

JIM THORPE BOROUGH COUNCIL

JULY 13, 2017

AGENDA

Meeting called to order by President Gregory Strubinger at 6:35 p.m. in the Memorial Park Hall, 103 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 (a)	PS Manager Vince Yaich	Boro Secy McClafferty
Matt Boggs, Entech		

**Public Hearing**

Ordinance 2017-05 Zoning Amendment (downtown parking)

Jim Pompa asked what exactly is this ordinance?

Pam Armstrong said the people in the audience cannot hear what is being said.

Louis Hall, Chairman of Planning Commission, said this basically eliminated the need of having to provide parking for any business in the downtown area. Because they can't do it. It costs to go through a variance in order to open a business in the downtown area. This is a waste of time, money and the borough's time.

Mr. Jackson said this is for small businesses. If you open a full fledged hotel you would have to comply. This is for coffee shops, small retail shops, etc.

Mr. Jackson said as far as VRBO's and such, this does not include this. The JT Planning Commission is working on this now. That is not defined properly in the zoning ordinance, accommodations, this needs to be investigated.

Louis Hall said this will be a total separate ordinance dealing with VRBO's, they will require permits, address the parking with them as well.

Carole Walbert said they own a property in the downtown section, and they are talking about doing a VRBO, or B&B. Are there any considerations being given? There is no way they could meet the requirements.

Mr. Jackson said the intent for this is to address retail, coffee shops, small restaurant, that were burdened to have to come up with parking that does not exist in the downtown. Air B&B, VRBO's are being addressed by Planning. We are waiting for the parking study to be done for the downtown.

Carole Walbert said there is no parking in the downtown, they are grandfathered. She agrees with the new section of the ordinance. As far as long term apartment buildings. They won't meet the parking requirements.

Louis Hall said this is for the parking study. Once we get that back that will give the borough some ground to move forward.

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Brenda Smellowsky said she heard the borough is looking to put meter up Broadway & West Broadway.

Mr. Jackson said there is no plan to put meters any further up Broadway. It was a topic, we are waiting for the parking study to come back for the downtown portion which will include the upper portion of West Broadway. We have talked about the possibility of parking permits from the Opera House up West Broadway, High Street and Race Street. This is going to be a part of the next round after the study is completed.

Mayor Sofranko said kiosks are on the agenda tonight for council to approve. He informed everyone that the parking meters will be removed from the downtown area. There will be 7 kiosks installed and there will be signs explaining how the kiosks work. When the study is done, council will be able to re-establish an ordinance, re-establish maybe different times, different costs, different areas that they want for the kiosk.

Police Chief Schatz said the kiosks will be located at the Chinese Restaurant, Antonio's Pizza shop, 5 & 10, Inn of Jim Thorpe, JT Steak & Ale, and Susquehanna Street, proper signage will be installed.

Jennifer Christman asked what is the estimated time for the parking study to be completed?

Mayor Sofranko said he knows the borough received a grant for the kiosk that is the amount of \$68,000.00 and the grant for the traffic study is about \$80,000.00 and he thinks council has to match that with about \$20,000.00 that whole study will be about \$100,000.00. He thinks they are going to try to get this study going within a year.

James Pompa asked who is going to do this study?

Mayor Sofranko said the grant was approved by Penn Dot. So he is sure Penn Dot and contractors that are awarded these bids, they have to meet requirements. We have received concerns from residents on Broadway and West Broadway that something has to be done.

James Pompa asked if the residents will be contacted about the parking study.

Mayor Sofranko said this is a study, they give you the solutions, the next thing is council will have to apply for grants to implement the solutions from the study. Council will then have to find the money.

Louis Hall said the VRBO's are on the JT Planning Commission's table now. There are handicap issues that need to be addressed also.

Jennifer Christman asked who is going to enforce the parking?

Louis Hall said it will be enforced by the zoning officer.

Carole Walbert asked if there are any businesses that are excluded from the parking?

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Louis Hall said if someone wants to put in a Sheraton they would have to meet the parking requirements, small businesses no.

**Mayor's Report**

Mayor Sofranko said the police report is in, they continue to work and make drug arrests, he complimented the Police Dept. He said there were 210 parking tickets, 72 traffic citations. They have been trying to slow the traffic down on North St. and West Broadway. The signs from Penn Dot have helped. Due to the truck traffic into Jim Thorpe, we should look into an ordinance about Jake-braking.

Mayor Sofranko said the Police Dept. will be hosting the National Night Out on August 1, 2017 from 6 to 9. He asked to use some tables and chairs from the Memorial Park for that night.

Mayor Sofranko said he needs an executive session for litigation.

Police Chief Schatz said the only thing he has is the traffic light work has been completed at Broadway and Rt. 209. There is a discrepancy on the bill, this will be addressed. The west bound camera is in place and the cabinet for the generator.

Police Chief Schatz thanked all of his officers for the 4<sup>th</sup> of July event and the Penn Forest Fire Police that helped them out for the event. He would like council's approval on the \$200.00 donation to them for their services.

Mr. McGuire said he saw it on the news that the Ford SUV vehicles some people have been overcome with CO from the exhaust.

Mayor Sofranko said he has been contacted by the Mauch Chunk Bi-Centennial Committee, he will report back to council when this will be held.

**MOTION:** Kyle Sheckler second John McGuire to go into executive session for litigations.

YES 6

NO 0

ABSENT 1 Thomas Highland

Into executive session at 7:00 pm

Back at 7:32

**Public Comment**

A. Property Maintenance Board of Appeals Vacancies (3)

Bob Handwerk asked council if they could investigate and establish a no quiet zone ordinance. The other thing he has is there is a broken PPL pole on Packer Hill, he asked if it is possible to move the poles out of the street and place them in Kemmerer park. This would make it safer for people traveling Packer Hill.

Kevin McArdle, 4 White lane, Captains of the Diligent Fire Co, he is here about the Fire Dept. ordinance. He has been at the Emergency Service meeting the past 6 months, he never officially saw

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the ordinance to review. He would like to look at it and talk to the committee. He is not opposed to the ordinance. He would have liked to of had the opportunity to review this.

Bill Malatak said the County project on 4<sup>th</sup> Street, there is no work permit posted. They should be made to stop until they have this displayed. The Glen Onoko rescue you should talk to the County ask them to supply them with proper head gear. The Railroad they should have a flagger for crossing the track at the Glen. He spoke about \$10,000.00 being spent to get the D & L Trail going, they are coming out into the County parking lot. He spoke about the Switchback trail that the county is looking to restore the path. He said they should see the horrible condition of Flagstaff Road, and High Street wall they should be concerned about these things. He complained about a large hole on 5<sup>th</sup> Street. He believes the County is not compensating the Borough for their services.

Frank Lauth, representing the Fairview Hose Co. members, they are not opposed to the ordinance itself. They do have an ordinance that is more in depth. There is motivation behind this ordinance. The Fireman's Relief issue is all straightened out. Never any formal charges against any of the officers, they feel this is a vendetta against them. These are good people here and they volunteer to this community to protect the life and property of the people.

Jake Arner said the agricultural ordinance he asked that the Planning Commission review this.

**Action**

**MOTION:** Joanne Klitsch second Curtis Jackson to approve the Work Session Meeting Minutes from June 1, 2017.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Curtis Jackson to approve the Council Meeting Minutes from June 8, 2017.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Curtis Jackson to approve the Treasurer Report as presented.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Curtis Jackson second John McGuire to approve the Expenditures from all Funds as presented.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Curtis Jackson second Joanne Klitsch to remove Officer Kyle Oliver from his probation Status and Pay Rate according to the contract.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

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**MOTION:** John McGuire second Curtis Jackson to advertise Ordinance 2017-05 Zoning Amendment (downtown parking)

YES 6

NO 0

ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Curtis Jackson to adopt Ordinance 2017-06 Moving Permits.

YES 6

NO 0

ABSENT 1 Thomas Highland

**MOTION:** Kyle Sheckler second John McGuire to adopt Ordinance 2017-07 Municipal Fire Department.

COMMENTS:

Mr. Sheckler said this ordinance is by no means an attack towards the fire department, this will make it better.

President Strubinger said this was not anything in regards to questioning anybody's character.

Mr. Miller said the accusation about missing funds that was not his intent, his intent was for financial behavior. His thing with the audits is that the continued behavior cannot go, you fixed it.

If there was money missing it would be in the audits. His problem is once you get an audit that has a problem, you have to immediately correct that problem because you don't want that coming up in the next audit. This is State money and you have to account for it.

President Strubinger said with this ordinance the volunteers will still operate the department. This will remain with the volunteers.

Mr. Miller said Frank Lauth had a question last week and he talked with the Auditor General's office the question about who owns when the relief buys something. The question was how long does an asset of the Fireman's Relief remain an asset and would it ever be the property of the town? The response was once the Relief Association purchases an item or has it donated to the relief association. The item is owned by the Relief Association permanently. The only way the ownership would change is if the Relief Association sold an item or donated an item. If you would sell it that money would have to go back to the Relief. The sale must be recorded in the minutes.

Mr. Jackson asked if the new ordinance has a repeal provision?

Solicitor Nanovic said yes.

ROLL CALL VOTE

Curtis Jackson - Yes

Thomas Highland

Joanne Klitsch - Yes

Jay Miller – Yes

Gregory Strubinger – Yes

John McGuire – Yes

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Kyle Sheckler - Yes

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Jay Miller to advertise Ordinance 2017-08 Speed Limit on Packer Hill.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Jay Miller to approve Resolution 2017-17 Ford F350 Financing for the Sewer Dept. truck.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second John McGuire to approve Donation to Penn Forest Fire Police \$200.00.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Curtis Jackson second Jay Miller to approve the purchase of the Parking Kiosks \$79,476.20 grant amount \$67,499.00 and Borough amount \$12,017.20.

COMMENTS

Solicitor Nanovic said this may require ordinance changes.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

Police Chief Schatz said on the Central Court Parking request TABLE this until we hear from the County.

President Strubinger said Copier Bids will be on next month's agenda for action.

**MOTION:** Joanne Klitsch second John McGuire to approve the purchase - Phase I Readdressing Street Name Signs, not to exceed \$2,000.00, and installation will be done by the borough

YES 5                      NO 0                      ABSTAIN 1 Curtis Jackson    ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Kyle Sheckler to authorize the Borough Manager to purchase - Phase I Readdressing House Number Signs through the Borough Office for the residents.

COMMENTS:

Police Chief Schatz said with the signs he has explained this will be a universal sign. Do they have to contact the Borough and then pay for the sign?

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Mr. Jackson said the Borough Manager can take orders for the signs for the homeowners, they will then pay for them when they pick them up fee of \$20.00.

Mr. Miller said we want them to get them through the borough because they will be standard signs.

YES 5                      NO 0                      ABSTAIN 1 Curtis Jackson      ABSENT 1 Thomas Highland

**MOTION:** Jay Miller second Curtis Jackson to deny the request from Ledeneva to waive the zoning hearing fees.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Kyle Sheckler second Jay Miller to approve Waterborne Veteran's Plaque Project, with the cite to be determined.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Jay Miller to approve Eastern Environmental payment application #7 - \$101,324.86.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Jay Miller to approve Howard Company payment application #4 - \$43,457.75.

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Jay Miller to approve Requisition #10 -\$198,381.32

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Jay Miller to approve Eastern Environmental Change Order #3 - \$2,628.79

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**Utility Action**

**MOTION:** Kyle Sheckler second John McGuire to approve the Active Utility Account Garbage Only Lien Report (4)

YES 6                      NO 0                      ABSENT 1 Thomas Highland

**MOTION:** Curtis Jackson second Jay Miller to approve the Active Utility Accounts Water/Garbage Lien Report (1).

YES 6                      NO 0                      ABSENT 1 Thomas Highland

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**MOTION:** Curtis Jackson second Jay Miller to approve the Active Utility Accounts Water/Sewer/Garbage Lien Report (1)

YES 6

NO 0

ABSENT 1 Thomas Highland

**Tax Exoneration Action**

**Committees**

**Administration**

Mr. McGuire spoke about people riding on 4 wheelers on borough property out by the Reservoir, leaving garbage behind.

Police Chief Schatz said if it is posted, it means everyone will be fined.

Mr. Jackson said post it no littering.

Council discussed this for a few minutes.

**Public Service (Sewer/Sanitation/Water/Streets)**

**MOTION:** John McGuire second Kyle Sheckler to approve Nesquehoning Borough to use the barricades on November 5, 2017 for the Veteran's parade.

YES 6

NO 0

ABSENT 1 Thomas Highland

**Police**

**Buildings/Parks**

Mr. Jackson said the Building Committee met and discussed the options for the Memorial Hall and the Maintenance building. They will come up with some options for council. These are big ticket items, we should look at restructuring the debt.

Council discussed this for a few minutes.

Mr. Miller said the Water Dept. connected 7<sup>th</sup> Street from South Street to North Street has been connected to the main on North Street. This is another CDBG project that has saved the town financially, this will improve the flow. Councils continued support for the CDBG money is appreciated.

Mrs. Klitsch said she has a request to use Memorial Park Pavilion from Cindy from Operation School Wear. She was not be charged for the use of it last year.

General consent of council is to permit the use of the pavilion.

**Emergency Services**



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**Old Business**

- A. Nuisance Ordinance
- B. UCC Joint Board of Appeals Inter-Municipal Agreement Amendment
- C. W. Front St & River St Dedication Ordinance
- D. Petition to Vacating Portion of 2<sup>nd</sup> Street
- E. Collection Agency for delinquent utility fees
- F. Act 172 of 2016 – Incentives for Emergency Services Volunteers
- G. Police Contract
- H. 204 Center Ave
- I. Memorial Hall Stormwater Project Bid Specs
- J. High Street Wall Construction Bids
- K. High Street Wall Financing Proposals

**Executive Session**

**MOTION:** Gregory Strubinger second John McGuire to adjourn.

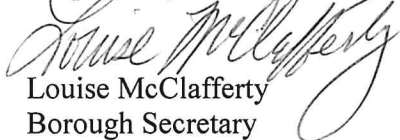
YES 6

NO 0

ABSENT 1 Thomas Highland

Adjourned at 8:30 pm

Respectfully submitted

  
Louise McClafferty  
Borough Secretary