

Jim Thorpe Borough Council
Regular Meeting
March 9, 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 (a)
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 the St. Patrick's parade is this weekend and they have all of the full time officers on, the LCB and State Police will be helping them out. The County parking lot there will be barricades by the lot, this will be for traffic, dropping of the people from the floats. The shuttles and everything will be ready.

Police Chief Schatz said we completed the lights and cameras on the Administration & Police dept. side. He spoke about the lights in the park being off. He spoke to Jim Trainer and he informed him the lights are on a timer. He brought it up to the safety committee we should have an ordinance dawn to dusk.

Police Chief Schatz said we received a request for action form for the Lehigh Coal & Navigation building. They would like to shut the sidewalks down for 4 days while they are working on the building. They would like to use the handicap parking spot for the scissor lift. He spoke with PSM Yaich and they discussed the handicap parking spots there are only two in this area. They gave him permission to park in front of the courthouse after business hours, this way the handicap spots will remain open.

Police Chief Schatz said the Police Dept. & Community Watch is looking to sponsor some training for the Text Smart. They would like permission to use the Memorial Hall on April 25 to hold the event.

Police Chief Schatz said he spoke with Tom Highland, car #84 the paint is peeling off the hood of the vehicle. He got an estimate from Thomas Kemmerer to paint the hood and fix a spot on the vehicle cost of \$400.00. He spoke to the Treasurer and asked if the borough could do an interim payment so he does not have to wait for payment.

Mayor Sofranko said the Planning Commission is looking into the parking study. The parking situation he has newspaper articles from 1991 about the parking problem in Jim Thorpe.

MOTION: Joanne Klitsch second Jay Miller to give the Police Dept. and Crime Watch permission to use the Memorial Park hall on April 25, 2017.

YES 6

NO 0

ABSENT 1 Thomas Highland

Public Hearing

Keith Hontz said he has been going through a building permit for the property at 732 Center Ave in JT. He is looking to construct a new structure on the property. He has been informed he will need to comply with the Storm Water Management ordinance.

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Keith Hontz said he consulted with an engineer who reviewed the requirements and determined that the property does not fall under the exemption set for in Section 377-5. He said the exemption allows a maximum of 1,200 SF of impervious surface on a lot up to 0.5 acres in area. The proposed house construction is 28' x 54' plus 15' wide driveway parking in front of the garage, total of 2,382 SF. This is 1,182 SF over the impervious coverage allowed by the exemption in section 377.5. He requested a waiver of the requirements of section 377.5 to allow maximum impervious coverage allowable on his 0.23 acre lot to be 2,400SF.

President Strubinger said we have not seen a lot of these issues before council.

Mr. McGuire said he doesn't know if we ever got into the Storm Water Management on the small lots in town. Most of the lots in town were pretty much taken up. In the R-2 area it's odd to have quarter acre lot like this. When we talked about this ordinance and plot development just to build a house it will take you three quarter of an acre to clean to do the work. He asked solicitor Nanovic if this could go through an appeals process.

Kim Mazur said he has been working with Barry Isett on projects in the borough. BIA reviews the permit and send it to them. They ask them if it falls under the Storm Water Management ordinance. If it does fall into the criteria there is a whole process that depends on where they live if it's by a stream, etc. there are a different set of rules and calculations that need to be followed. They work with the property owners and make recommendations on this to follow the process.

Mr. Miller said this is an extraordinary lot, go through the engineer.

Solicitor Nanovic said maybe through the ordinance there is an appeals process, he has to look. There may be a process to follow.

Council discussed this for a few more minutes and no decision was made by council.

Bill Malatak asked where the borough sits with the storm water runoff project on Tenth St.

Kim Mazur said they have a draft easement agreement drawn up for Vince Rodgers, the permits for E & S need to be sent to the Conservation district, that takes about 2 months to review, then put the project out for bids, looking at July time frame for the work to start.

Bill Malatak asked if the Jim Thorpe School District is going to help out with this project?

Mr. McGuire said we talked to the School District. They don't see this as any of their responsibility.

Kim Mazur said this project will be a detention pond placed in the back that is designed to slow down the discharge in this area.

Bill Malatak said he read an article in the paper and it said the Jim Thorpe Police and Summit Hill Police meet with Carbon County out at the lake. How did the County contact the Police?

Police Chief Schatz said they wanted to get our input on Rangers carrying firearms.

Connor Rodgers said on Flagstaff Road across the road from the Flagstaff, Mr. Ockenhouse would like blind driveway signs placed in both directions.

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Police Chief Schatz said he should fill out a request for action form.

Josh Schaeffer, "On the Grind" organization said skate boarding was banned in 2010, he would like to see the ordinance lifted or amended. They design, build and apply for the grants for the project.

Mayor Sofranko said an offer was put out by council, himself and the police chief at that time we would sit down with the parents and come up with some type of Skate Park. We never received any more response, it died.

President Strubinger said they should attend the Building Committee meeting.

Bob Dages said there are tree branches hanging down on property up by Doug Rontz's this should be cut down and he asked if the yellow lines on Center Ave & Cherry Ave have been looked at.

Police Chief Schatz said he and PSM Yaich took a look and measured the yellow lines on Center Ave & Cherry Ave and they measure from the stop sign 30 ft. The yellow zone in front of the property and that measured 34 ft. and the corner by the fire hydrant that makes 22 ft. to the corner. They looked at the yellow zone in front of the church and that measured 45 ft.

Bob Dages said maybe an ordinance could be considered prioritizing the dwellers car addressed to the parking close to where they live.

Mr. McGuire said Planning Commission, there is going to be a parking study to be done in the downtown area of town. We are looking at parking permits.

Frank Bradley said he opened 3 Kids Eatery at 241 Center Ave. He would like to request a 10 minute parking sign to be placed in front of the business. He informed council there was a sign up on the building, he changed the sign on the building and he was told he needs to pay \$125.00 to do this. He requested the fee for the sign to be waived.

Solicitor Nanovic said if you are painting over an existing sign there is no fee, if you are replacing the sign there is a fee.

MOTION: Jay Miller second Joanne Klitsch to grant permission to re-install the 10 minute sign at 241 Center Ave.

YES 6

NO 0

ABSENT 1 Thomas Highland

Andrew Roberts said the sign fee of \$120.00, this is a problem all over town BIA is harassing people about signs.

President Strubinger said they are looking into this.

Josh Schaeffer said the sidewalks are in need of repair in the downtown section. He asked who is the owner of the walkway between Antonio's & 41 Broadway.

Mr. Miller said the creek archway is back there somewhere, not sure who owns that.

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Action

MOTION: Jay Miller second Joanne Klitsch to approve the Work Session Meeting Minutes from February 2, 2017.

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Jay Miller second Joanne Klitsch to approve the Council Meeting Minutes from February 9, 2017.

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Jay Miller second Kyle Sheckler to approve the Expenditures from all Funds as presented

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Jay Miller second Curtis Jackson to approve the Treasurer Report as presented.

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Joanne Klitsch second Jay Miller to approve the Chemical Bids for the Water & Sewer Plants
Carusol TM – 20 Sodium Permanganate ONLY 6 drums to Main Pool & Chemical \$545.00
Chemical Lime 50 tons to Northeast Chemical \$7.24
Dense Soda Ash 20 tons to Northeast Chemicals \$11.68
Liquid Chlorine 150 cylinder to Main Pool & Chemicals \$114.75
Ortho/polyphosphate Blend 15 – 30 gal drums - Carus 8500 to Main Pool & Chemicals \$ 281.00
Ortho/Polyphosphate 15-30 gal drums Carus 8100 ONLY to Main Pool & Chemicals \$366.00
Ferric Chloride Solution 40% technical grade, 140 drums to Northeast Chemicals \$14.90
Sternpac ONLY 30-55 gal drums to Northeast Chemical \$159.90
Sodium Hypo-Chlorite 15% CL/VOL 15-55 gal drums to Main Pool & Chemicals \$76.45
Magnesium Hydroxide Slurry/Wet 60% 50 totes to Main Pool & Chemical \$797.50
(All chemicals bid quantities are more or less)

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: John McGuire second Kyle Sheckler to approve Resolution 2017-04 JTNB GON Series 2009 Modification.

COMMENTS:

Mr. Miller said he is abstaining from the vote- he works for the JTNB.

YES 5 ABSTAIN 1 Jay Miller ABSENT 1 Thomas Highland

MOTION: Kyle Sheckler second John McGuire to approve Resolution 2017-05 Fee Schedule.

YES 6 NO 0 ABSENT 1 Thomas Highland

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MOTION: John McGuire second Kyle Sheckler to approve Resolution 2017-06 DCNR Small Communities Grant Application.

COMMENTS

President Strubinger said this will be done by Barry Isett.

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Joanne Klitsch second Jay Miller to advertise Ordinance 2017-2 Fern Street No Parking.

YES 5 NO 0 ABSENT 2 Thomas Highland/Curt Jackson

MOTION: Jay Miller second Joanne Klitsch to approve David Bonkovich leak detection services for 2017 - \$5,600.00.

COMMENTS

Mr. Miller said this is a complete leak detection of the entire water system – 14 miles.

PSM Yaich said we did this 3 years ago and we fixed everything on the borough side and notified the property owners. We accounted for the 20% loss, they recommend this be done every 3 to 4 years. A lot of the mains in town have been replaced, there is still about 25% cast iron in the system.

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: John McGuire second Jay Miller to approve Twining Park wall repointing to be done by Tom Lienhard Masonry Contractor \$6,400.00.

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Jay Miller second Joanne Klitsch to approve Vincent Yaich, Jr. as a Permanent Full Time employee.

YES 6 NO 0 ABSENT 1 Thomas Highland

Proposed Zoning Ordinance Amendment

Solicitor Nanovic said the Planning Commission is reviewing this. He will make the changes the JTPC recommended and forward this to council to review.

MOTION: Joanne Klitsch second Jay Miller to approve the Jim Thorpe Summer Camp June 19 to Aug 11, 2017.

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Joanne Klitsch second Jay Miller to approve the Jim Thorpe Summer Camp donation \$600.00

YES 6 NO 0 ABSENT 1 Thomas Highland

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MOTION: Joanne Klitsch second John McGuire to approve WWTP Upgrade Project - Mr. Rehab payment application #5 - \$155,647.53

QUESTION:

Mr. Miller asked if this is within the budget

Kim Mazur said yes

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Joanne Klitsch second Jay Miller to approve requisition #6 - \$248,473.30

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Jay Miller second Joanne Klitsch to approve Eastern Environmental payment application #3 – \$67,443.35

QUESTION

Mr. Miller asked if this is for mobilization.

Kim Mazur said mobilization and submittals

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Joanne Klitsch second Jay Miller to approve Eastern Environmental change order #1 - \$19,893.00

COMMENTS

President Strubinger said this is for additional insurance required by the railroad for the project.

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: John McGuire second Jay Miller to approve the D&L Trail bridge project payment to Wilson Consulting Group Invoice #3 - \$4,913.50

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Kyle Sheckler second John McGuire to approve Wilson Consulting Group Invoice #4 - \$7,831.00.

YES 6 NO 0 ABSENT 1 Thomas Highland

MOTION: Joanne Klitsch second Curtis Jackson to approve the Active Utility Account Garbage Only Lien Report.

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YES 6

NO 0

ABSENT 1 Thomas Highland

MOTION: Joanne Klitsch second John McGuire to approve the Utility Accounts Proposed Updates

YES 6

NO 0

ABSENT 1 Thomas Highland

Administration

President Strubinger said the items he had they discussed at the workshop meeting, there is nothing new to report.

Public Service (Sewer/Sanitation/Water/Streets)

Mr. McGuire said he has an update for the Planning Commission. The NEPA grant for the parking study and they are looking at the Quality of Life ordinance. They have the final draft to review, this is ticketing process for high grass, etc. This will be easier and save the borough money. The Code enforcement officer will handle this. They hope to have something for council to review and enact on.

Mr. Jackson said the update on the readdressing, it is pretty much ready to go, they need to notify the residents.

Police

Police Chief Schatz said the only thing he has is the interim bill for the Police car being painted and the lights in the park needing the timer changed.

Buildings/Park

MOTION: Curtis Jackson second Jay Miller to approve Person Agency to do the appraisal at the Phoenix Fire Co. estimated cost of \$600.00

YES 6

NO 0

ABSENT 1 Thomas Highland

Emergency Services

Mrs. Klitsch said she had a couple of realtors that spoke to her about common water & sewer line, who will enforce this.

Solicitor Nanovic said that is usually up to the borough.

Mr. Miller said we have made it in the past wherever we put new lines in we put the additional line in for the second property at the curb.

Andrew Roberts asked if there is anything on High Street wall.

President Strubinger said we just got some proposals we are in the process of looking at them, we need to find the funding for the project.

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Old Business

- A. Property Maintenance Board of Appeals Three (3) Vacancies
- B. Planning Commission – Nuisance Ordinance
- C. Collection Agency for delinquent utility fees
- D. Cuoco
- E. Petition to Vacating Portion of 2nd Street
- F. W. Front St & River St Dedication Ordinance
- G. Packer Hill Road proposed one way Ordinance
- H. Municipal Fire Department
- I. Act 172 of 2016 – Incentives for Emergency Services Volunteers
- J. Shared Water & Sewer Lines
- K. Police Contract
- L. 204 Center Ave
- M. Utility Billing Ordinance update

Executive Session

MOTION: Jay Miller second John McGuire to go into executive session to discuss personnel & litigation issues.

YES 6

NO 0

ABSENT 1 Thomas Highland

Into executive session at 8:06
Back at 8:45

MOTION: John McGuire second Kyle Sheckler to adjourn.


YES 6

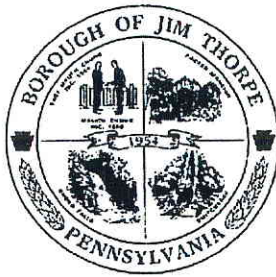
NO 0

ABSENT 1 Thomas Highland

Adjourned at 8:45

Respectfully submitted


Louise McClafferty
Borough Secretary



101 East Tenth Street· Jim Thorpe, PA 18229
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Conflict of Interest
Abstention Memorandum

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

From: Jay D. Miller, council member

Date: 3/9/17

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:

Modification - JTNB LOAN

My conflict/reason for abstaining is as follows:

JTNB EMPLOYEE

Jay D. Miller
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).