

JIM THORPE BOROUGH COUNCIL
WORKSHOP MEETING
APRIL 6, 2017
MINUTES

Meeting called to order by President Gregory Strubinger at 6:35 p.m. in the Borough office conference room, 101 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 (a)	John McGuire	Thomas Highland
Joanne Klitsch	Jay Miller (a)	Kyle Sheckler
Gregory Strubinger	Mayor Michael Sofranko	Police Chief Schatz
Manager Maureen Sterner	PS Manager Vince Yaich	Boro. Secy. McClafferty
Kim Mazur, Entech	Bob Weir, Entech	

Public Comment

John Lennon, 200 North St, he has a problem with the water company. He understands the borough has rules and regulations in regards to extension and termination of utility services. His problem is the borough contacted the tenant, he would like to know the policy of the borough for when a bill is not paid. Do you shut it off?

Borough Manager Sterner said yes when we are able to shut off, there are some duplexes that the services go to both units.

President Strubinger said as a rule we don't shut off during winter months.

John Lennon spoke about payments that he has made on his accounts and he spoke about the outstanding bill he has for utilities. He spoke about having the water shut off on his property that he requested to have turned off and it was not turned off due to a tenant in the property.

Borough Manager Sterner said we have to go by the tenant guidelines.

John Lennon spoke about the \$700.00 outstanding bill, he said he will pay \$100.00 a month.

Borough Manager Sterner spoke about a payment plan, this is for council to discuss next week they will take action on the request.

Holly Sasso, 719 South St she spoke to council about the driveway that goes to their house on South St. She said this has not been maintained.

Chrissy Sasso said they went to the courthouse and got maps and it shows that this is part of South Street. When the Sewer came through back in the 1960's they said this was part of South Street and they went up and put sewer in.

President Strubinger asked when was the property surveyed?

Christine Sasso said back in the 80's.

JIM THORPE BOROUGH COUNCIL
WORKSHOP MEETING
APRIL 6, 2017
MINUTES

Borough Manager Sterner asked them for a copy of the survey that this will help us out. If we don't own the road we can't do anything.

President Strubinger said when we have a utility going across private property we would have an easement for the utility.

PSM Yaich said where the road is busted up by the manhole cover he will fix that up for them.

Action

Discussed Work Session Meeting Minutes from March 2, 2017

Discussed Council Meeting Minutes from March 9, 2017

Discussed Expenditures from all Funds as presented

Borough Manager Sterner said there were some equipment repairs due to the snow storm. Some of the computer stuff has started to come in. They started with one computer, QuickBooks is too old to work with the new computer, we will update QuickBooks.

Discussed Treasurer Report as presented

Discussed Ordinance 2017-02 Fern Street No Parking

Borough Manager said this has been advertised and is ready for adoption.

Discussed Vince Rodgers - easement agreement

Borough Manager Sterner said Kim Mazur and Solicitor Nanovic are working on this. Vince Rodgers has agreed to this and has signed this.

President Strubinger asked what the schedule for work is for this project.

Kim Mazur said we are waiting to get the permit back from DEP. This has been submitted and the County Conservation District will review, they had a couple questions. Chris Storm asked about the project because we spoke about splitting this project up into two phases. Phase one of the construction, stabilizing the bank and second phase is putting the culvert pipe in to empty the water down into the creek. When we realized the creek was exceptional value through us into bigger permits. So he asked if this can be split into two phases because this will be too much money for the Borough to do the whole thing. Chris Storm said yes no problem, now he is coming back saying this is ok but can we show that future phase on the drawings and just dash it in as a future phase. Chris Storm also has rules that he has to follow. With the water just coming down and ending on the road it is going to not apply to some of their rules.

Borough Manager Sterner asked if this is going to lock us in to doing this pipe even if it is not needed?

JIM THORPE BOROUGH COUNCIL
WORKSHOP MEETING
APRIL 6, 2017
MINUTES

Kim Mazur said he does not know. He asked Chris Storm about that and he said he needs to think about that.

Mrs. Klitsch asked when you are looking at Rodger's house on Germantown Road is it the right or left of his house and how far up?

PSM Yaich said about 50 to 75 ft. up on the right.

Kim Mazur said once this is done the water will be reduced greatly, the water is still going to travel across the road the way it does now. We need to show this as a future phase on the drawings. Looking to put this out to bid May and late summer construction. He will ask him if he could put something in writing that it can be contingent upon review, post construction runoff.

Discussed St. Mark's & St. John's Episcopal Church – Race St Run July 1, 2017

Discussed St. Mark's & St. John's Episcopal Church – Police Service contract

Discussed American Legion Post #304 & Germantown Grove 4th of July event – use of 100 chairs

President Strubinger asked if the use of the chairs are for on the park grounds.

Borough Manager Sterner said yes.

PSM Yaich asked that we have them fill out a request for action form for the barricades.

Discussed American Legion Post #304 “Stay at Home” festival 7/1/17 rain date 7/2/17

Mrs. Klitsch said July 2 is only for fireworks, not the actual picnic, she is just confirming so she knows if someone wants to use the pavilion that day they can.

Discussed St. Luke's Miners – Black Diamond event June 3, 2017 permission to close Packer Hill

Police Chief Schatz said this is only closed to vehicle traffic not to foot traffic.

Discussed YMCA/YWCA Anthracite Triathlon 7/16/2017

Police Chief Schatz said there is no police services needed for this, they have volunteers at different sections.

Discussed JTNB 21st Community Banking day – May 5, 2017.

Discussed Postage Meter

Borough Manager Sterner said we looked into different options and came up with the purchase of the meter instead of leasing it over 5 years period we will save about \$4,000.00. We still have to lease the meter we aren't allowed by law to buy.

JIM THORPE BOROUGH COUNCIL
WORKSHOP MEETING
APRIL 6, 2017
MINUTES

Discussed Resolution 2017-07 MCTC Loan #21288 & Loan #50911 Modification

Borough Manager said the larger loan \$1.843 million went from a high cap of 4.96 down to 3.5, the other loan is the Memorial Hall loan \$295,000.00 left on that loan that high was 3.75 went down to 3.5, the savings on the two loans will be about \$45,535.00 and the savings from the last modification with JTNB is \$180,127.00. The three loan modifications you saved over \$225,000.00. These are locked in for 3 years then they go variable.

Discussed 1992 Kodiak Truck – Michael Argyros \$5,100.00

Discussed WWTP Sludge removal bidding

Borough Manager Sterner said this is currently with McAuliffe Hauling or Interstate, it is due to expire in June. Solicitor Nanovic has done the bid specs in the past and will do them again. Eddie Gula is going to check to see if increasing the sludge amounts slightly, to be safe.

Bob Weir said the sludge amount should drop down, the cost for hauling should be much less. He said maybe a 2 year contract would be the way to go.

Discussed WWTP Upgrade Project

- a. Mr. Rehab payment application - N/A
- b. Eastern Environmental payment application #4 – \$45,505.00
- c. Howard Company payment application #1 – \$20,577.00
- d. Requisition #7 – \$99,622.26

Borough Manager Sterner said this is for Entech bills which are on the bill list, and includes these 2 payment applications. The payment applications you approve paying them, the requisition is us getting the money from RUS so we can pay them.

Discussed D&L Trail

- a. Wilson Consulting Group Invoice # N/A
- b. Wilson Consulting Group Invoice # N/A

Borough Manager informed everyone that they had ground breaking today for the project.

Utility Action

- A. Utility Accounts Lien Reports
 - a. Active Utility Accounts Garbage & Others Lien Report (0)
 - b. Active Utility Account Garbage Only Lien Report (2)
 - c. Active Utility Accounts Sewer/Garbage Lien Report (0)
 - d. Active Utility Accounts Water/Garbage Lien Report (0)
 - e. Active Utility Accounts Water/Sewer/Garbage Lien Report (1)
 - f. Temporary Off Lien Report (1)
- B. Uncollectible Accounts Report - none
- C. Utility Accounts Proposed Updates

JIM THORPE BOROUGH COUNCIL
WORKSHOP MEETING
APRIL 6, 2017
MINUTES

Borough Manager Sterner sent council an email on this: South Street one and South Avenue one they are both multiple units. Please look at the email because this is going to be a big jump for them.

- D. Utility Account #8843 – water leak outside of sewer system; sewer credit due
- E. Utility Account #1320 – commercial garbage contracted with hauler effective 1/1/17
- F. Utility Account #2795 Payment Plan
- G. Utility Account #2900 Payment Plan
- H. Utility Account #3630 Payment Plan

Tax Exoneration Action

Committees

Administration

Executive session was held on March 13, 2017 for personnel

732 Center Ave- Stormwater Management

Borough Manager Sterner said she sent an email out to all of council she does not know where all of council is on this. Mr. Hontz made a request to council on this, council needs to address this somehow.

Kim Mazur said he spoke with Mr. Hontz. He has a real thin property that he is doing improvement on and the way the ordinance is written he needs to go through water calculations, get additional survey, but there is an exception if the improvements are less than 1200 SF he can cut out one part of the stormwater ordinance and do just a volume portion which is really reduced. He would not have to hire a consultant, it would not waive all the requirements he would have to put in some type of retention with some stone in it to catch the rain water. He is short of meeting this exception.

He said the whole borough is covered by the Storm Water ordinance. There are more severe areas, if you are by a creek, it depends on where you are located.

Borough Manager Sterner said if you would consider doing this, we would recommend that you require that he contacts the County Conservation District regarding any requirements that they may have. He would send notice in writing and the Conservation District would be copied on it. He should be required to provide the borough with documentation as to what the Conservation District requires.

Kim Mazur said if you do the waiver the motion should be for the 400 SF that way you are not setting precedent.

President Strubinger asked that this motion be ready for next week's meeting.

Borough Manager Sterner said she will check to see if there was a motion last month, if council needs to do another motion it will be prepared.

JIM THORPE BOROUGH COUNCIL
WORKSHOP MEETING
APRIL 6, 2017
MINUTES

Middle Carbon County Zoning

Borough Manager Sterner said the Zoning ordinance council should look at doing a joint zoning ordinance, there could be some grant money available. The joint part is basically the definitions and the enforcement. You would have a zoning ordinance that would have the definition section that goes with multiple municipalities. You have the enforcement that multiple municipalities follow. In between Section A - which is Jim Thorpe Zoning, Section B – Summit Hill, Section C – Lansford and Section D – Penn Forest. By doing it jointly we may get some grant money.

Mr. McGuire said we went to the Comp Plan and we discussed this and they would not agree to do that. We asked them and they all said no, about 4 or 5 years ago. We got together to do the Comp Plan because we got grant money to do that. Every lot in this borough does not meet zoning requirements, they are all non-conforming.

Borough Manager Sterner said council should look at budgeting some money next year to do a new zoning ordinance.

Amusement taxes & Mechanical device taxes.

Borough Manager Sterner said you are saving some money for the residents you are bringing in other than real estate taxes you are bringing in other monies. In 2015 to 2016 we added some entities, there is an increase of over \$5,300.00.

Storm Water Management

Borough Manager Sterner said Kathryn Forry received a Luzern County sample of the Storm Water ordinance. We could look at this and tailor it to the borough.

Kim Mazur said there is no leeway or flexibility for the borough, it is very tough.

Borough Manager Sterner asked council if it is ok with them to have Barry Isett start looking at this and tailor it for the borough.

Kim Mazur said the whole purpose of the storm water management is you don't want to do anything to your property that is going to runoff and do something to someone else's property.

Bank mileage

Borough Manager Sterner said Louise has put in for mileage for going to the banks. This is not something that has been done in the past.

Borough Manager Sterner said this is another item that needs to be looked at in the zoning ordinance. Do you want this enforced, do you want this changed. It looks like people have not gotten permits in the past, permits are required.

JIM THORPE BOROUGH COUNCIL
WORKSHOP MEETING
APRIL 6, 2017
MINUTES

Borough Manager Sterner said if you are going to waive the fees for the permit you are paying for them again. We lowered the fee. Do you want to revamp the sign regulations first then go from there?

Mr. McGuire said we have another situation, the Railroad wants to put a communications tower down by the Jim Thorpe Market. This is an industrial area. The zoning says there are no requirements up to 200 ft. They sent a letter to planning to review.

Borough Manager Sterner said they may need land development plan and building permits.

Borough Manager Sterner said the Zoning – Agricultural there is no place in the borough zoning. We received an application for a farm stand on a piece of property that was approved as a farm which isn't permitted per zoning. This permit is going to need to be denied per zoning it does not provide for agriculture district. We are supposed to encourage the continued development viability of agriculture. This is Jake Arner's farm/vineyard that he did up there. It went through SALDO and it is not a permitted use in any zoning district. Where would council like this to be placed in the zoning ordinance?

Public Service (Sewer/Sanitation/Water/Streets)

Tire & Electronic pick up will be held on Saturday, May 20, 2017 start 7:00 am to 11:30 am

Borough Manager said there is a limit of 2 TV's per household and the tires cannot have rims. She asked whoever is working the event if they not only count the items that we need the tonnage to report for the recycling.

Shared Utility Lines – Enforcement Protocol

Borough Manager Sterner said we spoke about enforcing the shared line, the ordinances need to be amended. She typed up some notes for council to review. We need permission to begin updating the ordinances.

Utility Billing updates & Tenants rights laws

Borough Manager Sterner said this information was given to council back in January, consideration for utility billing updates this would be over either 14 or 24 month period. Bring the billing due date up by a day or two at a time so we are not two months behind. This makes things difficult. If council would like to do this we would need a motion. If we do that it will change the water shut off. To comply with the tenant's right act, we have to give the property owner notice 37 days the water will be shut off. Then we have to send the tenant a letter seven days later that says the water is going to be shut off for lack of payment. That gives the landlord seven days to come in and pay the bill. The other change is the bills would only be mailed to the landlords only, no bills will be mailed to tenants, due date would change to the 15th of the month.

DEP Chapter 109 proposed updates & fees

JIM THORPE BOROUGH COUNCIL
WORKSHOP MEETING
APRIL 6, 2017
MINUTES

Kim Mazur said the regulations are being reviewed. These are ideas that may or may not become regulation but are being considered, this may not hit until next year. They will be charging a fee based on population. This is the membership fee to be under DEP jurisdiction.

PSM Yaich said this would be \$300.00 for Sewer and \$600.00 for Water because we have two separate systems.

Kim Mazur said this is not a regulation yet. There is another one that is going to affect the Water operations. If you have multiple sources you cannot leave them be on stand by for ever they must pump one day a year to the public and the system. If you have wells and you let them sit for 5 years they are not letting that anymore because there were issues. If you want to run the well you have to go through testing.

PSM Yaich said both wells are run into the system every year, they run it for at least 30 days a year.

Kim Mazur said DEP is catching up with the chemical issues. A lot of the chemicals are coming in drums and a lot of them are coming unmarked/unsealed. DEP is finally putting a regulation in place that they cannot do this anymore.

PSM Yaich said we have had that in our bids the past 2 years that we meet all the EPA guidelines.

High Street Wall

Borough Manager Sterner said the grant funding is not available. We have more information the wall is moving. Council needs to make a decision on this if they want this to go forward financing and putting this out to bid.

PSM Yaich said we will need to get easements.

Kim Mazur said we will need to get survey done. If things moved along smoothly it could be late summer.

Borough Manager Sterner said what we will need is permission from council to start obtaining financing and permission to start on bid specs and easements.

Kim Mazur spoke to solicitor Nanovic about this, Tim from Access considers this an emergency and so does Entech, since we are seeing blocks falling.

Bob Weir said you have utilities, water, sewer, gas and electric. RUS may have something on emergencies for funding.

Kim Mazur said they can put something in writing to RUS declaring this is an emergency because the rocks are failing, if the wall goes the utilities will go, the utilities going will cause a safety issue with the homes and the road will need to be closed

JIM THORPE BOROUGH COUNCIL
WORKSHOP MEETING
APRIL 6, 2017
MINUTES

Winter Storm Stella

Borough Manager Sterner said this is a short report on how much was spent during the winter storm Stella total \$33,400.00. She looked over the budget and we used over 18% year to date we should be about 25% we are under. Equipment repairs 2.3% under the 25%. Salt we are at 61% we have about \$35,000 left for the end of the year.

Police

Judge's parking

Police Chief Schatz said we have received complaints about the judge's parking. The complaints are people are parking there on the weekend and it's a free spot.

Mayor Sofranko said we would like to keep it Monday through Friday for the judge to park. Then put a parking meter there that would service the weekend use, they would have to create a sign that would say authorized vehicles only Monday through Friday.

Mayor Sofranko informed everyone that they will be receiving the LSA grant amount of \$67,449.00 for kiosk.

Central Court parking – May test run

Borough Manager Sterner said they are doing another trial run May 24, 2017. They are looking for 10 meters to be bagged for that day. They asked us if the Commissioners ever answered the Police Chief's letter on the request for them to bag their meters over by their parking lot so we have a second lane for turning, they have not responded. Greg the Court Administrator is going to ask them to respond.

Mr. McGuire said he will talk to the Dimmick Memorial Library about the parking meter plaques.

Radar Resolution

Borough Manager Sterner said the resolution for supporting radar for local police.

Council would like this ready for the council meeting to approve it.

Buildings/Parks

Memorial Hall & Skating Rink booking protocol

Borough Manager Sterner asked if council would like to book additional events this year and next year at the Skating Rink & Hall. If you are not interested in booking any more at this point we need to know. We are not going to have someone to cook for the events.

President Strubinger said if we continue to do things over there it should be on a limited time only book 6 months out. That way if we plan to move in some direction we have time.

JIM THORPE BOROUGH COUNCIL
WORKSHOP MEETING
APRIL 6, 2017
MINUTES

Borough Manager asked if council would like to donate the dry foods to a local pantry.

Council is in favor of donating the dry foods to the local food pantries.

Asa Packer first quarter report

Emergency Services

Municipal Fire Department

Mr. Sheckler said they would like to combine the Fairview & the Phoenix fire companies. They have not done anything yet because they are looking for council's support before they start to file the paperwork. They would like to know if they can use the borough's solicitor for their legal stuff? They were informed we will need the solicitor for our legal opinion on our side. They should use their own attorney. Is council in agreement for them to move forward to combine fire departments?

Mr. Sheckler said the other item is the fireman's relief funds. He will talk to the Auditor General to see how this should be handled. His understanding is the Phoenix would keep the money.

Borough Manager Sterner said yes, that is what they said the relief organization is that organization so they keep the money. She asked council what their thoughts are on the lawyer.

General consent of council is that they should use their own attorney.

Mr. Sheckler asked that the by-laws be drawn by both of the fire departments. We would like to have this ordinance drawn up by December for council to adopt.

PSM Yaich said one of the things that they would like to see is under the officers, that the borough appoint the chief and the deputy chief yearly. It was in the previous ordinance and should be in this ordinance, that prior to, during and during of you being an officer you must be a full time resident in the borough and this should go for any other line officers that come in. By-laws each station should have their own by-laws.

Mr. Sheckler thinks this should be uniformed, that way every department is held to the same rules in the by-laws. One set of by-laws for the department and one set of by-laws for the relief funds, they should be the same. He thinks the fire department should draw up the by-laws because they know what they need to do. He will send Chris Gunsser an email letting them know that council is behind them joining together and we don't recommend they use the borough's solicitor because that would be a conflict of interest.

Small Games of Chance Resolution increase from \$25,000.00 to \$35,000.00

General consent of council is to have this ready for next week's meeting.

Borough Manager Sterner said John Lennon payment plan is to pay \$100.00 towards the past due and pay the current bill. This will be on the agenda for council to approve.

JIM THORPE BOROUGH COUNCIL
WORKSHOP MEETING
APRIL 6, 2017
MINUTES

Kim Mazur said the Sewer project is going well. The flaggers we have worked this out with the contractor. They will be working 10 hour days, we have a schedule on this.

Old Business

- A. Property Maintenance Board of Appeals Three (3) Vacancies
- B. Planning Commission – Nuisance Ordinance
- C. Collection Agency for delinquent utility fees
- D. Cuoco
- E. Petition to Vacating Portion of 2nd Street
- F. W. Front St & River St Dedication Ordinance
- G. Packer Hill Road proposed one way Ordinance
- H. Act 172 of 2016 – Incentives for Emergency Services Volunteers
- I. Police Contract
- J. 204 Center Ave
- K. Proposed Zoning Ordinance Amendment – downtown parking

MOTION: John McGuire second Kyle Sheckler to adjourn

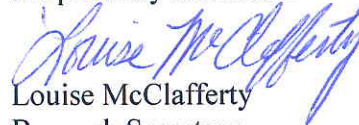
YES 5

NO 0

ABSENT 2 Jay Miller/ Curtis Jackson

Adjourned at 9:30

Respectfully submitted


Louise McClafferty
Borough Secretary