

JIM THORPE BOROUGH COUNCIL WORKSHOP
AUGUST 1, 2019
MINUTES

Meeting called to order at 6:30 pm in the Memorial Park Hall, 115 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 (a)	Joanne Klitsch
Thomas Highland (a)	John McGuire (a)	Edith Lukasevich
Jay Miller	Borough Manager Sterner	PSM Yaich
Connor Rodgers, JCP	Police Chief Schatz	Matt Boggs, Entech
Mayor Michael Sofranko (l)	Secy. McClafferty	

Mayor's Report

President Strubinger said Mayor Sofranko is not here tonight.

Police Chief Schatz said the License Plate Reader (LPR) has been installed on car #83. They are working on the final details with the technology.

SALDO

Public Comment

President Strubinger said Mr. John Rushefski is the new superintendent of the JTASD.

AT & T - Santa Kabani

Pam Armstrong – Race Street

Pam Armstrong said they gave the borough a copy of the petition that was signed by 36 residents. In addition to that she had a letter from Shelli Holland who lives at the beginning of Race Street, the blind curve which is very dangerous. Shelli Holland's letter said she is in favor of removable speed bumps. She explained how she sees the people speed by her place, and there are people walking, biking, and hooping outside of her store. She said someone is bound to get hurt with the way people fly around the corner. The street is posted 15 MPH on a telephone pole. It's only a matter of time until a person gets hit, or killed or seriously injured by a vehicle.

President Strubinger asked if she noticed it certain times of the year when it seems to be better or worse?

Pam Armstrong said not really. There are a lot of people that live up on the hill and come down Hill Road, they try to beat down the traffic, they shoot across the street and step on it, instead of going on Broadway, this is year-round. She said when she dropped the petition off, she was told to contact our State Representative and ask to make sure to give the Police are given the ok for radar detectors.

President Strubinger asked Police Chief Schatz about the enforcement of that area.

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Police Chief Schatz said that area there would be use of the Vascar. It is impossible there because you need 100 feet minimum distance with sight pictures in order to properly enforce the speed, that itself is a challenge, even with radar it would be tough.

Mike Williams said Chief is absolutely right, the street is short. In order to run mechanical devices for speed enforcing. You have to have distance to use it. You cannot start using those devices for speed timing until 500 ft past the first speed limit sign. Enforcement is not an option on that street, there is nowhere to sit effectively to run radar and nowhere safe to pull people over. The citizens that live there are just asking for an alternative way to slow the traffic down. He stated someone is going to get seriously hurt or killed. They are asking Council for help.

Ben Walbert said years ago he was told they could not put speed bumps there. Je works in the city of Allentown, he travels up Graham St., this connects with Tilghman St with Hamilton Blvd. There are 3 speed bumps and there is a sign there that says speed bump. The irony of it is to slow traffic down, these are legit now.

Carole Wildoner-Walbert said this is not the street in our youth. Race Street was a little sleepy street back then. It is a very heavily traveled street. People know about this, tourist come up the street. She has seen mothers with strollers having to dodge these cars. The Borough needs to consider its own exposure here, because you are going to have serious liability exposure here. You need to think about the liability issues. It is posted 15 MPH and that is too fast, repost it, put it 5 MPH, a speed bump does need to be put around the bend.

Jay Llewellyn 94 Broadway, said a lot of this involves early morning people getting to work and they don't want to deal with the traffic light. When school is in he noticed the volume of traffic on Race St is heavier. It is a lot of people that don't want to deal with the traffic light.

Police Chief Schatz said this is something we need to sit down and look at, they are addressing concerns on Center Avenue with State Representative Heffley for Hacklebernie.

JTB Planning Commission meeting schedule change to: Aug 27, Sept 24 and Oct 22 at 6:30

President Strubinger said we received 2019 Tree Vitalize Grant - \$3,812.62

Borough Manager Sterner said we did receive this and the project is complete.

Act 904 Recycling Grant - \$5,352.00

Borough Manager Sterner said this has been sent to the State, payment has been authorized, it is just a matter of writing a check for that.

Fall Tire & Electronic Recycling Event is scheduled October 19, 2019 – 7:00 am to 11:30 am

Bonnie Hoffman said they have concerns about the new policy in regards to events. They want to know what you mean by events? Is it St. Joe's yard sale every week, their summer lunch program, is it the clothing give away, this is vague?

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President Strubinger said we have event Police and Public Service agreements in place. We wanted to spell some more information out so the organizations have some advance notice of what items they need to give to the borough. This is only if the organization is having an event that would need some additional Police officers for the event, traffic control, or public service department for barricades. If your event doesn't require that there is nothing you would need to do.

Borough Manager Sterner said a large event that would have a large crowd that is not in a church but outside that could have an effect on traffic. Something that does pertain to them is the Summer Lunch program. You need to let us know in advance when you have that because you request the parking spaces be blocked off, we are told every year after the fact. Let us know in advance so we can get it in our schedule.

Bonnie Hoffman asked what about the Switchback Scamper, we don't usually have Jim Thorpe on the insurance we have Summit Hill because it runs in Jim Thorpe and in Summit Hill. Half of it runs in Summit Hill and it finishes in Jim Thorpe. They have a certificate of liability given to the Mauch Chunk Lake. Does the Borough now require this?

Borough Manager Sterner said yes, we should have that.

President Strubinger said we need more information on this event.

Police Chief Schatz said if you are having an event in Jim Thorpe you need to let us know.

Bonnie Hoffman asked how does she notify the borough; does she send a letter or what?

Borough Manager Sterner said stop in the office or look on our website because the information that we need is posted on the website.

Bonnie Hoffman said we have to notify you, give you a certificate of liability insurance, how technical is this going to get?

Borough Manager Sterner said that is for your protection, our protection and everybody that is in the borough. You have your insurance, and you just name us as an additional insured, it really shouldn't cost you anything.

Bonnie Hoffman said you want that document?

Borough Manager Sterner said yes.

Arlene Dombrowsky said large events, even though you are not closing off the street, we still have to notify you? Her church has the strawberry social and we have a lot of people that attend. Would they have to do this too?

Borough Manager Sterner asked if it is on their property?

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Arlene Dombrowsky said yes.

Borough Manager Sterner said you should let us know, because the Police Dept. should know if it is going to be a large gathering of people, just so they are aware. The Chief will want to know this so he has adequate coverage.

Tom Loughery, 3 Towers Apartments. He recapped the closing of High Street Steps. The end of 2017 the Borough informed him and his neighbors that the concrete steps that connect from Broadway to High Street are situated on their properties and that the borough is relinquishing all responsibilities for them. We need the High Street Steps reopened as a public walkway and the issue is not going to go away. We need High St for the parking and we need the steps to connect us to High Street. The High Street steps were built by the borough as a public walkway for the borough residents and were maintained as a public walkway for 120 years, regardless of who's land they were built on top of. They need High Street for the parking and we need the steps to connect us to High Street. The people that live on High Street also need the steps to walk down to their neighborhood or downtown. The High Street steps were built by the borough as a public walkway for the borough residents and maintained as a public walkway for 120 years, regardless of who's land they were built on top of. Their closure has affected many tax payers and residents.

Tom Loughery said recently, he hopes council was alerted to a letter that attorney Nanovic received from a law firm that was hired to look into this matter. The letter asks for a meeting between the 2 attorneys and the interested parties.

Borough Manager Sterner said they all received it and you talked about it.

Tom Loughery said the point is that this letter was not addressed by Council. The only reply that he received was a curtesy letter from solicitor Nanovic stating he was not directed to talk to the attorney about the matter. He is coming tonight asking council to reconsider talking to him and his neighbors and the lawyers. He asked the borough to do the right thing and sit down and talk about the issue and get some understanding on both sides. They have done some research and they feel there are very solid minutes that the steps are actually owned by the borough regardless of the property lines. The lawyers know all the terminology and they could hash this out in their legal language. Council just needs to give Mr. Nanovic the ok to sit down with them. Once the group gets together including representative from the council, and the property owners. You will see the history that they have discovered, realize the presidency that was set, the Pennsylvania law that addresses the situations like this.

Tom Loughery said however, if you choose to ignore this personal request like the lawyer's letter has been ignored. He would have to tell you the next request is not going to be as cordial. He is here tonight asking for consideration. If you decide not to address the matter the next correspondence will unfortunately have to become a legal major and he would basically have to get a judge to decide the matter. If we get involved with a law suit it is going to get ugly and expensive. In a matter like this there is not going to be a winner, everybody is going to lose a lot of time and money and people will be bitter.

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President Strubinger said he believes Council did the right thing, when there was a claim brought against the borough for someone falling there and our insurance requiring us to prove that we are the owner of the property before they were going to pay out a claim. That set that in motion to find out that we do not own the steps, therefore the insurance company was not going to pay out a claim on behalf of the borough and its residents for property that we do not own.

Tom Loughery said he understands your point about property lines, but there is precedence that was set where municipalities illegal structures were appropriating use of certain lands for infrastructure. The fact when things were built and maintained by the municipality they are owned by the municipality, regardless of the land underneath, in this case it maybe 40 ft below. Regardless of the property lines, the steps were built by the borough as a piece of infrastructure. The predecessors of this council decided that they needed a thoroughfare between High Street and West Broadway. This has been there since 1886.

President Strubinger said he appreciates that you would rather have the Borough own it, and the responsibility than yourself.

Tom Loughery said this is part of the infrastructure of the town. He is not accusing anybody of doing anything, it has been built, it's been there, it's part of the transportation methods of this area. People that live on High St. deserve to have the infrastructure that was there when they bought their houses.

President Strubinger said he does not believe we took anything away. It is not borough land.

Tom Loughery asked if we can sit down or do we have to involve a judge? You decide on how much you want to spend. He looks forward to being contacted and if he doesn't hear from us. This has to be decided one way or another. He doesn't want to do it the ugly way.

Mr. Miller said you are right about that, this will be settled. He doesn't like people coming here making threats. He doesn't appreciate this, and this is a threat.

Tom Loughery said he just needs action. He needs somebody to do something. If you choose to do nothing, they are going to do something.

Mr. Miller said he took this as a threat. You said if we don't do something you're going to take legal action. You put us on notice.

Danielle Seip, 609 South St. The reason she came here tonight is on 7th St and Fern St. She lives at the bottom of a hill; they had a berm installed on Fern St. because the water flows down into their yard and into their basement. She was in the office and spoke to a gentleman and he suggested we install a curbing. She does not feel they should have to replace the berm that was taken out by the plow.

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President Strubinger said we have had some big rains; we have seen 500-year storms. The roll top curbing does work, the only issue is when winter, the roll top curbing, unlike the regular curbing, doesn't stand up to the plows.

PSM Yaich said this is up to Council to make the decision. You have an ordinance in place. You are spending the tax payers money to put the curbing down. What do we do? Do they start going further out with the plow trucks to stay away with the plow or do we plow to the curb?

Ed McArdle, 622 Center St. The alley behind his place, Fern St, they put 50 ft of cold patch down, that's \$100.00 some dollars. That is 2 accidents that your guys had. How can you take 50 ft of curbing out and not feel it? When you did that alley, you should have tarred and chipped it. He asked why the manholes weren't raised?

PSM Yaich said the contractor didn't feel he needed to do it.

Ed McArdle asked why did the borough pave from 7th St up?

PSM Yaich said the street was busting up too bad, we couldn't get a truck up it.

Ed McArdle said he would like to see where we are getting money from the State, money to do that.

PSM Yaich asked him to come to the office and he will show him it, we get Liquid Fuels money for that. He asked him to fill a right to know form out.

Mr. Miller said he thinks we should go with the curbing and make it a policy. He agrees we are wasting money with the macadam curbs.

Borough Manager Sterner said the borough did not put that black top curbing in.

Action

Discuss Council Meeting Minutes from July 11, 2019.

Discuss Council NEPA Workshop Minutes from July 18, 2019.

Santa Kabani AT & T, gave a short presentation and handed the information to the manager. She discussed the First Responder program.

Discuss Expenditures from all Funds as presented.

Discuss Treasurer Report July, 2019 as presented.

Discuss Budget Line Item Transfers – August 2019

Discuss PLGIT Term Renewals

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Borough Manager Sterner said we have the annual donations included in the bill list this month and we have the tax mill transfer into the fire fund.

Borough Manager Sterner said we have line item transfers for: General Fund, Sanitation, Sewer, and Water fund. Borough Manager Sterner said the new ladder truck approximate amount of \$287,239.00, Sanitation Capital Reserve \$720,666.00, Sewer Capital Reserve \$1,853,646.00. She has some rates as of the 29 of July, she will have updated rates for the council meeting. She is looking to roll that into another term product or a CD.

Discuss Special Fire Fund – Reallocation of Marion CD funds

President Strubinger said there was a recent meeting where some of the funds are being reallocated for the term purposes. He believes it's \$46,000.00 will be withdrawn in transfers for investments. We have determined we need to get a better deal on the money.

Borough Manager Sterner said in 2017 they did not communicate to us; we are rectifying that now.

Discuss Ordinance 2019-04 Amendment to Act 172 Volunteer Tax Credit

Borough Manager Sterner said the amendment to Act 172 is just for the requirement when the fire chief needs to have his certified list in. They wanted the list turned in November but it was for the year and the year did not end. Solicitor Nanovic drew up the amendment, that it will be January of the following year.

Discuss Sgt. Bokeko 2019 Longevity Pay.

President Strubinger said this is in the amount of \$500.00, and is as called for in their contract.

Discuss DCED Municipal Assistance Grant.

Borough Manager Sterner said this is for the borough to let DCED know that we are maintaining our interest in updating our zoning and subdivision ordinances, the joint grant with Summit Hill borough. The application is in and will be considered in the fall.

Discuss Tri-State Quote WTP Actuators & Valves.

Borough Manager Sterner said we replaced half of them last year, this was the second half that was due and this is a budgeted item.

Discuss JT Lions Halloween Parade.

President Strubinger said this is scheduled for Saturday, October 26, 2019 at 2:00pm, rain date is Sunday, October 27, 2019 at 2:00 pm. He asked if this is a Police Services or Public Service event?

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Police Chief Schatz said they work this out with the Lion's club. He will speak to them about this.

Discuss Mauch Chunk Road Rally.

Borough Manager Sterner said you received a letter from Jim Mordel, showing the route for the event. This will be held on Sunday, October 20, 2019. The event will start and finish at the Memorial Park pavilion. This is not a race, it's a competition using navigation skill and timing, 10 to 15 cars, 2 person teams, begin at 9:00 am. The raised funds will be given to the JT Fire Dept.

Discuss Mauch Chunk Pow Wow.

Borough Manager Sterner said this will be on Sunday, September 22, 2019 at the Mauch Chunk Lake Park, 10 am to 5pm. They will have vendors there, they asked for a blanket permit and there are different requirements for different types of vendors, we can't do a blanket one. They are in the process of receiving approval from the County Commissioners, tentative approval was reached.

Discuss Rep. Heffley request Hacklebernie.

Police Chief Schatz said they are looking for a letter of request for Penn Dot to study the speed up there on Center Avenue. The stop signs up there, they will be placing some markers on the roadway past the flashing lights. They need a letter from the borough stating we are giving them permission to do so. There is no cost to the borough for this study.

Mr. Miller said he thinks we should send them a letter, because of the things that are happening up there.

Police Chief Schatz said they have requested the speed limit signs to be placed up there.

Discuss 177 & 179 West Broadway

President Strubinger said 177 & 179 W Broadway a request has been sent to the owner to have the water line separated. Do we know if this is a common sewer line?

Borough Manager Sterner said we are not sure about the sewer; we did send a letter requesting that if it is a shared sewer that it is to be separated. The property owner at 179 W Broadway has purchased 177 W Broadway. He has spoken to PSM Yaich and said he will be coming to council. He has not made any steps to do so, we are beyond the 90 days and the lines have not been separated. We are looking for council's guidance.

Borough Manager Sterner said the sewer, we don't know if it is common, but water lines it is and he is going to do so. The option is to move forward with enforcement, have him do it.

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Mr. Miller said the only problem he has with this is if it were one deed, and one property, it is 2 properties.

Borough Manager Sterner said the ordinance says if the house is sold, within 90 days of purchase, they are supposed to separate the lines.

Discuss DCNR Park Master Site Plan Grant Amendment

Borough Manager Sterner said we have discovered between USDA and the master site plan that we were granted a national park service grant for the park plan back in 1977. What the borough did at that time was they pledged the entire parcel of land for the grant rather than the park area. What we need to do now is the Memorial hall building and the office building are in violation of that grant. We need to swop land; we need to pull those buildings out of that grant and supply new recreation land for that grant. The National park will allow us to use the separate parcel that we have back across the street from the old garage. We had the park parcel surveyed, we will need additional surveys whether we do one or combined. The office building area, the hall area, the garage area, track 2 is what we are calling the other parcel. We will need environmental assessments on the park parcel. We are not sure how many we will need if we will need it for all 4 different areas. Because we have the park Master Site grant, we are able to request an amendment to that grant and recover possibly 50% of the costs for the surveys and the environmental assessments. The appraisal, she is not sure yet, she is waiting to hear back on this. We will need this for the USDA projects, they will allow us to do that as part of the master site plan so we can include this in the grant. We need a yellow book appraisal.

Borough Manager Sterner said it is our goal to have this on the September agenda to approve placing it out to bid, bids due the end of September. This would be awarded at the October meeting.

Borough Manager Sterner said the costs to survey the areas that we need to survey, do the environmental assessments for the park and the appraisal.

Mr. Miller said you mentioned about swopping, what are we swapping?

Borough Manager Sterner said the area of the hall and the office building we need to pull this out of the grant. Then we will put the area of the garage and the track across 9th Street into the park. When we did the National Park grant the borough pledged the entire parcel for recreation.

Discuss Borough Facilities Projects

Spillman Farmer Administration Invoice
Spillman Farmer Garage Invoice

Borough Manager Sterner does not have any invoices for borough facilities, D&L and the WWTP project, we were not able to get everything done with the projects coming to an end.

Mr. Miller asked when the pedestrian bridge will be opening up?

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Borough Manager Sterner said she will have an answer next week for council, we don't open the bridge the County will.

D & L Trail Project

Borough Manager Sterner said we will have the Bower Time Extension until the end of August.

Wilson Invoice

D&L Heritage Corridor Invoice - \$1,025.00 (reimbursement for Wilson Invoice)

Bower Payment Application #3

WWTP Upgrade Project

Eastern Environmental payment application #32 - \$40,806.54

Howard Company payment application #27 - \$

Requisition #36 - \$

Mr. Rehab payment #8 - \$

Matt Boggs said that tour last week with RUS was the final walk through on the project. We have a final punch list for Howard, there are 3 items on that. Eastern has about 12 to 13 minor items.

Matt Boggs met with Vince Yaich and Borough Manager Sterner before this meeting to discuss the funds that will be available when this project is done. They are looking for more work by Mr. Rehab for some of the lining repairs or some of the sewers that might be gone and easily repaired by them. He will have an update for the September meeting for what we will do with the remaining funds. The project was \$6 million for the larger loan and \$4 million for the grant, total \$10 million-dollar project.

Utility Action

Utility Accounts Lien Reports

Active Utility Accounts Garbage & Others Lien Report (0)

Discuss Active Utility Account Garbage Only Lien Report (7)

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)

Discuss Utility Accounts Proposed Updates (1)

Tax Exoneration Action

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Committees

Administration

Public Service (Sewer/Sanitation/Water/Streets)

Water – New DEP Requirements

Matt Boggs said with the new water operations requirements. Some include permit amendments so we are just using one of the two filters at the plant on the west side. They will be working with DEP and the Water Dept to make sure we are covered.

PSM Yaich said if we don't meet the regulations beginning August 19, 2019 the plant operation must be staffed. So when ever the plant is in operation a man has to stay at the plant, if he has to leave we have to put another operator in until he comes back. They started running it so many hours a day, every day to see how it is going to work. The next day when we come in to work, we can increase our output production and not go over our withdrawal permit for stream. So far, it seems the little bite of water that gets used, the 16 hours that we are shut down we can make up in the 8 hours under normal conditions. There maybe some days that we are going to have to work more than 8 hours. If they do the two of the operators are going to work and if we have to use the one laborer that doesn't have his license yet, he is allowed to run the plant as long as there is a qualified operator is available by phone at all times while he is running the plant. If need be they can staff it around the clock. He said one or two of them it is just a matter of putting an alarm in. The one we will have trouble with is the combined filteret fluent. DEP realizes that half of the plants in the state are never going to be able to meet that requirement that is why they are trying to get a minor permit. Until he gets the ok from DEP he is not going to start the paperwork.

Flagstaff Road

Borough Manager Sterner said she is bringing to Council's attention how beat up Flagstaff Road is taking with the amount of traffic and speeding. She did speak with Brad Hurley from Senator Yudichak's office and he made some phone calls. They are trying to work on this for us. They did request that we put our request in writing. She spoke with Representative Heffley, he contacted Penn Dot. Vince talked to a County Manager from Penn Dot, and he did want to know what assistance the borough is looking for. He is going to see if he can get us some millings. We are talking about getting some black top to patch. They may pay for it one time and then we would pay for it the next time. They are working on this.

Police

Buildings/Parks

Emergency Services

Discuss Fire Sirens

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PSM Yaich said the fire sirens they were checking the boxes to figure out why they are not going off. The siren on the hill the cross member is broken off, the electrical box needs attention and the one on the east side they were doing some digging to put a trench in for the generator in and they pole is rotted. He talked to EMA to find out if there are any state or federal requirements for us to have sirens. Unless we are in a fall out zone for a nuclear power plant, sirens are not needed. As long as you have other ways to dispatch your emergency services, they have nothing to say unless there is something in a borough ordinance.

Mr. Miller state he thinks we should take them down. We have pagers now.

PSM Yaich said there is going to be costs to take them down.

Borough Manager Sterner said the Parking Study, Chance Management is updating the power point presentation, and they are scheduling a meeting with the committee.

Police Chief Schatz said on Tuesday, August 6, 2019 they will be hosting the National Night Out from 6:00 to 9:00 in the Memorial Park.

Old Business

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

Executive Session

MOTION: Jay Miller second Joanne Klitsch to adjourn.

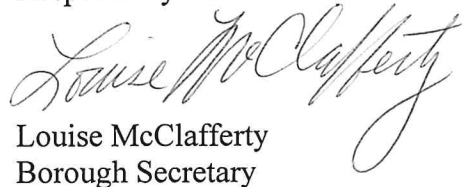
YES 4

NO 0

ABSENT 3 John McGuire, Kyle Sheckler &
Tom Highland

Adjourned at 8:10 pm

Respectfully submitted


Louise McClafferty
Borough Secretary