

JIM THORPE BOROUGH COUNCIL WORKSHOP
SEPTEMBER 5, 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	Joanne Klitsch (a)
Thomas Highland (a)	John McGuire	Edith Lukasevich
Jay Miller	Borough Manager Sterner	PSM Yaich
Connor Rodgers, JCP	Police Chief Schatz	Matt Boggs, Entech
Mayor Michael Sofranko	Secy. McClafferty	

Mayor's Report

Mayor Sofranko said Council received the Police Depts. monthly report.

Mayor Sofranko thanked the Police department, we have the Civil Service list from the Civil Service Commission signed by Ed Lewis certifying the civil service test results for the replacement of officer Schwarz. He asked Council to act on this next week at the meeting.

Mayor Sofranko said Council has been provided emails on information that you had asked Police Chief to look into; such as speed bumps, speed humps and all of that on Race Street.

Mayor Sofranko said they will be holding a Fall Foliage meeting with Michael Rivkin as to what all will be needed for the event. He has had calls on how busy the traffic has been in the downtown section on the weekends. This is a good thing. it is very frustrating for people trying to get around town. He asks everyone to take their time driving around town. He appreciates everyone in Hacklebernie, it is great the people have taken the time to put signs out for people to slow down, that is a help to the Police. They will have shuttle services. He said Chief is trying to get help for when the trains come in that they help with the crossing, and adhere to the traffic light. Council is working on the traffic study.

Mayor Sofranko said he asked Council to approve Trick or Treat night for October 30, 2019 6:00 to 8:00.

SALDO

Carbon County Susquehanna Street Project

President Strubinger said we received a letter from the Carbon County Commissioner's regarding the Susquehanna Street project withdrawal.

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Public Comment

JTASD Superintendent John Rushefski thanked everyone for welcoming him. He understands the Borough needs cooperation with the School District regarding bus parking. He would like to talk to the borough about this, he has been speaking with Greg Kurtz and they know they have to get the language right for the bus parking. He has been working with Police Chief Schatz in regards to a Resource Officer for the school and they are working on an agreement. They will have an Officer in the High School, the L.B. and out in Kidder Township. He said if you need anything from him for the borough please reach out to him.

Mr. & Mrs. Robert Handwerk, 19 Packer Hill, they are here to speak about the Retaining Wall. At their expense, they hired a contracting firm, they came and dug out behind the wall, removed all the dirt. It is not a retaining wall it is just a wall. There was no effect on the wall. On the outside of the wall they had mortar put back in, and then we were told not to touch the culvert bottom, but the wall sits on the bottom of the culvert, they had no choice but to repair part of the culvert bottom. They had removed the trees. We thought we were done and found out we were not done, now we are told we need a structural engineer to certify the wall. They called Mike Tirpak, he came over and looked at it and said to them he cannot certify this wall. He said they would have to dig the whole mountain partially away, then build a wall because of the water erosion beside the wall. This would cost tens and thousands of dollars. He suggested we go to the borough and talk to Kathryn Forry and explain the situation. They need the wall to keep the water from running into the Carriage House. They feel they have repaired the wall above and beyond what they feel they had to do. They feel the water is not theirs, the culvert is too small and now the water is backing up and not going into the culvert, the retaining wall that is the borough's wall is starting to collapse.

Mr. Miller said they did a nice job. He said the borough would do our part, but you had to do your part first, then we would have to do our part.

Borough Manager Sterner said this is a Uniform Construction Code permit, the borough does not have any authority to grant any decisions. Her suggestion would be to have the engineer that went out there, contact Kathryn and the two of them discuss the situation. They can determine what exactly the engineer can give her that would allow her to issue the certificate of occupancy for the permit.

Mr. Miller asked that there be a three-way conversation tomorrow to get this settled. This would be with the manager, the inspector and their engineer.

JTB Planning Commission meeting schedule changes for September 24 and October 22, 2019

2018 Section 904 Recycling Grant Received

President Strubinger said the borough received 2018 Section 904 Recycling grant.

Borough Manager Sterner said the funds did come in the amount of \$5,352.00

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Carbon County Day of Caring – Deep Clean at Memorial Hall Community Center

Borough Manager Sterner said this is a group that is trying to do a day of caring, they have done it in Lehigh County, now trying it in Carbon County. They contacted us to see if we would have a project that we might like to have included. We want to include a deep cleaning of the kitchen in the hall. That will be done on October 16. There is a website if anyone would like to volunteer.

Matthew Rechs, 205 Broadview Drive, he is here to discuss the Short-Term Rentals (STR). He is here to represent his colleagues that have short term rental properties here in town. They make a small part of their living on STR. He supports regulations for STR in town, it has created problems for people and that is beyond your control. We need representation on the rule making. The draft of the rule that they received is really stressing. He as an investor, is asking if the borough is open for business or whether it wants to close down? They don't object to the regulations or the controls it's the representation in the process. He asks that as a business owner of this town that, give them a chance to work with planning or whoever to address what is most urgent. There is a parking rule in the draft, craft that carefully. He owns a property at 80 Broadway – Renden House, this has been a STR for 50-60 years, if he is required to have one parking space, per room for that house, within a certain distance of the house, that property will be put out of business.

Mr. McGuire said there is a committee: James Dougher, Michael Rivkin, and the Planning Commission. When they opened this up it was talked about and that they were a good representation of the Bed & Breakfast and STR. They have been working on this over a year. They tried to eliminate a lot of things that you would be worried about. The copy he has in front of him, what they are talking about is a zoning over-layer, rather than just allowing something in C-3 and R-4 areas. Planning thought this was a start, if we need to change it we can change it. The thought of taking it out of just Broadway and making it throughout the whole borough is more of the thought now. It wouldn't eliminate the ones in the R-3 area, such as the East Side. Council will have to take a look at this and figure out what the right thing is to do with this. He thinks this has to be town wide not just Broadway and West Broadway. We want to make sure this is done rights, this is a sensitive issue, this is not done.

Mr. Miller said his concern is fire safety, regulate that and we have to have some type of control on this. How we go from there, we have to have people involved with this.

President Strubinger said most of this is parking issues with STR that is what got the ball rolling and safety is the next thing. We are trying to work on this and get the full picture and what needs to be done. This is a draft; Council just received this tonight.

Steve Allen, 109 – 111 Center Street, he has the “Weekender” on the east side. People like the fact it's not on the west side of town. They like the fact there is parking, people like the fact they can walk into town and not be stuck in town. People come here to spend money. What makes this town great is people put money into their homes and restore them. When he rents people write reviews, he has to make sure he has his property safe.

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Helen Van Pelt, 11 W Broadway, she has two VRBO's in town. After reading the rough draft, the part about inspections; would they have to pay for the inspections and how much of the property would be inspected? If someone is renting a private room, would the whole house have to be inspected or just the room? If they are renting a whole floor would the whole house have to be inspected or just the designated area?

President Strubinger said Council just received this tonight, we are not sure how this is going to be.

Mr. Miller said he is for inspections if it means safety. What it is going to cost and who is going to pay for it he can't answer that, but he is for inspections. This is one way to enforce an ordinance like this.

Joan Morkin, 273 West Broadway, they own 268 W Broadway. They have an Air B & B, she explained a lot of the places are not cheap for a night. She said there are a lot of people that benefit financially from the STR. She asked that you need to consider the investors and the people in the community that have put money into their homes.

Laura Young, 29 W Broadway, this is a 3-apartment unit. She has made this nice and safe. She has part time Air B&B, she rents two rooms, parking is hard, she would pay \$60.00 to rent a space at the train station. She said the Air B&B people really care about their properties.

Mr. McGuire said we had a parking study done with NEPA and they did come up with suggestions on certain things to do. One of the things is the communication between the Borough and the County. The County holds a big piece with the parking lot. The suggestion was to start a committee with a Borough member, a County member, a Tourist agency member, and Pocono Vacation Bureau. He wants to talk to the County about the controls of traffic for the upcoming Fall Foliage festival. We need to get this in front of them.

Brian Decker, 1354 Broadview Dr., he is not a STR renter, they have used Air B&B & VRBO's for years, he would rather have a STR rental next to him than a long-term rental. They have to make sure their property is immaculate for the next people coming in to rent their place and they have to care about their property.

Sierra Fogel said this draft ordinance Section A, pay attention to .1 and .9. Point 1 limits it to Broadway and Point 9 requires it to have parking for everything. To her this will kill STR, because we know you cannot provide one parking space for every bedroom on Broadway.

Jake Arner said he is for the STR they are essential for the business of our town. He has worked and served on the JTTA and business would die without STR. He has a plan in to the Borough to provide additional parking. If you want more parking, he would have a place for it and he would like to work with the town to do whatever it takes to make the town successful. He would like the support of Council to do this.

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Seth McLaughlin, 820 Center St, he stated if tourism goes away, we will have a big problem. He spoke about the tenant landlord laws in Pennsylvania. He spoke about the Air B&B tenants rate the landlords. The policies to have an Air B&B are necessary, he supports them, the people keep their places clean, you have to follow them or you can't have a place. He stated we need jobs here in town.

Andy Underwood, 604 South Ave, he is looking to put Donut Shop on Broadway next year. He thinks it is important to facilitate the use of Air B&B in town, STR.

Action

Discuss Council Workshop Minutes from August 1, 2019

Discuss Council Meeting Minutes from August 8, 2019

President Strubinger asked Council to look over the minutes and if there are any corrections please let Louise know.

Discuss Expenditures from all Funds as presented

Borough Manager said the balance of the License Plate reader will be included on this bill list and some transfers from the General Fund into the Capital Projects Funds, other than that it's the normal bills.

Discuss Treasurer Report July, 2019 as presented

Discuss Budget Workshop Sessions

President Strubinger said we are proposing Oct. 24, Oct.31, Nov 6, Nov. 13, Nov. 20 & Nov. 21, 2019 at 6:30

Borough Manager Sterner said the last one you will have to let her know which day you would prefer if needed, if not needed they will be cancelled.

Discuss Trick or Treat – Wed, Oct 30th from 6:00 pm to 8:00 pm

Discuss Non-Uniform 2020 MMO Payment

Discuss Police Minimum Municipal Obligation for 2020

President Strubinger said the MMO is standard operating procedure

Discuss Employee #177 Longevity Pay

Discuss Employee #391 Pay Increase

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President Strubinger said employee #177 and #391 are in the Police Dept.

Discuss Civil Service Commission List

President Strubinger asked if we will have anything on the agenda to hire?

Borough Manager Sterner said she doesn't have anything for that.

Mayor Sofranko said the Civil Service List is ready for Council to hire someone, this is the replacement of Officer Schwarz.

Discuss Reading & Northern Railroad Thank You

Borough Manager Sterner said this is a letter thanking them for supplying the flagger for the D&L celebration, at no cost to the borough.

JT Lions Bridge Lights Request

Borough Manager Sterner said they are looking to do a project to purchase Christmas decoration for the lights on the bridge. The first phase of that is installing the electrical hook-ups that are on the light poles. They are looking for Council's permission to do this because the light poles are our responsibility. This would be at no cost to the borough.

President Strubinger said as far as the seasonal removal of the decorations was that discussed?

Borough Manager Sterner said they are not looking for financial assistance, they may need assistance during the electrical work performed on the poles, traffic direction and that type of stuff and some assistance with the decoration and lights. They are only looking to do phase I which is the electrical. They have to raise the funds first; the decoration will come later or next year.

Jim Thorpe Lion's Club Halloween Parade Request to use Memorial Park Pavilion

Borough Manager Sterner said they would like to use the pavilion with the kitchen, at no charge.

Heritage Festival

Borough Manager Sterner said this is at the Mauch Chunk Lake on Sept. 14, 2019 from 11:00 am to 9:30 pm, they don't need to be provide any services from us.

Switchback Scamper 10 K Race/Walk – 10/20/19

Borough Manager Sterner said Oct 20, 2019, starts at the Mauch Chunk Lake at 12:30 pm and they included the route they will be taking.

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Police Chief Schatz said there are no police services needed, maybe a barricade or two and that is it.

Mauch Chunk Road Rally Quest - Waiver Request for Pavilion

Borough Manager Sterner this was in with their packet last month, we missed the one part. They want to use the pavilion for the rally, at no cost because that would be more money that would go to the Fire Dept.

Carbon County Municipal Waste Management Plan

Borough Manager Sterner said this was sent to Council, the final step is if you have no objections to the plan then you do not take any action.

Mr. Miller said this was discussed at the COG meeting, he does not have any problem with this plan and they have available facilities in case they would need them.

Loughery Correspondence

Borough Manager Sterner said that was the letter that he dropped off after the last meeting.

Entech Work Order 4159-EWO-10043

Borough Manager Sterner said this is for additional work for the NPDES permit for the sewer plant. There was extra work as a result of receiving the draft permit investigating the proposed sewer limits, which were structured in previous permits issued for the treatment plant. The cost exceeded the original work order. This is \$875.72

D & L Trail Project – Wilson Invoice #16 - \$340.00

Mr. Miller asked if this is it?

Borough Manager Sterner said this is it for the engineering, the last payment application for the contractor, but we don't have the final approval from DCNR, we still have grant money.

Utility Action

Utility Accounts Lien Reports

Active Utility Accounts Garbage & Others Lien Report (0)

Active Utility Account Garbage Only Lien Report (4)

Active Utility Accounts Sewer/Garbage Lien Report (0)

Active Utility Accounts Water/Garbage Lien Report (0)

Active Utility Accounts Water/Sewer/Garbage Lien Report (1)

Temporary Off Lien Report (0)

Inactive (0)

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Uncollectible Accounts Report – (0)
Utility Accounts Proposed Updates (2)

Account #1030 Payment Plan

Account #5890 Request

President Strubinger said she had a broken outdoor hose spigot; she is requesting reduction in the sewer portion of the bill. We normally require a copy of the bill.

Borough Manager Sterner said she had the parts and fixed it herself, there is not an invoice. They did run her consumption report and it was higher.

Account #8217 Request

President Strubinger said this is a request for a reversal of the late fee, he said the payment was put in the box.

Carbon County Request

President Strubinger said this is a request for a reversal of the late fees, the mail was an issue here.

Mr. McGuire said this is the second time they requested this; they have an office over there that can pay this on time. We have a little old lady we don't forgive them but we are going to forgive the County, he would vote no. This could be mailed a week before.

Tax Exoneration Action

Patrick Foley – retired
Patricia Herman - retired

Committee

Administration

DCED Strategic Management Planning Program (STMP)

Borough Manager Sterner said this was a program that they have for communities in distress, they renamed it. This has been sent to council and our auditor, it sounds like a sales pitch, because he said he looked at our annual reports and there are some concerns for the borough, he could not name them. They can help us out by getting us a consultant to re-do our zoning ordinance with a grant and the SALDO ordinance and codify our ordinances. The auditor thought the same thing as her, what she wants to know from council is if they would like to meet with them. They want us to join the program and apply for all of the grants which we have to match 50%.

Mr. Miller said he does not think at this time, we are in that way, shape or form.

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Powell, Rogers & Speaks

Borough Manager Sterner said this is the delinquent tax collection agency they have some of our per capita and occupational taxes that they had collected, they went bankrupt. Solicitor Nanovic did get a response from the court reporter trustee. This company is now just one woman, and she doesn't have the records, her computer crashed, and she can't get anything off of it, we are out of luck getting anything from this company. If we have the information that was sent to them for the past years, and the reports of what they collected we could try and build everything back up and send it to Berkheimer and they can take over. We will have to go back and pull all of our records and forward it to them as we get the information.

PMRS Plan Agreement Update

Borough Manager Sterner said this is for the non-uniform personnel. There were some changes in the law for part time employees. If you do not want to include part time employees in the pension plan you have to specifically exclude them via ordinance. If you do want to include them at this point and time we should update agreement documents so that we have proper definitions of what a permanent part time employee is and we have the most current information. The agreement we have does not have definitions, which could cause some questions in the future. She needs council's direction on this as to how you would like to move forward on this.

President Strubinger said this is non-uniform only.

Borough Manager Sterner said part timers who are in the past are in. If you want to exclude for the future it would be from that point on. Those that are in are already in.

Mr. McGuire said when you say non-uniform you are saying non-union, is that what you're saying. Does this include the union?

Borough Manager said yes, this covers the union and non-union employees, it doesn't cover police.

President Strubinger said in the public service we don't have any part time employees. Their agreement allows seasonal.

PSM Yaich said seasonal part time employees, less than 24 hours a week, from April through October, but there is also an agreement in there if one of the full-time employees is off on a medical and is going to be off longer than 10 days. If he is off for an extended period of time we can hire a part time employee in his place, but is not entitled to any over time, any of the benefits, and when the full-time employee returns he is done.

Mr. Miller said we have done this in the past.

President Strubinger said we can have the language state what defines a permanent part-time employee.

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Borough Manager Sterner asked council if she should put this on the agenda for council to act on it?

President Strubinger said we should keep it as an option.

Mr. McGuire said we should set up an administration committee to discuss

Stormwater Management Ordinance Update

Borough Manager Sterner said we received a proposal from Barry Isett if we are interested in moving forward on this. This is something that we should look at as a budget item for next year. If you wish to move forward, she can include it in the budget. Jim Thorpe is unique, because of the water sheds we have, we have to be more strict than other places.

Mr. Miller would suggest we speak to the solicitor about this before we act on anything.

Mr. McGuire spoke about the traffic study; they have the final report that will be sent to us. They suggested we get a group of people together to talk to the County. He would like the Chief or the Mayor involved with this talk.

Police Chief Schatz said he is in.

Mr. McGuire is going to try to get in a meeting with the County. He would like to talk to them about the traffic going into the County parking lot and eliminating the parking across from the Post Office.

Police Chief Schatz said they want to eliminate the parking spaces across the Post Office and use that as a South bound lane, then open up the North bound lane and the middle of the lane would be to turn left to go into the parking lot, it would make it three lanes.

Mr. McGuire said we still have to have a solution for the sidewalks that don't continue to the parking lot entrance, we have to worry about the safety of the people walking there. There have been other solutions made in the parking study to get the people to the parking lot, they need more signage to get the people to the parking lot.

Mr. McGuire said the Library had some books damaged and he would like to know if they could use the dumpster to get rid of them?

General consent of Council is to give them permission to use the dumpster.

Public Service (Sewer/Sanitation/Water/Streets)

Antonio Pizzeria Request

President Strubinger said they requested a parking spot for their delivery vehicle.

Mr. Miller stated that is a hornet's nest if we do that.

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School Bus Parking

President Strubinger said there were some questions as to the number of parking spots with the School District bringing some of the buses back on the school property with their new contractor.

Borough Manager Sterner said we have sent a letter to the School District informing them they need to come into compliance with their plans and agreement. The deadline is tomorrow for them to submit something to the zoning officer.

Mr. Miller asked that there be formal communication. The agreement from 1998, we are still waiting for the parking spots across the street from the hall.

Mr. McGuire said before they did this they should have come to Council. He spoke about the shed that they are using as their depot, that is not the use of the shed.

Borough Manager Sterner said we are pursuing this under the SALDO ordinance without zoning.

Mr. Miller said use zoning in this case also.

WWTP Upgrade Project as Built

Matt Boggs said they have a revised punch list, there are 16 items on it and Eastern came back and said they did 3 -4 items and gave them a date with a response, they will be taken care of over the next couple weeks.

WWTP Plans

Borough Manager Sterner said the engineer provided a cost estimate to complete as built.

Mr. Miller asked if this is in addition to what it was?

Matt Boggs said yes. They had items that they have included and excluded. They said in the future if you want to add the services. As built are worthy because it is clean.

Borough Manager Sterner said she will contact RUS to get their approval.

Leisure Land North Dumpster survey results.

President Strubinger said there are 15 property owners in Leisure Land North, we have contacted them about the dumpster.

Mr. Miller said the point is we sent them a survey, you asked them to fill it out, we got some that responded, and the numbers that we got we have to go with, leave it the way it is and they'll police the area.

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Police

Buildings/Parks

Memorial Hall Gas Stoves/Ovens

Borough Manager Sterner said these are in the Memorial Hall, the gas stoves are supposed to be system inspected. We did not do it last year because they weren't used, this is about \$225.00 to do this. Do we want to keep them?

Mr. Miller said we are going to maintain something there for the community room.

Emergency Services

Old Business

Permit Parking

Readdressing Phase II

Susquehanna Street No Parking Ordinance

Blight Landbank

Zoning Ordinance Group Homes

Executive Session

MOTION: Greg Strubinger second John McGuire to adjourn and go into executive session regards to personnel.

YES 5

NO 0

ABSENT 2 Tom Highland &
Joanne Klitsch

Adjourned at 9:02 p.m.

Respectfully submitted



Louise McClafferty
Borough Secretary