV last night and the question about the train, he would like to know what the story is, did we get any money from Andy Mueller? He would like to know where all the money is coming from for the D & L trail? Back in 2018, the train about 7 miles up by the Glenn, the train lost one of its cars and came down on the tracks, tracks were destroyed, this accident was never reported.

President Strubinger said Andy Mueller leases the track from the County. The tracks are not under the borough's jurisdiction, we have an interest to make sure it is safe, but he is not sure what we have control over.

Mr. Yeastedt said the railroad has to be inspected to a certain class that depends on the speed of the track. We don't know what class or speed he has on that track. If the track is in poor condition, they will slow the speed down.

President Strubinger said the railroad was not an easy issue. The borough had a decision to be made and it was in litigation.

Solicitor Nanovic said the answer to Mr. Malatak's question, are we getting any amusement tax out of him, the answer is no. What Council felt was, it was best to get the railroad back in to town. One of the factors that was considered was we were advised that legislature was being introduced by Representative Heffley and Senator Yudichak that it is going to exempt railroads. We could have gone into a long drawn out litigation only to find out that it was going to be changed by legislation which was going to exempt railroads.

Jake Arner thanked council for reaching a settlement, the important thing is our biggest industry which is tourism will remain strong. Another important part of tourism is accommodations., it's important to support STR.

Bill Maehrer, 345 W Broadway, said the Bus Road, he was told years ago Hemlock street was on the borough maps. He quoted the newspaper; "as a result of these efforts, investments made by the railroad and its passenger fleet it services over 200,000 visited Jim Thorpe to see and ride the railroad. The results of the investments has benefited the merchants, and the citizens of Jim Thorpe in Carbon County." He said as a citizen of Jim Thorpe what did he get out of it? Nothing that he knows of. According to the quote how is this not an amusement?

Kevin Herman, 16 South St., going to legislators that could take years to get anything passed. Did he require us to have flaggers when we did the sewer plant project, that cost us \$400,000.00? You gave him a free pass. He should have crossing guards in the parking lot. Why does he continue to blow the whistle?

Mr. Yeastedt said he is required to.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

Bill Maehrer said the Bus Road parking, there is a wheel barrel in front of 318 WB every Sunday and the cones that are there every day, they should be moved.

Trisha Spillman 92 W Broadway, she represents some of the businesses downtown. Some of these businesses, this is their only business and their only income. Some of the businesses would take the hit and some of them could not have survived this.

James Dougher thanked council for commitment on to work behind the scene with the railroad to bring it back in to town.

Action

MOTION: Joanne Klitsch second Michael Yeastedt to approve the Council Reorganization Meeting Minutes from January 6, 2020.

YES 7 NO 0

MOTION: Joanne Klitsch second Michael Yeastedt to approve the Council Workshop Meeting Minutes from January 6, 2020.

YES 7 NO 0

MOTION: Joanne Klitsch second Michael Yeastedt to approve the Council Meeting Minutes from January 9, 2020.

YES 7 NO 0

MOTION: Joanne Klitsch second Michael Yeastedt to approve the Expenditures from all Funds as presented.

YES 7 NO 0

MOTION: Michael Yeastedt second Joanne Klitsch to approve the Treasurer Report January, 2020 as presented.

YES 7 NO 0

MOTION: Joanne Klitsch second Edith Lukasevich to approve the Organizational Chart.

YES 7 NO 0

MOTION: Thomas Highland second Robert Schaninger to approve the Kiosk Internal Control Functions.

YES 7 NO 0

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

MOTION: Gregory Strubinger second Robert Schaninger that Michael Yeastedt will be the PSAB Conference Voting Delegate for the borough.

YES 7 NO 0

MOTION: Michael Yeastedt second Thomas Highland to approve the PSAB Conference Manager Attendance.

YES 7 NO 0

MOTION: Michael Yeastedt second Kyle Sheckler to appoint Patricia Spillman to the Tax Collector position. She will complete Mr. McElmoyle's term which is until 12/31/2021.

COMMENTS:

Mr. Schaninger started to make a motion to appoint Jessica Pruitte to the position.

President Strubinger informed Mr. Schaninger that a motion has been started we cannot entertain another motion.

Solicitor Nanovic said there is a procedure to table the motion, we already have a motion and a second to the motion to appoint, that is what we are following now.

ROLL CALL VOTE

Thomas Highland – yes
Kyle Sheckler – yes
Robert Schaninger – no
Gregory Strubinger – yes
Michael Yeastedt – yes
Joanne Klitsch – yes
Edith Lukasevich – yes

YES 6 NO 1 Robert Schaninger

Appointments:

MOTION: Edith Lukasevich second Michael Yeastedt to appoint Joanne Klitsch to the Jim Thorpe Planning Commission 4-yr term, term expires 12/31/23.

YES 7 NO 0

MOTION: Edith Lukasevich second Gregory Strubinger to appoint Robert Schaninger to the Jim Thorpe Planning Commission 4-yr term, term expires 12/31/23.

YES 7 NO 0

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

MOTION: Gregory Strubinger second Michael Yeasted to appoint Bureau Veritas as the Zoning Official, Building Code Official and Plumbing Inspector for the borough.

YES 7 NO 0

MOTION: Gregory Strubinger second Thomas Highland to appoint Lyle Augustine as the borough's Property Maintenance Code Official and the Nuisance Official.

YES 7 NO 0

MOTION: Gregory Strubinger second Michael Yeastedt to appoint Barry Isett & Associates as the borough Stormwater Management Official and to continue on and working through the Park Master Site Plan.

YES 7 NO 0

MOTION: Gregory Strubinger second Joanne Klitsch to appoint Robert Schaninger to the Police Pension as Council Representative.

YES 7 NO 0

UCC Joint Board of Appeals, this is posted on the borough website and on the door in the office.

MOTION: Robert Schaninger second Joanne Klitsch to approve the advertising of JT Planning Commission meeting to be held on the third Tuesday of the month.

YES 7 NO 0

MOTION: Edith Lukasevich second Gregory Strubinger to approve Jay McElmoyle Medical Leave.

YES 7 NO 0

MOTION: Edith Lukasevich second Joanne Klitsch to approve Jay McElmoyle retirement, and a thank you letter be sent for his 29 years of service to the borough.

YES 7 NO 0

MOTION: Robert Schaninger second Edith Lukasevich to approve Officer John Pruitte to full time status in the Jim Thorpe Police Department.

YES 7 NO 0

MOTION: Michael Yeastedt second Thomas Highland to approve Part-time Officer Long 500 hours of service, and to move him up to the new pay tier.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

YES 7 NO 0

MOTION: Robert Schaninger second Thomas Highland to approve the Part-time Police hourly wage to be \$18.00 an hour.

YES 7 NO 0

MOTION: Thomas Highland second Robert Schaninger to approve the JTASD SRO Agreement.

YES 7 NO 0

MOTION: Michael Yeastedt second Thomas Highland to place the Police 2005 F150 on Municibid for Sale.

YES 7 NO 0

WC Dam Removal

WC Conservation Easement

President Strubinger said the WC Dam Removal and the WC Conservation easement there is no action to be taken. Council would like more information on the dam removal and at this time we are not interested in the conservation easement.

MOTION: Joanne Klitsch second Robert Schaninger to approve the Entech WO 10338 AWWA Water Audit.

YES 7 NO 0

MOTION: Michael Yeastedt second Edith Lukasevich to extend the reporting period to 12 months for the Public Officials & Employment Practices Liability Insurance cost of \$1,840.00

YES 7 NO 0

MOTION: Michael Yeastedt second Edith Lukasevich to approve Fire Pump Service Test.

YES 7 NO 0

MOTION: Kyle Sheckler second Gregory Strubinger to approve the Sensory Maze purchase using the remaining CDBG funds.

YES 7 NO 0

MOTION: Michael Yeastedt second Robert Schaninger to approve the North & 11th Streets JL Hartley to come in to jet clean the storm drain, we are not claiming ownership, it's public safety.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

YES 7

NO 0

MOTION: Michael Yeastedt second Gregory Strubinger to approve cleaning the County Lot drains, we are not claiming ownership, it's the public safety.

Mr. Sheckler asked by taking the lid off are we claiming ownership?

Solicitor Nanovic said this is non-binding and with no intent to take ownership or claim any responsibility for that drain. We are just trying to resolve a problem.

YES 7

NO 0

Bus Road guidance from Solicitor

Flizack Request will be on next month's agenda.

Borough Secretary McClafferty said Flizack is working with attorney Greg Mousseau, they are drawing up a Quit Claim deed, and will get this to us for next month's meeting

Solicitor Nanovic said when we get the Quit Claim deed, council will need to make a motion on it, and authorize the chairman and the secretary to sign it.

MOTION: Joanne Klitsch second Michael Yeastedt o approve the JT Birthday event on May 16 & 17, 2020.

YES 7

NO 0

MOTION: Joanne Klitsch second Thomas Highland to approve the Earth Day Festival – 4/18/20 rain date 4/19/20.

YES 7

NO 0

MOTION: Edith Lukasevich second Kyle Sheckler to approve the US Census Bureau Training to take place in the Memorial Hall, fees are to cover the custodial costs.

YES 7

NO 0

MOTION: Joanne Klitsch second Gregory Strubinger to approve the Carbon County Hall of Fame to use the Memorial Hall, fees are to cover the custodial costs.

YES 7

NO 0

MOTION: Edith Lukasevich second Thomas Highland to approve the Immaculate Conception to use the Memorial Hall, fees are to cover the custodial costs.

YES 7

NO 0

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

MOTION: Joanne Klitsch second Thomas Highland to approve Spillman Farmer Garage Invoice \$3,650.00.

YES 7 NO 0

MOTION: Joanne Klitsch second Robert Schaninger to approve the Spillman Farmer Garage Amendment #1 - \$6,050.00.

YES 7 NO 0

MOTION: Gregory Strubinger second Thomas Highland to approve the advertising of the Administration Bid Specs.

YES 7 NO 0

MOTION: Gregory Strubinger second Thomas Highland to approve the advertising of the Garage Bid Specs.

YES 7 NO 0

MOTION: Kyle Sheckler second Robert Schaninger to approve the Park Master Site Plan Barry Isett Invoice 139034 - \$1,354.20.

YES 7 NO 0

MOTION: Joanne Klitsch second Edith Lukasevich to approve the Maser Consulting Invoice 560449 - \$37.50.

YES 7 NO 0

MOTION: Joanne Klitsch second Kyle Sheckler to approve WWTP Upgrade Project Eastern Environmental Change Order #15 - \$23,591.23

YES 7 NO 0

MOTION: Joanne Klitsch second Gregory Strubinger to approve Eastern Environmental payment application #34 – 34,779.87, conditioned upon all punch list items be completed before payment is issued.

YES 7 NO 0

MOTION: Kyle Sheckler second Robert Schaninger to approve Howard Change Order #5- \$10,396.34, conditioned upon all punch list items be completed before payment is issued.

QUESTION:

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

Mr. Sheckler asked if this is credit? He thinks the \$23,591.23 and \$10,396.34 are both credits.

YES 7 NO 0

Howard Company payment application #27 – None

MOTION: Gregory Strubinger second Joanne Klitsch to approve Requisition #41 – \$35,999.87.

YES 7 NO 0

Utility Action

Utility Accounts Lien Reports

Active Utility Accounts Garbage & Others Lien Report (0)

MOTION: Michael Yeastedt second Thomas Highland to approve the Active Utility Account Garbage Only Lien Report (2).

YES 7 NO 0

Active Utility Accounts Sewer/Garbage Lien Report (0)

Active Utility Accounts Water/Garbage Lien Report (0)

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

Temporary Off Lien Report (0)

Inactive (0)

Uncollectible Accounts Report – (0)

MOTION: Kyle Sheckler second Thomas Highland to approve the Utility Accounts Proposed Updates (1).

YES 7 NO 0

MOTION: Gregory Strubinger second Robert Schaninger to approve Account #4569 Request, sewer credit amount \$106.80.

YES 7 NO 0

MOTION: Michael Yeastedt second Joanne Klitsch to instruct solicitor Nanovic to draft and amend the Amusement tax ordinance in accordance to the borough's letter of understanding with the Reading Blue Mountain & Northern Railroad.

YES 6 NO 1 Kyle Sheckler

Committees

Administration

Public Service (Sewer/Sanitation/Water/Streets)

Police

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 13, 2020
MINUTES

Buildings/Parks
Emergency Services

Old Business

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

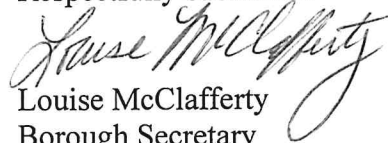
MOTION: Robert Schaninger second Kyle Sheckler to adjourn

YES 7

NO 0

Adjourned at 8:54 pm

Respectfully submitted


Louise McClafferty
Borough Secretary