

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 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	John McGuire	Edith Lukasevich
Jay Miller	Manager Maureen Sterner	PSM Vince Yaich
Police Chief Schatz	Officer Oliver	Solicitor James Nanovic
Mayor Michael Sofranko	Secy. McClafferty	

Mayor's Report

Mayor Sofranko said Police Chief and Officer Oliver, have been looking at a K-9 unit. They have applied for a grant to cover the costs. The application is due in March. If you have any concerns please get them to Mr. Highland.

Mayor Sofranko said the Police Chief has agreed to look into the special fire police. They will meet with the solicitor to discuss the liability of all of this. He is looking at special fire police, they have no enforcement powers, it would be for traffic control, crowd control, at a scene of a murder, fire scene, they can be used anywhere the police are needed. This will be discussed with the Police Committee.

Mr. Miller said they have money that they can use towards this.

Mayor Sofranko said the Irish Fest that will be going on, we don't at this time see a need for additional man power out. If we have a problem this will be addressed.

Mrs. Lukasevich said we had a dog in the past, what happened to that dog?

Mayor Sofranko said the dog stayed with the handler, and it has passed. This dog will be handled by Officer Oliver. This dog is for drug protection, and be able to track if someone is diabetic.

SALDO

Carbon County – Jim Thorpe Borough Parking Space Reimbursement Agreement
Carbon County Susquehanna Street Project LDP

President Strubinger said Commissioner Nothstein is the representative for the Susquehanna Street project, we are working towards an agreement for conditional plan approval.

President Strubinger said part of this project and the Highway Occupancy Permit, requiring the removal of parking meters on Susquehanna Street. We have ongoing discussions with the County on this and the lost revenues to the Borough.

Borough Manager Sterner said the County presented two proposals to the Borough, Council should address the two proposals.

President Strubinger said we had a proposal for a lump sum payment in regards to the lost revenues, and the option of taking over some County meters. He asked Solicitor Nanovic for his recommendation.

Solicitor Nanovic thinks this should be the first thing to be addressed, this is part of the land development agreement.

Mr. Miller said his concern is the meter swap across from the Post Office, the County would still own the property.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

Commissioner Nothstein said correct.

Mr. Miller said his concern was and still is if we would own that you would ask us to put sidewalks in, that would be a large expense and fencing, that is very close to the rails in that yard. Will there be matched revenues for what we have taken in on Susquehanna Street, we don't know that.

Commissioner Nothstein said the problem with the sidewalks is the sidewalks would go over top of the railroad ties, that is too close to the rail cars.

Mr. McGuire asked if they would need a HOP if they would do the sidewalks? If so that would take all of the sight lines to do that and that would take all of the parking away on that side.

Solicitor Nanovic said if they would put the sidewalks in, they would have to be compliant with federal regulations, which means they will have to be a certain width, which would take away the parking spaces. If they put the sidewalks in the parking spaces could be gone.

Mr. Miller said another concern if we were to swap, we have to get a kiosk in there which means we will have to pour a foundation for that.

Commissioner Nothstein said if you have to put a foundation in for the kiosk, they would be willing to accept that responsibility.

Mr. McGuire said the agreement the lump sum would take us 10 years, but the meters are gone. We talked about renegotiating after 5 years to discuss if things have changed.

President Strubinger asked where do we want to be with the option?

Borough Manager Sterner said the way the kiosk worked, they figured out price per kiosk, the County took the entire kiosk and didn't average, figures are different. The County rounded theirs down to \$120,000.00 for 10 years, that is where they are at right now.

Mr. Sheckler asked if we do the lump sum, would that be every 10 years to cover the meter loss?

Commissioner Nothstein said he cannot propose this on his own. The offer of \$120,000.00 would be payment for 10 years. He would propose it this way, whatever revenue you get, the offer of maybe \$120,000.00 would stand for payment for 10 years. He would have to convince the others that we would save the revenue from the meters, as long as they are there, should they go away in 5 years, if we made the offer of \$120,000.00 revenue, if we write this into the agreement, would that be in agreement? If in 3 years they go away, you got that 3 years of revenue. In 3 go away, we give you \$120,000.000.

Solicitor Nanovic said Commissioner Nothstein should talk to the other Commissioners, we should hold another meeting to discuss this.

Ed Hughes said the County is looking for conditional plan approval.

Borough Manager Sterner said that is just a draft, at this time Council has not taken any action.

Mr. Miller said our Solicitor sent Mr. Hughes an email and there are 6 items that have to be addressed.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

Solicitor Nanovic said that letter included the Land Development agreement, if you look at the Land Development agreement, it includes the same conditions.

Ed Hughes said #1, the borough hasn't received the County's estimate of the financial security for the dedicated required approval for the project. The engineer has prepared this and will give it to the borough engineer.

#2, The Right of Way for the storm water. They think the Borough owns this. If the Borough would give them a Quick Claim Easement, saying we're not saying we own this, but to the extent that we do, you can work in that area.

Solicitor Nanovic said yes. The easement agreement says we agree to prepare as the State they're saying we own it, take that out we don't know who owns it, we are just saying you can put it there

Ed Hughes said all we are doing there is agreeing to, putting our pipe in front of the plan and maintain it., they are not doing any other improvements there.

Ed Hughes said #3, spoke about the escrow account to reimburse the borough for the expenses for the solicitor and engineer.

Solicitor Nanovic said the escrow amount would be \$10,000.00 for the engineer review fees, at the end whatever is not used will be given back to you.

Ed Hughes said #4, if they need to anchor the rock wall, they may have to go onto another person's property.

Solicitor Nanovic said he placed language in the agreement that will address the rock wall issue. Need to wait until you do the analysis if they need the anchors in the wall.

Ed Hughes said #5 is a concern of the church.

Commissioner Nothstein said the Commissioners made it quite clear today at the meeting not only do they have the outside contractor to protect the monitoring. The rock removal company has it in there to do vibration testing for their own protection. They have 2 agreements for the vibration and rock removal.

Mr. Miller asked who, or does anyone have the power to shut the job down if we have to? This is a concern. If we see something that goes beyond parameters, we can stop and pull back.

Doug Ridenko from Vibertech Engineers, from Hazleton, Pa. Part of their business is vibration monitoring, they measure vibration and control vibration, and they consult. For this project the concern is the rock removal for the church. They will inspect the church structure both inside and outside, so they have an understanding of the structure. They will develop the vibration limit. This takes into account both the amplitude and frequency generated while doing this, this will be protective for the structure. The second part of that is to define where the monitor will be placed. Third part is to understand the means the contractor will use to remove the rocks. We will know what type of equipment will be used and where that equipment will be used in proximity to the church. He explained the process to everyone. If they hit a warning level at 80% and if that warning level is reached the construction activities will cease until they review the information and determine what happened.

Mr. McGuire asked how will we know what is going on?

Doug Ridenko said the monitors are remote monitors, they will create a website so you can review this information on a regular basis.

Borough Manager Sterner asked if this will be for anyone to review?

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

Commissioner Nothstein said we put a website on there for people to review.

Mr. Miller asked what is going to happen if we get to that point that we see some more than normal disturbance, who is going to shut it down? Has your company done similar projects?

Doug Ridenko said yes, they have done similar projects. He worked at St. Patrick's Cathedral in NY. He is the vibration consultant for the Philadelphia Museum of Arts, Museum of Natural History, all of these places have concerns about things that are irreplaceable. The warning light, that is not up to him to decide that. If you want to give this to him that authority that is fine. Normally that is written into the specs, if the vibration levels get exceeded that the warning happens the job immediately stops. They determine what happened. The machine doesn't know one vibration from the other, we are watching the machines. You can get a false event that will set off the alarm. We will look at the event and determine what happened.

Mr. Miller said we have to have assurances that this is done right. He is stressing this, if you have to shut the job down. He knows what can happen at job sites.

Mr. McGuire said the Church does not have the financial capability to hire a consulting engineer to understand the details of the project. We have our engineer looking over the Project, as the Borough has some responsibility to check over the project.

Commissioner Nothstein said they will work on the alarm system to take care of this, that as soon as the alarm sets off, we will shut it down. That will occur one way or the other.

Mr. Miller stated we just have to make sure that is the way it is going to be.

Ed Hughes said #6, the agreement does not have to be approved this week, but they are looking for conditional approval.

Solicitor Nanovic said of the plans, not the agreement.

Ed Hughes said this is the first time he ever heard of the Penn Dot Highway Occupancy Permit without any construction. They would like to begin construction and proceed with construction prior to them issuing the Penn Dot permit.

Solicitor Nanovic asked why?

Ed Hughes said the Penn Dot permit may not be ready for a few months.

Solicitor Nanovic said what happens if the Penn Dot Permit comes back quicker than you anticipated.

Ed Hughes said the Penn Dot Permit is for the entrance in and out of the parking lot.

Commissioner Nothstein said he would like permission to at least move on with the rock removal. They would like to get this moving before Fall foliage so they are not interrupting fall foliage traffic.

Solicitor Nanovic said is there any reason not to let them start this without the Penn Dot HOP?

Kerry Good from Entech, he believes they are getting close to getting the approval. He is wondering why the County is concerned that this is going to take a long time. Typically, the Penn Dot permit is required for final plan approval. It can be a conditional plan but it is something you have to get before plans are signed. He is wondering why this is a concern?

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

Ed Hughes said there is a provision in the planning code that says, we put the note on it that Penn Dot requires according to the plans, with that note without the Penn Dot funds.

Solicitor Nanovic said he has seen this done both ways. It can be done, but he has also seen it done, where the municipality demands that the Penn Dot permit be issued first.

Eric Bounce said they are entering the traffic study and highway safety permit applications. There are comments that they received that are not significant to the design perspective. The delay with the permit is if there will be on street parking. Penn Dot has indicated that they will not give them the permit until this is addressed and the ordinance is in place. The ordinance basically says the Borough is agreeing to restrict the parking as adopted, to enforce the restrictions moving forward. They would like comments from the borough. They are ready for resubmission. They don't see any significant changes to the plans. They are asking the borough to look favorably upon starting the project without the HOP in place. To keep the time frame in place. They don't have any real concerns about it being issued. The administrative items: the ordinance for the street parking, coordinating with the Borough and UGI. UGI is working through the whole application process and with review the debt services before they will sign the form that is needed in relation to the HOP, for the service connection in Susquehanna Street. They will be reviewing the entire application before they will sign it.

Eric Bounce said the main HOP is in the name of Carbon County, which covers the access improvements and the off-street parking. There are secondary applications tied to this. The utilities have to be in each of the utility owners' names in order to make the connections, one is water and one is gas. Sewer is not within Penn Dot right-of-way.

Solicitor Nanovic said it is just a matter of rock removal, that is not the concern, when you start to remove the foundation and laying materials that is when we have the concerns.

Ed Hughes said you are asking them to comply with the engineer review letters and County Planning Commission review letters. Some of those comments: one is not recording of the plans until the Penn Dot permit is issued, they have this issue. It is common in the County that they will need a variance for the wall.

Solicitor Nanovic asked if this is in the Entech letter or the County Planning letter?

Ed Hughes said this is in the County Planning Commission review letter of November 20, 2018, the land development easement, approved HOP from Penn Dot, and the retaining wall, we may need a variance.

Borough Manager Sterner said the items that are in the review letter that have been completed, are completed and you don't have to worry about those. The zoning officer did give a letter saying you do not need a zoning hearing board. It is only the outstanding items from those letters.

Ed Hughes said the comment in the Entech letter dated Feb. 4, 2019, inspection of the storm sewer. A segment of the existing storm sewer manhole Ex - 1 of the existing catch basins on Susquehanna Street is 60% blocked with debris. They agreed to do this. They recommend that the section of pipe be replaced, this is corroded and in need of replacement. They are not agreeing to replace this pipe.

Mr. Miller stated we are not either. He asked if no one lays claim to this and we know it's 50% clogged, what do we do?

Solicitor Nanovic said the County agreed to cleaning it. He does not know how they will clean it from sediment and debris.

Tony Angosso said they have equipment that you can bring in that will suck the debris out of the pipes.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

Solicitor Nanovic asked if this will tell the condition of the pipes?

Mr. Sheckler asked what happens if it is damaged in the process of cleaning the pipe?

Tony Angosso said it will have to be replaced. He said usually when the pipes are cleaned, they aren't damaged. If something would happen, we did it, the County did it, the permits were issued, that would be a decision the County would have to make.

Ed Hughes said they got the Improvement Agreement. They are asking that Council waive the financial security.

Solicitor Nanovic said we have done this with the School District, we want the financial security as a deposit.

Borough Manager Sterner said the pipe, would everyone be agreeable to allow the County to clean the pipe and if it should be discovered that the pipe needs to be replaced, or the pipe is damaged, then at that time it would be replaced.

Mr. Miller said no, because he is not laying claim to it. You are leaning more to ownership, he does not want to lay claim to that. This is Penn Dot's pipe.

Solicitor Nanovic said Maureen's comment, that makes sense, no we are not saying this is ours, but it is part of their plan. It is no different than them making improvements on their own property for storm water management.

Ed Hughes said they would like to apply for the building permit now.

Solicitor Nanovic asked what purpose, why would you apply for the building permit now, when you are not building right away.

Jeff Gross said the amendment to the revision of the State laws building permits. The building has been designed over a year and designed to the building codes that were in effect when they started the project. In October 2018 the State has adopted new building codes and they give a 6-month window of time which you can apply for a building permit based on the prior codes, if you were under contract, we have until March 2019 to apply for the building permit.

Solicitor Nanovic said if you apply for the building permit tomorrow and we don't act on it for 6 months, what is the effect?

Ed Hughes said he does not know.

Borough Manager Sterner said we need to keep in mind, that the borough is bound by a time frame when applications come in, unless they are waived.

Commissioner Nothstein said his concern is if we don't apply now the costs will end up costing the County a lot of money because they will have to go back to the drawing board, architect, engineers, redesign it, rebid it to come up to the new codes.

Mr. McGuire asked about the changes in the code; will this create future safety issues for the workers.

Jeff Gross said the new code addresses safety issues, sprinkler systems throughout, fire separation where required. Some of them are energy code related.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

Public Comment

Bill Maehrer said last month the County was present and you were all agreeable with the Borough where was this compatibility when the borough asked for help with the parking lot traffic backing up on Broadway and Susquehanna Street? The agreement you should have something in the agreement that the County Commissioners either put kiosk in that parking lot or collect the money when they leave the parking lot, that way it won't back everything up. DEP is making the cities filter the water from storm water drainage before it goes into the streams and rivers, that this will be passed onto the tax payers. If the County has to put a storm water drain in on Susquehanna Street make them foot the bill for that problem.

Commissioner Nothstein said they have set up a meeting with the people for the kiosks, before they move forward with that.

Mary Shorten, 924 Old Piney Rd, JT she was at the JTPC meeting in December. The easement agreement, it says that they have been made with the properties that they may need to enter into agreements with the church and Blue Mountain Sports. There never was an agreement ever entered into with the church, from what she is told. They were never spoken to by the County.

Borough Manager Sterner said the County has never told us that they have any easement agreements in place. One of the conditions was if easements were needed, they would need to provide copies to us. That may be a typo in the minutes, she will have to check with the Planning Commission. We have a draft agreement of what they could look like.

Commissioner Nothstein said at the site where the building is torn down, the core boring is at the site where the building is now, and up at the top. They will do core drilling to test the rock to see what kind of foundation is there, etc. to see if they have to do any anchoring.

Mary Shorten stated if you remove part of the mountain damage is done to the mountain.

Lisa Gaugler, 62 Broadway asked what if they run into a situation during the project, can it be halted due to vibration what would be the next step.

Jeff Gross said they have run into situations that the projects have been temporarily halted because vibration is at the limit. What happens then is mitigation measures have to take place where they may use a different means of method to achieve the removal of rock. He explained the process and different technics that can be used. He has never been in the situation that a project started and it never started back up.

John Drury said he has a particular interest in the history. He attended the Commissioners meeting today and heard for the first time that there was no feasibility study done by the County Commissioners and there has not been a review of the Pennsylvania Historical Commission. The money that is being put out for this is on the citizens of the community. Why aren't you interested in knowing what would come out of a study? He commends the Commissioners for condensing the operation, and making it more efficient. In this community some accommodations have to be made for the history that we have here. He asked why are we getting so far into this without knowing where we are going? Did the Commissioners avoid getting money from the federal government to avoid the studies? We are all worried about the congestion in the community. We should preserve what we have in this town.

Mr. McGuire said they did meet with the Commissioners, the lot itself was used for many years for the patrons of the church for Sunday services for free. What do we do now that the parking is gone for those patrons? Does the County have a plan to help with this? This is an institution for the town, they are stuck for money, they are non-profit. If we take away that parking and they lose constituents, then they will close the church.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

John Drury asked is this whole thing feasible what they want to do, do they need what they want, does this need to be done? We know there are buildings in town that there are floors that they have available.

President Strubinger said we join the concerns. We don't know what is required from other agencies that you have mentioned. The only thing we have is what is before the borough requirements for the project.

John Drury stated what many of them are asking is that you postpone giving any permits until the analysis by an outside independent feasibility.

Mrs. Lukasevich said she is one of the oldest members of the town. She has seen the town at it's best and she has seen the town at its worst and she has seen it come back where it is today. We all have a great love for our beautiful old buildings. She does not want to see anything happen to St. Mark's church and she doesn't want to see anything happen to the old store. At the same time, we have to have progress, but we can't do it at their risk of damaging the church or anything. In the long run, we are going to come up with something that will satisfy everyone. She knows we need progress for the center of the County. She is sure with all of us together we can come to a mutual agreement. We all in the same predicament, we want to preserve the beautiful church and the businesses there. We are all trying to do the right thing for the people.

Jennifer Christman said the demolition of the Archive building, the testing, are there any guarantees in place that if the archives building causes any damage to the foundation of the church or anything like that?

Boyle said Vibrotech will be doing the monitoring, the evaluation of the church and monitoring, full evaluation inside and out of the church will be taken. Once that monitoring is in place the construction will begin. The first part of construction is taking the building down. The monitoring is ongoing, they evaluate continues.

Marlene Diehm asked Council if the surrounding property owners are to be made aware of this being done?

Borough Manager Sterner said no, they do this first. For a normal zoning permit, no we don't, it is not a requirement to notify the neighbors.

Bill Malatak said instead of fooling around with the parking meters and kiosks, why don't you approach the County and ask them for 5% charge on the yearly rentals. When the construction is going on, how is the borough going to be compensated for that revenue loss? He talked about the hotel tax being cut for the borough.

President Strubinger said with the project will there be any other meters that will be affected by this?

Commissioner Nothstein said during the construction phase he cannot say if you will lose additional spaces. If we do, we will make good on it, he will make sure with the other Commissioners, we will compensate you for this. He spoke about the case loads that are handled in the County.

Steve Baker, legal counsel for the Diocese, based on the description on the monitoring, he wants to know where this takes place on the building.

They can't answer that question now because they have not looked at the building yet, sometimes they are placed outside the building and sometimes they are placed inside the building, it depends on the situation.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

Solicitor Nanovic asked Council what they would like to do, reject the plans based on all of the conditions or grant conditional approval based upon the conditions that are here and address the particular ones, some are easy some are not.

1. Start the project without the HOP
2. Not recording the plans until the HOP is issued
3. Entech letter #5 regarding the 10 ft of pipe, condition that you recommend this be replaced
4. Financial security
5. Applying for building permits now, this doesn't need to be addressed now
6. the Land Development agreement additional language on the vibrations, all that has been presented

MOTION: Jay Miller second Gregory Strubinger to grant conditional approval to the County for the Susquehanna Street project as set forth with the following conditions:

1. Conditions in Borough solicitor letter of 2/13/2019
2. Conditions in attached agreement for conditional plan approval
subject to the following exceptions:
3. requirement for financial security bond is waived
4. Storm sewer segment between existing storm sewer manhole (EX-1) and the existing catch basin on Susquehanna Street to be cleaned of sediment. Replacement is not required.
5. Plans may be signed and recorded prior to issuance of Penn DOT HOP
6. Start of construction may begin prior to issuance of HOP
7. Escrow of \$10,000 for engineering and legal costs.

QUESTIONS:

Mr. Sheckler asked if we recommend it, are we saying we will take ownership?

Solicitor Nanovic said no.

President Strubinger asked if we can require that if its owned by another entity?

Solicitor Nanovic said yes you can. If the County really doesn't like what we are doing and they wish to appeal this decision to the court they can do so. You approve this as a condition. The way this is written we recommend this be replaced.

Commissioner Nothstein said suppose we get this cleaned and it shows it doesn't need to be replaced, that is his question.

Mr. Miller thinks the pipe should be replaced. The Solicitor's email 2/13/19 item #5, the workshop meeting of Council 2/7/19, representatives of the church were present and expressed concerns regards to proposed monitoring of rock removal. They would like to include the language in the agreement to address their concerns. They understand there will be no blasting done by the contractor during this project. They believe this should be confirmed in the agreement. They understand there is a demand for independent monitoring. They understand the Contractor for the County will either sign or will sign for intense monitoring by independent qualified company. They would like to know the extent of the monitoring, the criteria of the monitoring, and whether or not that independent company will have the right to shut the job down on the project, should there be a determination by the monitoring company that damage has occurred or is likely to occur. The meters have to be discussed.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

ROLL CALL VOTE

Edith Lukasevich – yes
Jay Miller - yes
Greg Strubinger – yes

John McGuire – no, he thinks they need the HOP
Kyle Sheckler – no, agrees with John
Thomas Highland – no, agrees with John. Everything should be met prior
And that pipe was scoped years ago, he thinks this is going to
Collapse, he thinks there is going to be a problem there.

YES 3

NO 3

The vote is 3 yes and 3 no.

Mayor Sofranko asked to speak with legal counsel representing the church.

Marlene Diehm asked when this project is done, is there any way that the borough can allow when the church services are on Sundays if a card is placed on the dash, they don't want to be ticketed.

Mr. Miller said he is agreeable to that, we have done that in the past for St. Mark's.

President Strubinger said this will go to the Police Committee to discuss.

Action

MOTION: John McGuire second Edith Lukasevich to approve the Council Workshop Meeting Minutes from January 3, 2019

YES 6

NO 0

ABSENT 1 Joanne Klitsch

President Strubinger announced the 2017 Recycling Grant received \$4,097.00

MOTION: Thomas Highland second John McGuire to approve the Council Meeting Minutes from January 10, 2019.

YES 6

NO 0

ABSENT 1 Joanne Klitsch

MOTION: John McGuire second Kyle Sheckler to approve the Expenditures from all Funds as presented.

YES 6

NO 0

ABSENT 1 Joanne Klitsch

MOTION: John McGuire second Edith Lukasevich to approve the Treasurer Report January, 2019 as presented.

YES 6

NO 0

ABSENT 1 Joanne Klitsch

MOTION: John McGuire second Kyle Sheckler to adopt Ordinance 2019-01 No Parking Section of School Street.

YES 6

NO 0

ABSENT 1 Joanne Klitsch

MOTION: John McGuire second Thomas Highland to adopt Ordinance 2019-02 Nuisance.

YES 6

NO 0

ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Kyle Sheckler to adopt Resolution 2019-02 Fee Schedule.

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second John McGuire to adopt Resolution 2019-03 Authorizing Council to Execute an Agreement for Delinquent Per Capita Tax Collector.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Edith Lukasevich to adopt Delinquent Per Capita Tax Collector Agreement.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Edith Lukasevich to adopt Resolution 2019-04 Appointing Tax Hearing Officer for Delinquent Per Capita Tax Collections.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Edith Lukasevich to adopt Resolution 2019-05 Appointing Maureen Sterner as the Liaison for Delinquent Per Capita Tax Collector.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Edith Lukasevich to adopt Resolution 2019-06 Authorizing Council to Execute an Agreement for Delinquent Occupation Assessment Tax.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Thomas Highland to adopt the Delinquent Occupation Assessment Tax Collector Agreement.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Thomas Highland to adopt Resolution 2019-07 Appointing Tax Hearing Officer for Delinquent Occupation Assessment Tax Collector.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Edith Lukasevich to adopt Resolution 2019-08 Appointing Maureen Sterner as the Liaison for Delinquent Occupation Assessment Tax Collector.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Edith Lukasevich to adopt Resolution 2019-09 Approving costs of Collection as submitted

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second John McGuire, PLGIT Term Investments Renewals for the Ladder Truck, Sanitation, Sewer at a rate of 2.61% for 180 days.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

MOTION: Thomas Highland second John McGuire to approve Earth Day Festival 4/27/19 (rain 4/28/19)

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Edith Lukasevich second Jay Miller to approve the JTТА Irish Festival Public Service Contract.

COMMENTS:

Borough Manager Sterner said last week the JTТА requested the full amount be waived.

Mr. Sheckler said for the parade we used to waive the wages and the equipment they paid for.

MOTION RETRACTED BY EIDTH LUKASEVICH AND JAY MILLER

MOTION: Kyle Sheckler second Jay Miller to waive the cost of the hourly wages for the Public Service and to charge them for the equipment for the JTТА Irish Festival.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: John McGuire second Kyle Sheckler to approve and accept the letter of credit for the JT Market Expansion Maintenance Security.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: John McGuire second Kyle Sheckler to approve JT Market Expansion Construction Security.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Thomas Highland to approve JTБ Public Service Garage LDP Waiver Request.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second John McGuire to approve the Spotted Lantern Fly Agreement with USDA.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Kyle Sheckler second John McGuire to approve the Fire Dept Preventive Maintenance Program – 10-8 emergency Vehicle Service \$7,548.50.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second John McGuire to appoint Employee #153 Dwayne Sterner as the Water Dept. Supervisor, rate of pay \$25.72 per hour effective February 17, 2019.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: John McGuire second Jay Miller to approve the D & L Trail - Bower Time Extension Request.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

MOTION: Jay Miller second Kyle Sheckler to approve WWTP Upgrade Project Eastern Environmental payment application #26 - \$244,966.50

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second John McGuire to approve Howard Company payment application #21 - \$29,165.08

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Thomas Highland to approve Requisition #30 – \$405,699.92

YES 6 NO 0 ABSENT 1 Joanne Klitsch

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 (13)

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Thomas Highland to approve the Active Utility Accounts Sewer/Garbage Lien Report (2)

YES 6 NO 0 ABSENT 1 Joanne Klitsch

Active Utility Accounts Water/Garbage Lien Report (0)

MOTION: Jay Miller second Thomas Highland to approve Active Utility Accounts Water/Sewer/Garbage Lien Report (2)

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second John McGuire to approve the Temporary Off Lien Report (1)

YES 6 NO 0 ABSENT 1 Joanne Klitsch

Inactive (0)

Uncollectible Accounts Report – (0)

MOTION: Jay Miller second John McGuire to approve Utility Accounts Proposed Updates (1)

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second Thomas Highland to approve Account #0770 Payment Plan.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

MOTION: Jay Miller second John McGuire to approve Account #2610 Broken Pipe Request, sewer to be adjusted.

YES 6 NO 0 ABSENT 1 Joanne Klitsch

JIM THORPE BOROUGH COUNCIL MEETING
FEBRUARY 14, 2019
MINUTES

MOTION: John McGuire second Jay Miller Account #1240 Rate Request, continues at the commercial rate.

YES 6

NO 0

ABSENT 1 Joanne Klitsch

Tax Exoneration Action

MOTION: John McGuire second Thomas Highland to approve Elizabeth Juracka exoneration request.

YES 6

NO 0

ABSENT 1 Joanne Klitsch

Committees

Administration

Public Service (Sewer/Sanitation/Water/Streets)

Mr. McGuire said in the spring they are planning on using the equipment that PSU developed for tire removal on Flagstaff road. He will have the Junior Council Person help him out.

Police

Buildings/Parks

President Strubinger said we do have an update on the new public service garage building on West Broadway and the upgrades for the administrative offices. They will be meeting again. We are hoping to have one of the projects out to bid late summer.

Emergency Services

Mayor Sofranko said he spoke with the legal counsel for the Diocese. He spoke to 2 members of their council and our legal counsel. In the matter of breaking a tie vote he has 5-10 days to do this, but that would require a special council meeting in order to do that. If there is not a quorum here that is automatically approved. We only have to Feb. 20, 2019 or it is approved regardless. The land development agreement, that has to be worked out. There are some concerns that the Diocese would have that needs to be met, or worked into that agreement, specifically, the vibration. Their concern is that the church be protected. The HOP, there are concerns. His number one concern is the church, he doesn't want to see anything happen to that church. **His vote is yes**, to proceed with all of these conditions. The vibrations is the biggest concern.

Mr. Miller and Mr. McGuire both stated Council's main concern is the St. Mark's church, this is irreplaceable.

Old Business

Permit Parking

Readdressing Phase II

Executive Session

Litigations

Personnel

President Strubinger said council will be going into executive session to discuss litigations and personnel.

MOTION: Jay Miller second Thomas Highland to adjourn.

YES 6

NO 0

ABSENT 1 Joanne Klitsch

Adjourned at 9:20 pm

Respectfully submitted
Louise McClafferty, Boro. Secy