

JIM THORPE BOROUGH COUNCIL
DECEMBER 7, 2017
WORKSHOP
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	Curtis Jackson
Jay Miller	Manager Maureen Sterner	PSM Vince Yaich
Police Chief Joe Schatz	Matt Boggs, Entech	Secy. Louise McClafferty (a)
Mayor Michael Sofranko (a)		

Public Comment

JTASD – sidewalks

Brian Gasper said this has been a conversation for years, about putting in sidewalks from Oak Street all the way to North Street. The District has had the engineer review this and figure out what the cost would be. There are concerns the money has been in escrow since the remodeling of the L.B. Morris School, which is around \$78,000. They have done engineering to see how much it would cost, not exactly to put sidewalks all the way in from North Street all the way to the L.B. Morris School, it would be just from the Oak Street area up to North Street. The District said due to the fact there is private property there to the corner. They have spoken to that property owner and they have been ensured there are not any concerns or issues from the property owner. He is here to speak with Borough Council with a proposition. The School District has done the engineering and they have the money to do this. The District is interested and willing to offer to Borough Council the amount of money and the engineering that they have had done to have the project complete the sidewalks from Oak Street up to North Street.

Attorney Mousseau said they had one meeting with the Borough Manager and Mr. Yaich, the District wants to start the process. They are offering the money and the engineering, your side it will take political roll and investigation. There were concerns from Mr. Yaich on how the corner at 10th & North Street needs to be constructed to comply with the ADA requirements.

Mr. McGuire asked do all four corners at 10th & North Street have to be done?

PSM Yaich said that is usually what Penn Dot wants but we would have to sit down and talk to them.

Mr. McGuire said on Oak Street he thought there were some drainage issues there.

PSM Yaich said they took care of some of the drainage issues. When there was an issue when the water line came up Oak Street and dead ended, they put a T in a couple years ago, that was by the culvert.

President Strubinger asked if the School District is still planning to do the other piece from the lot to Oak Street.

JIM THORPE BOROUGH COUNCIL
DECEMBER 7, 2017
WORKSHOP
MINUTES

Brian Gasper said at this time they are not considering ripping that out. The engineer said that would be a hefty job. They would like to just add sidewalks from where the sidewalks end, Oak Street to North Street.

Attorney Mousseau said they are doing it the most cost-effective way.

Mr. Miller asked if they want the Jim Thorpe Borough to bid this or Jim Thorpe School District?

Attorney Mousseau said they would hope they could turn the money over to the Borough.

Mr. Miller said the bidding cost maybe minimal, but the project if it comes in more than what you have do we have to pay for that.

Attorney Mousseau said then you won't award it if it comes in to high. You don't have the money, they are coming to the Borough with the money, that doesn't work.

The next thing we must find out is if we have to do all 4 corners at the intersection of 10th & North Street. We want to know how the Borough feels about this. They approached one property owner on the sidewalks. It is another thing when it comes to the whole intersection, they would have to approach other people. They are coming to the Borough because you handle sidewalks.

Attorney Mousseau said the ordinance says to follow sets of regulations as prescribed by ordinance. You could waive a lot of things.

Mr. Sheckler asked who will be responsible for snow removal?

Attorney Mousseau said the property owner had that question too. He said he was informed it would be the property owner. We are adding value to their property, they would take care of that.

Borough Manager Sterner asked about the future maintenance of the sidewalk.

Attorney Mousseau said the need is the question, do we really need the sidewalks for the kids. That is a decision for Council.

Borough Manager Sterner said on the engineering, you did the cost study. You don't have actual plans drawn up for each of these options.

Attorney Mousseau said yes, they do.

Borough Manager Sterner asked what type of engineering would still have to be done? Just bid specs?

Brian Gasper said just the bid specs and start the project.

Attorney Mousseau said we have to find out what Penn Dot says first. If they say we have to do all 4 corners, then they have to do more engineering. Assuming you don't have to do the rest of the intersection, you would have to ask the borough engineer, they may accept what they have done.

JIM THORPE BOROUGH COUNCIL
DECEMBER 7, 2017
WORKSHOP
MINUTES

President Strubinger asked has a study been done to find out how many students would be using the sidewalks?

Attorney Mousseau said about 38 students. He asked Council to get back to the School District if you are interested in proceeding with this. Then they would go the next step and that is bringing Penn Dot in and the Borough Engineer and he can answer the Borough Manager's question as to how much more engineering needs to be done.

Tom Loughery said a couple of weeks ago he and his neighbor received a letter from the Borough regarding the survey of High Street steps. The letter indicated that the Borough of Jim Thorpe is trying to delegate the maintenance and upkeep responsibility on a set of public steps to private land owners. They are hoping to start a dialog about the right thing to do in this case because as private land owners they can't have public walkways coming across their property. The steps were built by the borough in 1885. To connect the two neighborhoods High Street and West Broadway, to allow access to the public school that was there in 1885. For 132 years the Borough has maintained, improved, re-routed and fixed up the steps. As far as he knows, in speaking with neighbors that are 82 years old, they said as long as they know the borough has always took care of the High Street Steps. He does not believe that any of the previous land owners had been subjected to something like this. Some type of land deal that they were expected to maintain the public walkway. This is not the right thing for the public because as a private land owner we can't have the liability of the public walking down the steps. He is sure the borough has liability insurance for all the walkways in town, this should be one of those. He does not understand this. We need the steps. The people on West Broadway because of the parking, use High Street for parking, now they have to walk a half of a mile to get to their car. This is a hardship for the people. Now the steps are shut down. He would like to come to some type of solution.

President Strubinger said the borough can't insure property that we don't own. If someone would be injured there the borough can't be responsible for this because it is not on our property that we don't own. He has not heard that the borough constructed the steps. As far as maintaining them, there were some businesses in there that maintained them for a period.

PSM Yaich said when Berkley Bags was in there, it was maintained by private contractors.

Tom Loughery asked if they could have another meeting to discuss the property line change, so there is public right-of-way through there or an easement. The people on High Street and West Broadway need these steps.

President Strubinger said he is not sure if he was to give and easement through there what the legality of that would be and who would be responsible.

Michael Rivkin said he is the other property owner. They have documentation showing the borough has maintained them. In the late 1970's SCAM updated and resurface the steps. What we have is precedent of public right-of-way. They were advised by council to close them pending the outcome of this. What they would like to do is schedule a meeting with Council. To present the information to Council and come to an educated decision on how to move forward. They don't want to close them, they were instructed to close them. There is 130 years of precedence history of them as a public

JIM THORPE BOROUGH COUNCIL
DECEMBER 7, 2017
WORKSHOP
MINUTES

right-of-way. There are actually questions being defined now on whether or not the borough or the municipality can in fact simply abandon them without due process. He would like to set a date.

Mr. McGuire said he would be willing to do that as the Street Committee chairman. He would like the solicitor, himself and if anyone else would like to attend.

Michael Rivkin requested the Borough Manager attend the meeting.

Mrs. Klitsch said she would be willing to attend the meeting.

Mr. McGuire said he will talk to the solicitor and then contact him to set up a meeting.

President Strubinger said there are the following position:

- Shade Tree Commission Vacancy (1)
- Police Pension Board Vacancy (1)

Glenn Claypoole said he is here tonight as a landlord he feels it is unconstitutional to be charged for other people's bills. He paid his bill on the 9th thinking the bill was due the 10th of the month and he got the penalty. He asked Council to waive the penalty fees.

Action

Discuss Work Session Meeting Minutes from November 2, 2017

Discuss Council Meeting Minutes from November 9, 2017

Discuss Council Meeting Minutes from November 16, 2017

Mr. McGuire said the minutes from November 16, 2017, when we talked about all the issues with the fire departments. He would like it to be said there is oneline statement that did not paraphrase exactly what he would like it to mean. It says Mr. McGuire said the leadership is an issue, this is true. The audits not passing is also a big issue. Making sure Fire Fighters are properly trained for fighting fires, who answer standard operating procedures and following the Fire Chief's actions or orders is the biggest issue. Because we need to keep our young firemen alive. The recklessness at the Fairview's is what he is concerned with. Not following fire fighter rules, doing whatever they want, disrespect the Chief's will result in one of the young kids getting killed. People in the audience said it seems we don't want the young fire fighters. We want the young fire fighters, but a live young fire fighter and recklessness proves that we need new leadership at the Fairview's. He feels strongly about this. He could not imagine having one of our young firemen killed, it only takes a second, if you are detained or you can't make a decision and you can't do what you want, you bring everybody else in harms way and that is where we need the changes.

Discuss Expenditures from all Funds as presented

Discuss Treasurer Report as presented

Discuss 2018 Budgets

JIM THORPE BOROUGH COUNCIL
DECEMBER 7, 2017
WORKSHOP
MINUTES

Mrs. Klitsch asked if the budgets have the tax increase in them.

Borough Manager Sterner said yes, Council has a copy of the adjustments that were looked at.

Mrs. Klitsch asked what kind of increase are we looking at for 2019?

Borough Manager said another possible 1.03 tax increase. Because of the adjustments, Council will be re-voting to advertise and consider adoption at the end of the year meeting.

Discuss Ordinance 2017-13 Zoning Amendment Agritourism

Discuss Ordinance 2017-14 UCC Appeals Board Amendment

Borough Manager said this is adding the Borough of Parryville to the board.

Discuss Ordinance 2017-15 Act 172 Volunteer Incentives

Borough Manager Sterner said this was drafted with 20% on real estate tax with the maximum of \$200.00 a year or \$200.00 credit for earned income tax. This is for the year 2018, that will give us time to have all the forms and requirements completed.

Table Ordinance 2017-16 Tax Levy 2018, this will be with the budget at the end of the year.

Discuss Auditor Appointment

Borough Manager Sterner said Council has a copy of the proposal from Buckno, Lisicky & Company.

Discuss Fire Department Appointments

Borough Manager said we have 3, if we receive any more until next week, you will receive them.

Discuss W. Front Street & River St acceptance

Borough Manager Sterner said this is a portion of RT 903 from the old bridge. Paperwork has been prepared by Penn Dot, it is just a matter of Council accepting the roads and signing off on their paperwork. The solicitor has reviewed this. They have done everything that they agreed to do.

President Strubinger asked if this will be added to Liquid Fuels.

Borough Manager Sterner said yes.

Discuss Schedule and Advertise End of Year meeting

President Strubinger said this is scheduled for December 28, 2017 at 6:30. This is to adopt the 2018 Budget, bills and the 2018 Tax Levy ordinance.

JIM THORPE BOROUGH COUNCIL
DECEMBER 7, 2017
WORKSHOP
MINUTES

Discuss Schedule and Advertise Reorganization meeting

Borough Manager Sterner said you are required to hold this on January 2, 2018

Discuss Schedule and Advertise January Work Session meeting

Borough Manager Sterner said Council has opted to go with January 2, 2018 immediately following the reorganization meeting.

Discuss High Street Wall Project

- a. Payment Application #1 - \$62,845.20

Borough Manager Sterner said this should be payment application #2.

Matt Boggs said they will be done next week, except for paving, you may want to wait until spring for this. They have been looking at other sections of wall.

Discuss WWTP Upgrade Project

- a. Mr. Rehab payment application (0)
- b. Eastern Environmental payment application #12 - \$482,252.29
- c. Howard Company payment application #9 - \$34,570.50
- d. Requisition #14 –
- e. Eastern Environmental change order #7 - \$4,213.74

Matt Boggs said they met with DEP and updated them on the schedule, the intermediate clarifier that they are working on, and getting ready for the next clarifier.

Borough Manager Sterner asked Matt Boggs if he has an updated completion estimate, summer/fall.

Matt Boggs said they want to make sure the test is done during the summer months. The pedestrian bridge has been moving along smoothly.

Mr. Jackson asked that we add to the action that we establish a property maintenance appeals fee at \$100.00.

Borough Manager Sterner said we would have to do a new fee schedule resolution.

Mr. Jackson said the terms have to be staggered. Eli Skrimcovsky's term expires in 3 years, Brian Decker 2 years and James Dougher 1 year.

Borough Manager Sterner said we did stagger their terms.

Utility Action

Discuss 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)

JIM THORPE BOROUGH COUNCIL
DECEMBER 7, 2017
WORKSHOP
MINUTES

- d. Active Utility Accounts Water/Garbage Lien Report (0)
- e. Active Utility Accounts Water/Sewer/Garbage Lien Report (0)
- f. Temporary Off Lien Report (0)
- A. Uncollectible Accounts Report – (2)
 - Borough Manager Sterner said the 2 properties were sold at Judicial Sale
- B. Utility Accounts Proposed Updates (3)
 - Borough Manager Sterner said this is St. John's Lutheran Church going from 5/8 x 3/4" meter to 1" meter, there will be an increase in both water and sewer
 - New home on Broadview, establishing a garbage account
 - Existing home on Broadview that has no garbage account, we will be creating a garbage account
- C. Account #0610 Payment Plan
- D. Account #7995 Payment Plan
- E. Account #9510 and #2420 request
 - Borough Manager Sterner said these are requests to have the late fees removed. She filled out the ACH form and assumed this would be taken out immediately and it did not. She noticed the penalty fees and came in and paid her account. We did not have anything on the form telling them there is a waiting period for it to take effect.

Tax Exoneration Action

Sara Redline, 1115 School St – retired

Blair Redline, 1115 School St – retired

Barbara Hawk, 9 W Chipmunk Trail - retired

Committees

Administration

Shade Tree Commission's recommendation

- North Avenue – PPL contact because tree intertwined with high power line
- Dead tree to be removed at 44 Susquehanna Street
- Dead tree to be removed at 306 Center St

Borough Manager Sterner said the Shade Tree Commission have contacted PPL because the tree is intertwined with the high-power lines. PPL will be doing this, they will cut the tree off, they will cut the tree above the metal cage, the rest of it will be the property owner's responsibility to remove. There is a second tree that is lifting the sidewalks, they are recommending that the owner is notified that that tree be removed.

Two other locations there are dead trees they are recommending they be removed. It is the property owner's responsibility to remove the trees.

Public Service (Sewer/Sanitation/Water/Streets)

Tire & Electronic Recycling

Penn Dot Properties Maintenance

Borough Manager Sterner said we have written Penn Dot a couple of letters about maintaining their properties on North Street. They sent us a letter back saying they are not bound by borough

JIM THORPE BOROUGH COUNCIL
DECEMBER 7, 2017
WORKSHOP
MINUTES

ordinances. She spoke with the solicitor about this and he is not aware of them not being bound by borough ordinances. There were 5 properties that we mentioned about maintaining the properties and the sidewalks and the snow. They are not going to maintain snow on sidewalks, they are telling us it is our responsibility because of our agreement with the sidewalks with the new bridge. We reviewed the agreement and we did not see this in there. Does Council want her to write back to Penn Dot and ask them to let us know what statute tells them they are not bound by borough ordinances and ask them what specific section of this contract the sidewalks are included. Penn Dot is pushing off on the borough their maintenance items.

Mr. Miller asked when will we hear about the sale of the properties.

Borough Manager Sterner said it could be 6 to 9 months until we hear anything.

Utilities Collection Agency Proposal

Borough Manager Sterner said we received proposals from Collection Agencies for the utilities. Council has the summary of the recommendations in their packet. We recommend Credit Tech Collections. They take a percentage and it is the cheapest and they are local.

High Street Parking request

Borough Manager Sterner said we had a request for parking between the signs that say no parking here to corner and the 3 no parking where the bump out is on High Street. She thought this was posted there because it was unsafe. She is not sure if this is going to block sight distances.

Police Chief Schatz said this is posted no parking, why would we allow someone to park there. The Police have been up there giving tickets because of posted no parking. The fire apparatus, wall project, and people are concerned about the safety in the area.

Police

AOH St. Patrick's Day Parade 3/11/18

Narcan Policy Update

Police Chief Schatz said they Adopted the Narcan Policy. The Commonwealth stepped up the program, the nasal Narcan is administered differently than the auto injects, which is in the current policy. There are steps for the auto inject. The nasal must be added to the policy.

Buildings/Parks

Twining Park Greenways Grant

Borough Manager Sterner said we did not get the grant, discussion to reapply was held.

Energy Audit

Borough Manager Sterner will forward cost proposals to council, move to the action item.

JIM THORPE BOROUGH COUNCIL
DECEMBER 7, 2017
WORKSHOP
MINUTES

Penn State Flagstaff Project

D & L – Entech Engineer work order \$7,430
Move this to the action

Emergency Services

Old Business

- A. Police Contract
- B. Disorderly Conduct
- C. Parking Zones Ordinance
- D. Nuisance Ordinance
- E. Memorial Hall Stormwater

Executive Session

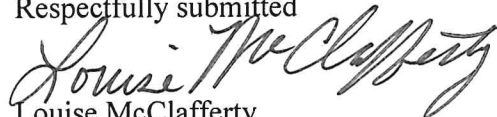
Personnel

MOTION: Curtis Jackson second John McGuire to adjourn.

YES 7 NO 0

Adjourned at 8:25 pm

Respectfully submitted


Louise McClafferty
Borough Secretary