

JIM THORPE BOROUGH  
COUNCIL MEETING  
FEBRUARY 8, 2018  
MINUTES

Meeting called to order at 6:30 in the Memorial Park Hall, 103 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   |
| Thomas Highland            | John McGuire (a)         | Edith Lukasevich |
| Jay Miller                 | Manager Maureen Sterner  | PSM Vince Yaich  |
| Police Chief Joe Schatz    | Solicitor James Nanovic  |                  |
| Mayor Michael Sofranko (a) | Secy. Louise McClafferty |                  |

**Public Comment**

President Strubinger said we have 2 vacancies Police Pension Board Vacancy (1) and Shade Tree Commission.

Borough Manager Sterner said the Shade Tree Commission is not a vacancy this was a carry over from the Workshop agenda.

Andrew Robert, 16 W Broadway, asked if there is a Health Inspector currently on staff?

President Strubinger said Barry Isett is currently doing it, until we appoint someone permanently. We are gathering information and looking at individuals that are interested in the position.

Andrew Roberts asked if there is a time limit on this?

President Strubinger said there is nothing definitive, as soon as possible, there is nothing pending this evening.

Sherry McHugh said she has a list of all the events that were held in the Memorial Hall for 2015, copy of 2017, 2016, 2015 copy of the utilities that were used in the hall. She handed out a copy of the information that she prepared for Council. She said Council has commented that the tax payers are funding the hall. She said the tax payers are paying for every borough entity and for the employees. She discussed the Memorial Hall for several minutes with the Council. She said Council has to remember this hall is for an emergency center. She said this should be placed on the ballot.

Jim McHugh said there are no weddings of 500 or 600 people any more. However, this was built for 500 – 600 people banquet style weddings. This holds 350 people comfortably, if you minimize the hall that will cut this down to 125 people. He said Joanne Klitsch should recues herself from voting on this, conflict of interest. When you vote listen to the people.

Kay Henritz said Bill Diehm stepped down as the Fire Chief, he is still doing the paperwork but he stepped down and she feels he was disrespected. The Memorial building, she said the people would have liked to use the building but the price was so high they couldn't rent it. Years ago, you had to have a new hall and you tore down the bandshell to put the new hall up there. She does not have a problem with them putting the JT Police downstairs. The hall should be an emergency place.

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President Strubinger said that decision was not a unanimous decision for the new location of the borough hall. He said the school will be the primary location if there is an emergency situation.

Jerry Strubinger said Council should get involved with the County with the building on Susquehanna Street.

Borough Manager Sterner said yes, and they are putting in underground parking, 2 levels. She believes these will be on the JT Planning Commissions agenda for February.

Jerry Strubinger said you need to negotiate with Andy Mueller about getting the bypass down along the railroad.

Chris Nahhas asked who owns the fence across the street from Subway on Lehigh Avenue up to the new bridge?

President Strubinger said the County.

Mrs. Lukasevich said Memorial Hall was good when the McHugh's ran it, they brought it back. The hall is for the people. She thanked the McHugh's for bringing the hall back to life and their hard work to keep it going.

**Action**

**MOTION:** Jay Miller second Thomas Highland to approve the Council Meeting Minutes from January 11, 2018.

YES 6                      NO 0                      ABSENT 1 John McGuire

**MOTION:** Kyle Sheckler second Gregory Strubinger to approve the Expenditures from all Funds as presented.

YES 6                      NO 0                      ABSENT 1 John McGuire

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

YES 6                      NO 0                      ABSENT 1 John McGuire

**MOTION:** Joanne Klitsch second Gregory Strubinger to table Ordinance 2018-01 Utility Services Creditech Collections Agreement and Resolution 2018-01 Creditech delinquent services.

YES 6                      NO 0                      ABSENT 1 John McGuire

**MOTION:** Kyle Sheckler second Jay Miller to adopt Resolution 2018-02 PA Small Water & Sewer Grant.

YES 6                      NO 0                      ABSENT 1 John McGuire

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**MOTION:** Gregory Strubinger second Kyle Sheckler to adopt Resolution 2018-03 Borough Facilities Project Police & Administration Projects.

**COMMENTS:**

President Strubinger said this is for moving the Police station to the basement in the Memorial Hall and the Office going upstairs.

Mr. Miller asked if Council could have more information on what we are going to do with the borough office over in the hall. He asked if this could be discussed. What would we do with the existing borough office?

President Strubinger said we are looking to lease the building. When we built that building he was not in favor of it, it was not the building that the Borough needed for offices and the Police Dept. It was not properly designed. That building did not meet the needs of the office then, now or in the future. We have a building that for the last 10 years, we had to hire someone to run the building as a business. This was not run as a Community Center, the idea ceased to exist. The Red Cross will have the ability to come back and use the facilities. This will be more of a community building at no cost to the residents. We will lease the building out to provide some financial resources to off set some of the project.

Mrs. Lukasevich said she thinks we should think for a while. We built that building and it is fine for the office staff, remodel the basement for the Police Dept.

President Strubinger said that office will need an overhaul to be safe. The Administrative Office is not safe. He said this building will be the center of what is happening. We hold our meetings here, there will be no more shuffling, we will be occupying the building. It's the Borough building, it's the peoples building, we should be occupying and using it.

Mr. Miller said there is an existing borough building, why can't we continue to use it. He does not know why we should go into rental of buildings. He is in favor of bring the Police over to the hall.

President Strubinger said they have discussed this for years. We brought on Spillman Farmer in 2016. This will get us out of the cycle of not knowing where we are going to go with this building. Move the office over here or leave it as it is, that is not an option.

Mrs. Klitsch said this is not something easy for Council to do, what do we do with this building? No one has come and said this is what we should do with the building. If we don't do something now we are still going to be spending money on the building and there is nothing here. It is our duty to do what is right for the borough.

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ROLL CALL VOTE

Joanne Klitsch  
Gregory Strubinger  
Kyle Sheckler  
Thomas Highland

Edith Lukasevich  
Jay Miller

John McGuire

YES 4

NO 2

ABSENT 1

**MOTION:** Gregory Strubinger second Thomas Highland to approve Resolution 2018-04 Borough Facilities Project Police & Administration USDA Program.

Comments:

Mr. Miller said he abstains, he works for a financial institution.

ROLL CALL VOTE

Thomas Highland  
Kyle Sheckler  
Gregory Strubinger  
Joanne Klitsch  
Edith Lukasevich

Jay Miller

John McGuire

YES 5

ABSTAIN 1

ABSENT 1

**MOTION:** Gregory Strubinger second Kyle Sheckler to approve Resolution 2018-05 Borough Facilities Project Police & Administration Work Order.

ROLL CALL VOTE

Kyle Sheckler  
Thomas Highland  
Edith Lukasevich  
Joanne Klitsch  
Jay Miller  
Gregory Strubinger

John McGuire

YES 6

NO 0

ABSENT 1

**MOTION:** Joanne Klitsch second Jay Miller to approve Resolution 2018-06 Borough Facilities Project Public Service Garage Project.

ROLL CALL VOTE

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Joanne Klitsch  
Jay Miller  
Gregory Strubinger  
Kyle Sheckler  
Thomas Highland  
Edith Lukasevich

John McGuire

YES 6

NO 0

ABSENT 1

**MOTION:** Kyle Sheckler second Thomas Highland to approve Resolution 2018-07 Borough Facilities Project Public Service Garage USDA Program.

ROLL CALL VOTE

Kyle Sheckler  
Thomas Highland  
Edith Lukasevich  
Joanne Klitsch  
Gregory Strubinger

Jay Miller

John McGuire

YES 5

ABSTAIN 1

ABSENT 1

**MOTION:** Gregory Strubinger second Jay Miller to approve Resolution 2018-08 Borough Facilities Project Public Service Garage Work Order.

ROLL CALL VOTE

Thomas Highland  
Edith Lukasevich  
Joanne Klitsch  
Jay Miller  
Gregory Strubinger  
Kyle Sheckler

John McGuire

YES 6

NO 0

ABSENT 1

**MOTION:** Gregory Strubinger second Kyle Sheckler to authorize the releasing of files to the new Bond Counsel firm.

YES 6

NO 0

ABSENT 1

**MOTION:** Jay Miller second Thomas Highland to approve Advertising for Chemical bids.

YES 6

NO 0

ABSENT 1

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**MOTION:** Jay Miller second Thomas Highland to approve Entech Work Order – 2017 Water Audit.

YES 6

NO 0

ABSENT 1 John McGuire

**MOTION:** Joanne Klitsch second Jay Miller to approve Entech Work Order – 2018 Grant Work.

YES 6

NO 0

ABSENT 1 John McGuire

**MOTION:** Thomas Highland second Gregory Strubinger to approve Volvo L50C Loader repairs.

YES 6

NO 0

ABSENT 1 John McGuire

**MOTION:** Jay Miller second Joanne Klitsch to approve Jake Arner Farms, LLC Waiver Request to do the modifications to the ordinance for the startup period of 4 years.

YES 6

NO 0

ABSENT 1 John McGuire

**MOTION:** Joanne Klitsch second Gregory Strubinger to approve the County Safety Fence reimbursement request.

**COMMENTS:**

Borough Manager Sterner said the amount is \$2,836.61, she will be asking D & L to split that cost with the Borough, that will bring our share down to \$1,418.31.

YES 6

NO 0

ABSENT 1 John McGuire

**MOTION:** Jay Miller second Gregory Strubinger to deny Clair – mural request.

YES 6

NO 0

ABSENT 1 John McGuire

**MOTION:** Joanne Klitsch second Thomas Highland to approve the Earth Day Annual Festival.

YES 6

NO 0

ABSENT 1 John McGuire

**MOTION:** Gregory Strubinger second Kyle Sheckler to share the engineer report with Mr. Handwerk and verify that he is responsible for the repairs to the Retaining Wall and authorizing Barry Isett & Associates to continue on with the repair enforcement.

**COMMENTS:**

President Strubinger said Council received a report on the retaining wall that is on the Handwerk property. The Borough is responsible for cleaning the Stormwater drain out, we had safety concerns for the employees that go in the drains to clean them, parts of the wall are deteriorating and it's a concern for the Borough.

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YES 5                      NO 1 Edith Lukasevich                      ABSENT 1 John McGuire

**MOTION:** Jay Miller second Kyle Sheckler to instruct Entech Engineeingr to rebid the specs for 10<sup>th</sup> Street Stormwater Project and that we advertise in a wider range for bids.

YES 6                      NO 0                      ABSENT 1 John McGuire

**MOTION:** Jay Miller second Joanne Klitsch to fund the Penn State Flagstaff Project and to change the budget to reflect \$3000.00 for the project.

YES 6                      NO 0                      ABSENT 1 John McGuire

**MOTION:** Thomas Highland second Joanne Klitsch to approve the Part Time Officers Uniform Policy.

YES 6                      NO 0                      ABSENT 1 John McGuire

**MOTION:** Joanne Klitsch second Thomas Highland to approve the Jim Thorpe Birthday Celebration, pending the approval of the Police Service contract.

YES 6                      NO 0                      ABSENT 1 John McGuire

**MOTION:** Edith Lukasevich second Joanne Klitsch to advertise the Phoenix Firehouse for sale, via sealed bids.

QUESTIONS:

Mr. Miller asked what is the time limit?

Solicitor Nanovic said bids will be opened at the April Workshop meeting and awarded at the April Council meeting.

YES 6                      NO 0                      ABSENT 1 John McGuire

**MOTION:** Gregory Strubinger second Kyle Sheckler to approve Entech's High Street Wall Project Work Order #2 - \$23,670.00.

QUESTION

Mr. Miller asked if we are holding money for the overlay on the street in spring.

Borough Manager Sterner said yes.

YES 6                      NO 0                      ABSENT 1 John McGuire

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**MOTION:** Jay Miller second Joanne Klitsch to approve Requisition #4 – \$22,159.48

YES 6                                      NO 0                                      ABSENT 1 John McGuire

**MOTION:** Joanne Klitsch second Jay Miller to approve the WWTP Upgrade Project payment to Eastern Environmental application #14 - \$404,638.24.

YES 6                                      NO 0                                      ABSENT 1 John McGuire

**MOTION:** Joanne Klitsch second Jay Miller to approve Howard Company payment application #11 - \$92,683.24

YES 6                                      NO 0                                      ABSENT 1 John McGuire

**MOTION:** Joanne Klitsch second Jay Miller to approve Requisition #17 – \$536,360.35.

YES 6                                      NO 0                                      ABSENT 1 John McGuire

**Utility Action**

Utility Accounts Lien Reports

-Active Utility Accounts Garbage & Others Lien Report (0)

**MOTION:** Jay Miller second Thomas Highland to approve the Active Utility Account Garbage Only Lien Report (2).

YES 6                                      NO 0                                      ABSENT 1 John McGuire

Active Utility Accounts Sewer/Garbage Lien Report (0)

Active Utility Accounts Water/Garbage Lien Report (0)

**MOTION:** Jay Miller second Thomas Highland to approve the Active Utility Accounts Water/Sewer/Garbage Lien Report (4).

YES 6                                      NO 0                                      ABSENT 1 John McGuire

Temporary Off Lien Report (0)

Uncollectible Accounts Report – (0)

**MOTION:** Jay Miller second Kyle Sheckler to approve the Utility Accounts Proposed Updates (2).

YES 6                                      NO 0                                      ABSENT 1 John McGuire

**MOTION:** Jay Miller second Thomas Highland to approve Account #3465 Payment Plan.

YES 6                                      NO 0                                      ABSENT 1 John McGuire



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**Tax Exoneration Action**

**MOTION:** Jay Miller second Joanne Klitsch to approve the exoneration for Carol Sheard – retired.

YES 6

NO 0

ABSENT 1 John McGuire

**Committees**

**Administration**

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

2017 DEP Sewage Enforcement Grant submitted.

**Police**

**Buildings/Parks**

**Emergency Services**

**Old Business**

- A. Police Contract
- B. Disorderly Conduct
- C. Parking Zones Ordinance
- D. Nuisance Ordinance
- E. Health Officer

**Executive Session**

**MOTION:** Jay Miller second Joanne Klitsch to go into executive session – Personnel.

YES 6

NO 0

ABSENT 1 John McGuire

Into executive session at 7:41 pm  
Back at 8:09

**MOTION:** Jay Miller second Kyle Sheckler to relieve applicant #17 from his duties from the Municipal Fire Department.

YES 6

NO 0

ABSENT 1 John McGuire

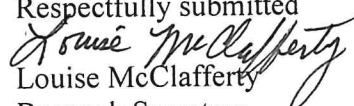
**MOTION:** Edith Lukasevich second Jay Miller to adjourn

YES 6

NO 0

ABSENT 1 John McGuire

Adjourned at 8:10 pm

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: JAY T. MILLER, council member

Date: 2/8/17

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:

USDA PROGRAM

My conflict/reason for abstaining is as follows:

~~USDA~~ EMPLOYEE JTNB

JAY T. 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).



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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: 2/8/17

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:

Motion-FINANCE with USDA

My conflict/reason for abstaining is as follows:

EMPLOYEE JTNB

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).