

JIM THORPE BOROUGH COUNCIL MEETING
JANUARY 12, 2017
MINUTES

Meeting called to order by President Gregory Strubinger at 6:30 p.m. in the Borough office conference room, 101 East Tenth St, with the Pledge of Allegiance and a moment of silence for the men and women serving our country.

ROLL CALL OF MEMBERS

Curtis Jackson	John McGuire	Thomas Highland
Joanne Klitsch	Jay Miller	Kyle Sheckler
Gregory Strubinger	Mayor Michael Sofranko	Police Chief Schatz
Manager Maureen Sterner	PS Manager Vince Yaich	Boro. Secy. McClafferty
Kim Mazur, Entech	Solicitor James Nanovic	

MAYOR'S REPORT

Mayor Sofranko said council received the police report.

Mayor Sofranko said we received a thank you card from the borough for the donation for the painting of the police vehicle.

PUBLIC COMMENTS

Bill Malatak would like to know what the status is for Curtis.

President Strubinger said his term is until the end of 2017.

Bill Malatak said he has been noticing there are more and more rocks coming down over where the old bridge was located. Was that mountain ever inspected by Penn Dot when they did the bridge?

Borough Manager Sterner said she will send Penn Dot a letter.

Bill Malatak said it was in the newspaper about MEM and the Borough wasn't mentioned. He spoke about Eddie McArdle asking council over the years when is the borough ever going to hire a borough manager? We have one now that is competent, organized and accessible. We see how complicated things are now and that part time council members can't do it. You are doing a good job.

Bill Maehrer said from Front Street to River Street, when will that be taken care of by the borough.

President Strubinger said that will be handled at a later date.

Mark Reitz spoke about his zoning permit that he went through years ago for the property that he owns, all of the expenses that he incurred bringing this property up to code. He had to have ADA handicap accessible, be according to code 3 hours burn rate. Now we have the Air B&B's, they should have to apply to the same rules. He is losing rentals to the places on the other side of town that don't have to apply to the same rules. The rules should apply to everyone. He said this is an unfair playing field in the borough. The borough should get something for this.

President Strubinger said he know the JT Planning Commission is working on this and they are working with the county too.

Louis Hall said the JT Planning Commission is working on this. The County is making an ordinance that is requiring that the people register the Air B&B's with the County.

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Dan McGinley said the parking on the upper end of West Broadway has gotten worse over the years. The tourists are parking up there all day, something needs to be done.

Mr. Jackson said what the JT Planning Commission has been talking about is parking permits from the Opera House up West Broadway. He asked if this would help the residents in this area.

Dan McGinley said yes, something has to be done.

Jerry Strubinger asked if the County is cleaning the sidewalks from the old bridge down towards Subway? He went to the Commissioners meeting and they said the sidewalks are not their responsibility.

PSM Yaich said the County has been cleaning the sidewalks.

Jerry Strubinger asked what the Police budget is for 2017?

Mayor Sofranko said about \$989,000.00.

Jerry Strubinger suggested to council that Front Street from the old bridge to North St. be turned into two way traffic. He said the block grant money he thinks is going to disappear. He asked if council is talking to the Commissioners about putting a parking deck on Susquehanna Street. They are talking about building a 3 or 4 story building on Susquehanna St.

Borough Manager said they don't have anything to present to the borough at this moment. She spoke to them and she did suggest a parking deck to them.

PUBLIC HEARING

Open a Portion of Onoko Lane

Solicitor Nanovic asked if anyone from the public had any comments on this, Council is looking to adopt an ordinance accepting a small portion of Onoko Lane as borough roadway. The borough has been taking care of the road.

Borough Manager Sterner said this was the borough's road.

MOTION: Jay Miller second Kyle Sheckler to adopt ordinance 2017-1 opening a portion of Onoko Lane

YES 5 NO 0 ABSTAIN 2 Curtis Jackson & Joanne Klitsch

ACTION

MOTION: Joanne Klitsch second Jay Miller to approve Work Session Meeting Minutes from December 1, 2016.

YES 7 NO 0

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MOTION: Joanne Klitsch second Jay Miller to approve the Council meeting Minutes from December 8, 2016.

YES 7 NO 0

MOTION: Jay Miller second John McGuire to approve the Budget – End of Year Meeting Minutes from December 29, 2016.

YES 7 NO 0

MOTION: Curtis Jackson second Jay Miller to approve the expenditures from all Funds as presented.

YES 7 NO 0

MOTION: Jay Miller second Joanne Klitsch to approve the Treasurer Report as presented.

YES 7 NO 0

MOTION: Joanne Klitsch second Thomas Highland to approve the Schedule & Advertise 2017 Council Meetings the 1st Thursday work session; 2nd Thursday regular meeting at 6:30 p.m.

YES 7 NO 0

MOTION: Curtis Jackson second Joanne Klitsch to approve advertising of other Borough Boards & Commission meetings as per each group.

YES 7 NO 0

MOTION: Joanne Klitsch second John McGuire to appoint Nancy Porambo to the JT Planning Commission term to expire 12/31/2020.

YES 7 NO 0

MOTION: Joanne Klitsch second Kyle Sheckler to appoint Louis Hall to the JT Planning Commission term to expire 12/31/2020.

YES 7 NO 0

MOTION: Jay Miller second John McGuire to appoint Carl Faust as the Plumbing Inspector for 2017 year.

YES 6 NO 1 Curtis Jackson

MOTION: Joanne Klitsch second Curtis Jackson to appoint William Diehm to the Carbon County Communication Commission for 2017 year.

YES 7 NO 0

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MOTION: Thomas Highland second Kyle Sheckler to appoint John McGuire to the Dimmick Memorial Library Representative for 2017 year.

YES 7 NO 0

MOTION: Joanne Klitsch second Jay Miller to appoint William Solomon as the Chairman of the Vacancy Board for 2017 year.

YES 7 NO 0

MOTION: Jay Miller second Joanne Klitsch to appoint August Long as the Health Inspector for 2017 year.

YES 7 NO 0

MOTION: John McGuire second Jay Miller to appoint Maria Sebelin as the Tax Collection Committee Delegate for 2017 year.

YES 7 NO 0

MOTION: Joanne Klitsch second Thomas Highland to appoint Louise McClafferty as the Alternate Tax Collection Committee Delegate for 2017 year.

YES 7 NO 0

Emergency Management Coordinator – position open

Mr. Jackson informed everyone this position requires a lot of time and training for the position.

MOTION: Jay Miller second Curtis Jackson to appoint Delores Ford to the Shade Tree Commission term to expire 12/31/18.

YES 7 NO 0

MOTION: Joanne Klitsch second John McGuire to authorize the solicitor and borough staff to prepare documents necessary to take a portion of River Road (SR 903) and advertise.

YES 7 NO 0

MOTION: Joanne Klitsch second Kyle Sheckler to approve the WWTP Upgrade Project Interim Financing Requisition #2 for Mr. Rehab #1 and #2 amount of \$144,909.49

QUESTIONS:

Mr. Jackson asked if this is in their scope of work.

Borough Manager Sterner said yes, it is clarification to correct requisition numbering.

YES 7 NO 0

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MOTION: Joanne Klitsch second Jay Miller to approve the Interim Financing Requisition #4 to Entech Engineering to reimburse the borough amount of \$36,626.71.

QUESTION:

Mr. Miller asked if the borough outlaid this?

Borough Manager Sterner said yes.

YES 7 NO 0

MOTION: Jay Miller second Joanne Klitsch to approve the Assignment of Electrical Contract from Howard Organization, Inc. to Howard Co., LLC. Conditioned the solicitor and the manager check into the bonding company.

QUESTION:

Mr. Miller asked if the bonding was checked on.

Borough Manager Sterner said they checked on the bonding. The company informed us the bond be reassigned with company. She feels we should hear from the bonding company. Howard Organization sold to Howard Co. LLC.

Solicitor Nanovic said it's the same personnel, same management, just a new company.

YES 7 NO 0

MOTION: John McGuire second Jay Miller to accept the Municibid for the 1992 Chevy Kodiak bid from Marc Vanic amount of \$8,100.00

YES 7 NO 0

MOTION: Jay Miller second Thomas Highland to accept the Municibid for the 1985 Elgin Pelican Sweeper amount of \$2,950.00.

YES 7 NO 0

MOTION: John McGuire second Kyle Sheckler to approve forwarding a letter to Senator Yudichak opposing larger trucks on PA Roads.

YES 7 NO 0

MOTION: John McGuire second Thomas Highland to forward a letter to Earl Kunkle concluding this is not an option at this time to split the roadway at W. 2nd St & North Streets. This is a safety issue and will be a reduction in parking in this area.

YES 7 NO 0

Solicitor Nanovic said he spoke to the Borough Manager about 204 Center Avenue. He went through the building with BIA – Greg.

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MOTION: Jay Miller second Joanne Klitsch to authorize the solicitor to file a suit, requiring the owner to clean up the property and repair the roof. If not cleaned up a lien will be filed against the property, authorize the borough to clean the property up and repair the roof.

COMMENTS:

Solicitor Nanovic said there doesn't appear to be structural damage but over time this will occur. He spoke to the neighbor.

Mr. Miller said the issue is protection to the neighbors. There is no power in the building, the water is off the concern is the neighbors.

Mr. McGuire asked will the borough inspect the property.

Solicitor Nanovic said yes.

YES 7 NO 0

MOTION: Curtis Jackson second Joanne Klitsch to approve the submittal of the application for the D&L Trail – DEP Water Encroachment Permit Application for the trail project.

COMMENTS:

Borough Manager Sterner said the consultants are preparing the grant, this is no cost to the Borough.

YES 7 NO 0

MOTION: Kyle Sheckler second John McGuire to approve Utility Accounts Garbage & Other lien report.

YES 7 NO 0

MOTION: Curtis Jackson second Jay Miller to approve the utility account #7755 payment plan

YES 7 NO 0

MOTION: Curtis Jackson second John McGuire to approve the utility accounts Proposed Updates as submitted.

YES 7 NO 0

TAX EXONERATION ACTION

MOTION: Joanne Klitsch second Thomas Highland to approve the exoneration request for Joseph Butchko – retired.

YES 7 NO 0

COMMITTEES

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BUILDINGS/PARKS

Mr. Jackson would like to get the building committee members together to discuss the Asa Packer caretaker home with Ronnie Sheehan.

POLICE

MOTION: Joanne Klitsch second Thomas Highland to approve the AOH St. Patrick's Day parade on March 12, 2017, conditioned upon the Police Service contract and Public Service contracts being signed.

YES 7 NO 0

Old Business

- A. Property Maintenance Board of Appeals Three (3) Vacancies
- B. Shade Tree Commission One (1) Vacancy
- C. Planning Commission – Nuisance Ordinance
- D. Planning Commission – Zoning Ordinance Amendment
- E. Planning Commission – Park Planning
- F. Packer Hill Road proposed one way Ordinance
- G. Collection Agency for delinquent utility fees
- H. Cuoco
- I. Petition to Vacating Portion of 2nd Street
- J. Municipal Fire Department
- K. Act 172 of 2016 – Incentives for Emergency Services Volunteers
- L. Shared Water & Sewer Lines
- M. Police Contract


Executive Session

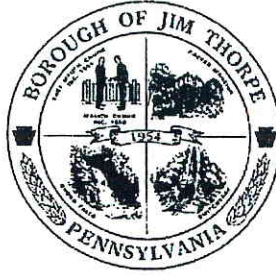
MOTION: Curtis Jackson second Thomas Highland to adjourn.

YES 7 NO 0

Adjourned at 7:39 p.m.

Respectfully submitted


Louise McClafferty
Borough Secretary



101 East Tenth Street • Jim Thorpe, PA 18229
(570) 325-3025 • (570) 325-2181 • FAX (570) 325-8154

Conflict of Interest
Abstention Memorandum

To: Louise McClafferty, Borough Secretary
Jim Thorpe Borough, Carbon County, Pennsylvania

From: Curtis Jackson, council member

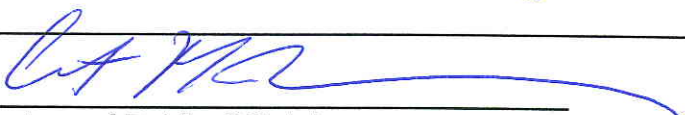
Date: 1-12-2017

Pursuant to Pennsylvania's "Public Official and Employee Ethics Law" (65 PA CSA 1101 et seq), I hereby declare that I am required to abstain regarding the following issue/motion:

Can Flight of Interest due to being Board Member
@ Glen Onoko Estates - →

My conflict/reason for abstaining is as follows:

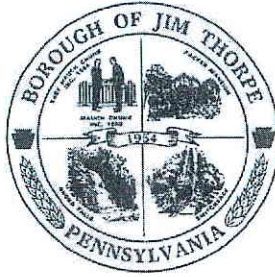
Member at Glen Onoko Estates Pond
at Directors —


Signature of Public Official

Note: Section 1103(J) requires the following procedure:

"Any public official or public employee, who in the discharge of his official duties, would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his interest as a public record in a written memorandum filed with the person responsible for recording the minutes for the meeting at which the vote is taken..."

(Please note the State Ethics Commission requires a public official to complete a form every time he has a conflict of interest).



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Conflict of Interest
Abstention Memorandum

To: Louise McClafferty, Borough Secretary
Jim Thorpe Borough, Carbon County, Pennsylvania

From: Jaanne Klitsch, council member

Date: Jan 13-17

Pursuant to Pennsylvania's "Public Official and Employee Ethics Law" (65 PA CSA 1101 et seq), I hereby declare that I am required to abstain regarding the following issue/motion:

Opening a portion of Onoka Lane

My conflict/reason for abstaining is as follows:

My driveway comes out on a portion of Onoka Lane

Jaanne Klitsch
Signature of Public Official

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