

JIM THORPE BOROUGH COUNCIL WORKSHOP  
FEBRUARY 1, 2018  
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 (a)	Edith Lukasevich
Jay Miller	Manager Maureen Sterner	PSM Vince Yaich
Police Chief Joe Schatz	Matt Boggs, Entech	Solicitor James Nanovic (a)
Mayor Michael Sofranko	Secy. Louise McClafferty	

**Public Comment**

President Strubinger informed everyone there is a vacancy on the Police Pension Board

Dee Reitz, Shade Tree Commission member. She is here to ask Borough Council for permission to solicit for grants for the Shade Tree Commission for planting new trees and checking the health of the trees.

Borough Manager Sterner said this is just starting it would be a matter of learning what grants are out there and seeing what would fit with us. We have to take into consideration matching funds because we did not budget any. They also would like to know if Council is alright with them talking to the County on the pedestrian bridge project and the additional trail project.

Mr. Miller said he does not have a problem with that, we have to work together with them on the grants.

Mark Reitz informed Council they will not be planting Bradford Pear trees.

Mr. Miller said his concern about the trees is the sight, the view that the motorist have on the streets at the intersections. Tree trimming is needed.

Michael Rivkin asked if the Health Officer is on the agenda.

Borough Manager Sterner said this is under old business and will be discussed in executive session under personnel.

**Action**

Discuss Council Meeting Minutes from January 11, 2018

Discuss Expenditures from all Funds as presented.

Mr. Miller said under Barry Isett invoices, we have \$5,000.00 spent. Some of these are for notices of violations. Can we look at these to see if we can put liens against these properties? They never comply with the borough ordinances.

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Borough Manager Sterner said we can with certain ones, such as Smith there is a lien against that, 204 Center Ave. we will have a lien against that one.

Mr. Miller asked if there is a way to put a lien against the habitual violators, can we have any recourse against them.

Borough Manager Sterner said the Nuisance ordinance would be a help for them. We just have some final changes.

Mayor Sofranko said he would like to thank the Fire Chief and the firemen for a job well done on South Street fire and the accident on Kattner Mountain.

Discuss Treasurer Report as presented

Discuss Ordinance 2018-01 Utility Services

Discuss Creditech Collections Agreement

Discuss Resolution 2018-01 Creditech delinquent services

Borough Manager Sterner said Ordinance #2018-01 Utility Service, Creditech Collection Agreement and Resolution 2018-01 Creditech delinquent services are related to the Collection services for delinquent utilities accounts. This is beyond what we have instituted in the office. The ordinance amendment is to provide for the fees. Solicitor Nanovic is still working on this. The agreement of services for Creditech, Council has approved them and the Resolution.

Discuss Resolution 2018-02 PA Small Water & Sewer Grant.

Borough Manager Sterner said we were trying to do a project on Center Avenue. The project grant is capped at \$500,000.00 so that area is not going to work for this. We switched this to Church Alley and down Church alley to Chestnut Avenue, down Packer Hill and over to Switchback. They are looking at total project of \$496,655.00. It is 15% match which is \$74,500.00 match for the Borough. This is a Commonwealth Financing Authority application. We need a resolution to approve this, there is a \$100.00 application fee that is on the bill list. This will be a lengthy project, we will do part of the match this year and part of it next year. This is to replace water main and 101 laterals.

Mr. Miller said the match can be taken out of the monies we have put into the Capital Reserve account.

Discuss Resolution 2018-03, Borough Facilities Project Public Services

President Strubinger said this resolution is spelling out what Council desires to do with the projects and to instruct the Borough Manager to do the necessary work to get these projects off the ground. The first one is the Public Service garage and the demolition of the current garage.

Discuss Resolution 2018-04, Borough Facilities Project Administration.

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President Strubinger said this resolution is for the Police Department, Borough offices and the remaining portion as the hall. We had a consensus to bring the offices over into a portion of the top level, and the Police on the bottom level. Council needs to decide if this is the direction to go. The Building Committee last year discussed this and we were moving forward with option #2.

Mr. Miller said he would rather see the Borough office stay where it is now.

President Strubinger said Council will need to decide which direction we will be moving forward with.

Mrs. Lukasevich said she thinks the Borough office should be where it is now it was built for a purpose, it should not be rented out, it should continue to be the Borough office. If they have to move the Police Department into the basement of the hall, they need to make sure it is health safe first for them. She thinks the Borough office should stay in the building they are in now.

President Strubinger said the health issues will be taken care of the HVAC will be taken care of. He likes the idea of everyone being under one roof. If we move into the Hall, we still maintain the hall, and the offices here. If we aren't doing this, we aren't going the full route of the project. It is only going part of the way. We will still be left with the hall and what do we do with it? There is no plan for the hall, there is nothing feasible and we would be left with the facility to heat, cool it and maintain it.

Mrs. Lukasevich said we use it for dances, or weddings or whatever. She is 100% in favor of keeping the building for what it was built for. This can be made profitable again, it has to be made available for the public to use.

President Strubinger said Council has tried over the years to make it work for the residents. We are constantly putting money into the building. We need to move forward with the project.

Mr. Highland said there are not 500/600 people functions any more, an average wedding today is about 150 people. The size of the hall that would be left would be plenty big enough to still do functions in the hall. He thinks it is best to have everybody under one roof, the communications and the safety for the office.

President Strubinger said that building was undersize when it was built. We have to have the direction we want to go ready for next week at the meeting.

Mayor Sofranko said he has always told Council the key to the Police is safety for them and they don't have that in the office that they are in now. They are eating lunch on tables that they have had all kinds of stuff on the desk. The number one concern is the safety for the officers and they do need a place. Their concern is safety and security for everyone and the office.

Mrs. Lukasevich said she is not against the Police moving to the basement, she does not think the office needs to move.

President Strubinger said if we move over to the hall we will have room to grow.

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Discuss Resolution 2018-05, Borough Facilities Project-USDA Program

President Strubinger said this is moving forward with the finance for the project.

Borough Manager Sterner said this would be 3.25 or 3.50 fixed rate for 38 years, and involves interim financing for the loan for the construction like we did for the Waste Water Treatment plant.

Discuss Resolution 2018-06, Borough Facilities Project Work Orders Authorization

President Strubinger said this is authorizing work orders for Spillman Farmer Architect. One proposal is for the construction and demolition of the borough garage and the other is for construction and renovations of the hall. We need to iron out what direction Council is going to go. The sooner we can do that the sooner we can move forward with the project.

Discuss Bond Counsel

Borough Manager Sterner said Jens Damgaard, our Bond Counsel with Rhoades & Sinon, they have closed. The bond department has moved to Eckhart Seamans. Council needs to authorize the bond dept to provide records from Rhoades & Sinon to Eckhart Seamans.

Discuss Advertise Chemical bids

Borough Manager Sterner said this is our annual Chemical bidding, just need approval to advertise for bids.

Discuss Entech Work Order – 2017 Water Audit

Borough Manager Sterner said this is \$700.00 for the Water audit, the same as last year.

Entech Work Order – 2018 Grant Work

Borough Manager Sterner said the grant assistance is \$3300.00, which will include the Multi Modal Grant, help with the Small Water Grant and some other grants throughout the years. It will depend on the type of grant on how much help she will need.

Mr. Miller said the two local banks in town should be contacted.

Borough Manager Sterner said she did contact MCTC and they cannot offer a fixed rate for that amount of time.

Mr. Miller asked how long are we going to go on this?

Volvo L50C Loader repairs

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Public Service Manager Yaich said the Loader bucket has been drifting for a while, we had them down twice, they changed the filters and stuff. It got worse and they couldn't use it. This needs to be fixed, the machine is in good shape. We need, this fixed the guys can't be up on the screen when they are dumping the materials, if the bucket comes down and hits it hard enough, one of them will be hit off of there and get hurt.

Discuss Jake Arner Farms, LLC Waiver Request

President Strubinger said Council received a copy of his request.

Jake Arner said he has enough to start the first year grown for the winery. It takes about 3 years to get any production out of a grape vine. The modification to Ordinance 2017-13 Article VII s500-xx Agritourism Enterprises Paragraph B.3- production of products from items grown/raised on the farm, provided that at least 25% of all raw materials used in the production of the items are grown/raised on the farm, or from a facility in same ownership for sale of products. He asked Council to grant a modification to this provision to allow for a farm production startup period. As the winery business gets bigger this will allow the product to catch up. The idea is to keep planting for your operation size, every 3 years plant more vineyards.

President Strubinger asked, the modification, the intent of it is to be ongoing. Is this something that you can be specific for x amount of years?

Jake Arner said for one time yes, but as the business grows you have to plant more to keep up with it.

Borough Manager Sterner said you are asking for an ongoing waiver.

President Strubinger said he believes Council is ok with the modification to the ordinance, the time.

Jake Arner said 5 years would be reasonable time, the truth is every time the wine vine grows you have to increase the quantity.

Edith Lukasevich left about 7:15

Mrs. Klitsch asked if any type of building is going to be put up for this?

Jake Arner said he spoke with BIA about putting a temporary building up, the building will not have a foundation. As soon as he gets approval from BIA for a permanent building they will put that up.

Borough Manager Sterner asked Jake Arner if he is expecting this modification to play into items that he is going to be selling?

Jake Arner said he will be selling wine, yes.

Borough Manager Sterner asked what else?

Jake Arner said wine, maybe blueberries, grapes, stuff that is grown on the farm.

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Borough Manager Sterner asked him to put it in writing what he would like included in this waiver so everyone understands what the request is, we need specifics.

Jake Arner said honey goes into meats, apples go into apple wine, blueberries also go into wine. He will put it in writing.

Mr. Miller said you have to be specific in order for Council to vote on this. The time, be specific, and the work indefinite. He would rather have it indefinite, than no term at all and what he wants to sell & grow.

President Strubinger said he will get the solicitor's opinion on the time.

Discussed High Street Wall Project

- a. Entech Work Order #2 - \$23,670.00
- b. Requisition #4 – \$22,159.48

Matt Boggs said the work order is for the additional observation services. It was originally planned for 10 days and they were out 27 days. Paving is the only thing left to do with the project. The plants are closed right now, so that work will be done in spring.

Discussed WWTP Upgrade Project

- a. Mr. Rehab payment application (0)
- b. Eastern Environmental payment application #14 - \$404,638.24
- c. Howard Company payment application #11 - \$92,683.24
- d. Requisition #17 – \$536,360.35

Matt Boggs said they had a couple progress meetings, they have been asking for a time extension, they want additional time to finish this work and they have not given us a reason why. RUS said they are going to need a very detailed description. The electrical, they have converted the generator over from the 240 volts to 380 three phase volts. They had a wet weather protocol so when this happens the guys at the plant know what to do. They can jack up the chlorine, waste sludge so they can take the additional flow coming in. They notified DEP about this, so it will go into the monthly DMR report. We are under construction for the Treatment Plant, sometimes they have more leniency for this.

Mr. Sheckler said the summer testing that has to be done, is that all going to be completed this summer so this can be done this year, or will it be extended into next summer?

Matt Boggs said that is the topic, the IFAS training is being done in July, the other test is scheduled for October. It is a possibility that we may have to hold money for that test to be done next summer.

Mr. Sheckler asked how will that affect us with DEP if something goes wrong with the test?

Matt Boggs said that is not a DEP requirement, this is for the equipment under warranty.

President Strubinger asked what does that mean for the operation of the sewer plant?

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Matt Boggs said they will be both on line in October 2018, they just won't have the proof of the performance of that until the following summer.

Mr. Sheckler asked what would happen if something went wrong and its not under the warranty because the tests weren't there?

Matt Boggs said it would still be under the warranty period, it would be under a condition in the contract.

President Strubinger asked why is it that the test has to be done during the summer?

Matt Boggs said that is when the plant has the most strain on it, is when it is warm. You want to make sure the equipment is performing the way it should be.

**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 (4)
  - f. Temporary Off Lien Report (0)
- B. Uncollectible Accounts Report – (0)
- C. Utility Accounts Proposed Updates (2)
- D. Account #3465 Payment Plan

**Tax Exoneration Action**

- Carol Sheard, 1540 Center Ave, JT – retired

**Committees**

**Administration**

County Safety Fence reimbursement request

Borough Manager Sterner said this is for the Railroad. The Railroad required the County to put safety fencing along the access road by the Market. Chances are we would have had to of done this with our project, and with the trail project. The County wanted to know if we could split the costs. She did speak to D&L, they should be able to put some of the cost into their grant. We are looking about \$1,900.00 being our share.

Mr. Miller asked about the flaggers time on the sewer project, are we all square with the time?

Borough Manager Sterner said the County has been working with the Borough. The County has been sending us reimbursement money monthly. There was one day that the flagger left early, we still have to pay for the flagger because it wasn't cancelled. The second time it happened she told them if it happened again they are paying us.

204 Center Avenue

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Borough Manager Sterner said the clean up has been completed, we did receive the bill and weigh slips. Does Council want to continue on with the Zoning? We have the roofing issue and other violations there.

Mr. Miller said he asked Council to pay for the unbudgeted item, to clean the building out. That has been accomplished. He would like to hear the solicitor's thoughts on this. He is not for doing anything more on this building. We cleaned it out for fire safety concerns.

Borough Manager Sterner asked does Council want to continue to pay Barry Isett to send notices of violation to the property owner?

Mr. Miller said we should be putting a lien on the property for the bills that we paid for cleaning it out. He would like to know what the solicitor has to say about this.

Borough Manager Sterner said on this one there was a judgement by the local district justice, and if she has not paid it then we can put a lien on the house for that amount.

Carbon County Office Expansion Project.

Borough Manager Sterner said they did meet with the County about this project. They are doing a 2-level parking garage underneath the office upstairs. They will submit an informal sketch plan to come before Council and Planning to review.

Public Service (Sewer/Sanitation/Water/Streets)  
2017 DEP Sewage Enforcement Grant submitted

Borough Manager Sterner said we have submitted the annual grant.

Clair – mural request

President Strubinger said this in in the area where the wall was fixed and the residents yard that butts the wall is requesting permission to paint a mural on the wall.

Council will vote next week on this matter.

Earth Day Annual Festival

President Strubinger asked if a Police Service contract is needed for this?

Police Chief Schatz said no.

Handwerk Retaining Wall

Matt Boggs said they had the observer that worked on High Street Wall look at the wall for Handwerk. We prepared a memo for Handwerk, which explained what they saw. The grout material on the stone wall is gone. There is vegetation of trees there, that impacts that wall.

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Borough Manager Sterner said we completed these steps. We are looking for Council to instruct us how you would like to move forward. Is Greg to continue with the zoning? The concern is the culvert there, we are not comfortable with putting our guys down there with that wall bulging. There is another area of wall up above this property and they were made aware they need to do some work on that wall. He said the Borough engineer said it was the Borough's fault that it was this culvert and this report clearly shows it is not the culvert.

President Strubinger asked what does the borough maintain in that area?

PSM Yaich said the culvert itself the borough cleans out. The water brings everything down from above and it all hangs up in the culvert and clogs that pipe up and it comes out of the culvert and runs down the hill. The guys have to physically get down into the culvert to dig everything out. A couple months ago when they were down there, there were a couple rocks that were really loose and over their head, this is about 6 or 7 feet deep.

Borough Manager Sterner said the property owner was notified he needs to take care of the entire wall.

#### Streetlighting Upgrades – Borough Owned

Borough Manager Sterner said she contacted PPL for upgrades on borough owned lights. The only lights the borough owns are the ones on Broadway about 30 of them. A couple years ago you did convert them to LED so there is no upgrade needed.

#### Streetlighting Upgrades – PPL Owned

Borough Manager Sterner said she was told we couldn't do anything on PPL owned lights. Now she was informed that can be done. We need to determine the age of the lights. If the lights are over 10 years old PPL pays for them, if they are under 10 years old we would have to pay for them. They will figure out what the borough cost would be.

#### 10<sup>th</sup> Street Stormwater Project

Borough Manager Sterner said we applied for the Set Aside grant for this project. We should be hearing on this. We budgeted this for last year, we put that in the Capital Reserve fund so we still have the funds reserved for this. We budgeted the remaining amount in this year's budget. We applied for the grant hoping we would get the grant. We need Council's ok to update the bid specs and place this out to bid again. We do have the funds without the grant. We just want to get this going so we can do it this year. If we find out that we are successful with the grant, then the money that we had used for this would be used as a match for grant for another High Street Wall area.

#### Penn State Flagstaff Project.

Borough Manager Sterner said the Penn State Group came back with a winch, cart and trailer. Mr. McGuire is looking for the approval of the funds. We have \$2000.00 budgeted and we need about \$3000.00.

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Mr. Miller thinks we should move ahead with this project, we need to find \$1000.00

Police

Part Time Officers Uniform Policy

Police Chief Schatz said we never had a policy in place for the part time officers' uniforms. In order to get part time officers, we have given them the option if you come on board you purchase them after a year we reimburse you. This was never in writing.

Jim Thorpe Birthday Celebration

Police Chief Schatz said they were sent a Police service contract.

Police Chief Schatz said when we have the Little League Parade there is a lot of liability on the borough. They talked to them, this year they will go down Center Street to 9<sup>th</sup> St across North Street to Lehigh St down to 5<sup>th</sup> St to McGarvey's field.

Buildings/Parks

Asa Packer Mansion Insurance

Borough Manager Sterner said the insurance broker was able to save us \$1026.00 on the mansion insurance this year. When we sent over the update appraisal it went up \$262.00 there is still about \$700.00 in savings.

Phoenix Firehouse

Borough Manager Sterner said Solicitor Nanovic does have the deed from the title search. We can put this out for bid.

APPI Gas Audit

Borough Manager Sterner said APPI, who did our electric audit, to also do gas. They came back and told us they can't beat the price we are getting now.

Emergency Services

Mr. Sheckler said they had a meeting on January 29, 2018 and they discussed the consolidation of the Phoenix and Fairview Fire Departments. They are working on this. He thanked all of the fire companies for everything they have done.

Old Business

- A. Police Contract
- B. Disorderly Conduct
- C. Parking Zones Ordinance
- D. Nuisance Ordinance
- E. Health Officer

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**Executive Session**

Council will hold an executive session to discuss Personnel matters.

**MOTION:** Kyle Sheckler second Jay Miller to adjourn.


YES 5

NO 0

ABSENT 2 John McGuire & Edith Lukasevich

Adjourned at 8:30 pm

Respectfully submitted

  
Louise McClafferty  
Borough Secretary