

**REGULAR COUNCIL MEETING  
JULY 14, 2016  
MINUTES**

Meeting was called to order by President Gregory Strubinger at 6:30 p.m. in the Memorial Park Skating Rink, 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**

Paulette Haupt (resigned)	John McGuire	Thomas Highland
Joanne Klitsch	Jay Miller	Kyle Sheckler
Gregory Strubinger	Mayor Michael Sofranko	Detective Lee Marzen
Manager Maureen Sterner	Vince Yaich, PS Manager	Boro. Secy. McClafferty
Solicitor James Nanovic	Kim Mazur, Entech	

President Strubinger said there will be a change in the agenda, we have the council vacancy this will be moved above the Mayor's report

**MOTION:** Jay Miller second Joanne Klitsch to approve the resignation of Paulette Haupt as a council member.

YES 5          NO 0          ABSENT 1 Thomas Highland   RESIGNED 1 Paulette Haupt

**MOTION:** Jay Miller second Joanne Klitsch to appoint Curtis Jackson to the vacant seat of council.

YES 5          NO 0          ABSENT 1 Thomas Highland   RESIGNED 1 Paulette Haupt

President Strubinger said we received one application for the council vacant seat and this is the individual that we appointed. This is the third time Curt has been appointed to fill a vacant seat.

Mayor Sofranko sworn Curtis Jackson in for the Council seat.

**Mayor's Report**

Mr. Miller said he would like to give his gratitude to the JT Police Dept. on the drug bust this past week.

Mayor Sofranko said he received a letter from the Concerned Citizen Group, they will be holding an opioid meeting on 7/19/16 at 7:00 at St. Peter's community center in Lehighon. This is an issue and they are trying to address it.

Mayor Sofranko said St. Mark's & St. John's Episcopal Church they are asking for the use the Memorial Park and waiving of the fees for Monday, August 15, 2016. What they are asking is to recognize the Police Dept. they are proposing a community picnic to honor the Police Dept.

Borough Manager Sterner said this will be a fund raiser. They will be raising funds for something the police dept. is in need of for the dept. It is not just St. Mark's and St. John's this is the entire business community.

**MOTION:** Jay Miller second John McGuire to waive the fees for the use of the Memorial Park on August 15, 2016 for a fund raiser.

YES 6          NO 0          ABSENT 1 Thomas Highland

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**Public Comment**

Bill Malatak, 1342 Germantown Rd, The County Commissioners want to make the parking lot bigger & better. With the new extension they are going to put on what is the town going to do about this.

Borough Manager said she is looking into the ownership of the sidewalks & fencing not the parking lot. She is working on this.

Bill Malatak said the parking by the train station, people parking there ties the whole downtown area up. Those meters should be covered up during the events going on in town.

Mr. McGuire said if the County says we own the sidewalk we should put sidewalks right down to the train station and eliminate those parking spots.

Mayor Sofranko said Amazing Jim Thorpe is looking into the parking concerns in Jim Thorpe. There will be another meeting in September to discuss traffic concerns. In the County lot they should look into kiosks and then the people could pay when they leave the parking lot. Amazing Jim Thorpe have been shuttling people into town from the Mauch Chunk Lake during the fall foliage festival. The County lot was offered to the Jim Thorpe borough but the borough said no and the County said yes to Conrail's offer.

Bill Malatak asked if the MCT bank are they paying taxes on that property.

Mayor Sofranko said the sidewalks from the old bridge have become an issue again. The County gave us a document and said we own the sidewalks. Who collects the insurance check every time someone went through the fence?

Connor Rodgers, Germantown runoff, it is now coming down in several locations. It is now coming down on the neighbor's property too. The borough needs to do a temporary fix up on 10<sup>th</sup> St. They need to divert it over to the main drain so it is less for the borough to clean up.

Mr. McGuire said he has been talking with the JTASD, we are waiting for them to get back to us on this. The storm drainage from the new bridge to the downtown area needs to be addressed, this is awful.

PS Manager Yaich said they are still working on this.

Bill Maehrer said the lines that have been painted up on Broadway, the no parking zone by the bus road had become a personal wood loading zone. The residents can't get out, he thought a no parking zone was a no parking zone. He complained about the way a resident has been moving the cars in the middle of parking spots so other residents can't park there.

Borough Manager asked him to stop in the office to fill out a request for action form, we will make sure the Police dept. get it to act on.

Detective Marzen said they should contact the Police Dept. and they will check it out.



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Louis Hall, JTPC is working on the readdressing of the Leisure Land area, this is almost done and will be forwarded to council to review.

Mr. McGuire thanked the JTPC members and people that helped get this done, it was a big job and a lot of hours. This will help the Emergency Services out with finding homes in the Glen Onoko Estates and Leisure Land area.

Andrew Roberts asked about the false alarm fees for the JTPD. On behalf of his neighbor Ellen DeFeo, 5 West Broadway did receive a letter from the borough to fix the storm sewer –sidewalk. He looked at the States website to find out who is responsible to fix the storm sewers. They told us both that it is the Borough's responsibility to fix the storm sewers. The Borough had an estimate last year from Tom Lienhard to make that repair. The borough should repair it.

Mr. McGuire said we asked Tom Lienhard to come and repair that cub last year. He didn't come.

Borough Manager Sterner said this is a non-civil complaint is not public records and this should not be discussed at a public meeting.

Bob Gillespie supports Charles Bott with keeping the old bridge.

Glen Claypool asked why is council against keeping the old bridge?

Mr. Miller said the borough has the potential for liability in the future. In 20 years from now when we aren't around we have the potential for liability, its just like a home that falls in disrepair the property owner cannot afford to do it then the borough has the potential liability to do it for them. The bridge is several million dollars.

Mr. McGuire said the old bridge is crumbling it will take \$10 million dollars to fix it. It is past its time.

Mr. Miller said this is nothing personal, it's that we cannot subject the town to a potential liability no matter who owns it. We voted last month to send a letter to Penn Dot telling them that the Borough does not want the liability.

Mark Reitz asked if new businesses get certificates to put anything on their property. He went through zoning. He said the County doesn't give the borough anything. People need to meet requirements for fire control, parking, etc. for Vacation Rentals By Owners (VRBO). Tourism has always been here it is zoning that is the problem. He would like to know how some of these places can be open.

Borough Manager Sterner said it is not being permitted to discuss non-criminal complaints with the public. You do not know if these places are being investigated, or if there are violations against them. She asked Mark to stop in the office to fill out a request for action form.

Jake Arner said in regards to the Glen Onoko the State should look into putting up the guide wires for people to follow. Get the Boy Scouts involved. He would hate to see this closed off.

President Strubinger said Vince had suggested having our first responders up there doing something to the trail. The States response was if we go ahead and do that we have all the responsibility for anything that happens in that area.

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Mr. Miller said the issue is Jim Thorpe and all the other municipalities that responds there are being over taxed on State run properties. The first issue for our community is to protect our community. If we have to go up there all the time to protect somebody else because the State and other municipalities aren't doing what they should be doing. Safety is the issue. The State opened the park, the State runs the park, the State collects the fees from that park, the State has to step up to the plate. All the borough's around here cannot do this.

Mr. McGuire said this is State Game Lands, not State Park. Unless they want to do a land swoop, but the two State entities won't do it. This isn't in Jim Thorpe.

Jerry Strubinger said the borough should take into consideration the one way traffic on Front St. The Borough should have a study on Front St for two way traffic. Where Kuzo house use to be the borough should look into using that property for parking for the residents. He thinks the borough should give Mark Reitz his money back for zoning permits, etc. selective enforcement.

Dan Hugos is present to listen to save the old bridge.

Michael Guy is present to listen to save the old bridge.

**Agenda Item**

Charles Bott – old bridge

Charles Bott spokesperson for save the old bridge. He thanked council for allowing him time to address this. He showed everyone his shirt that was from 2004 Jim Thorpe's 50<sup>th</sup> anniversary celebration. He spoke about the petition they presented to council to prevent the demolition of the existing Route 903 bridge. He said this is an opportunity to preserve and create a treasure for the residents and future generations. They would like to see it preserved as a pedestrian park and thoroughfare. Once this bridge goes we are never going to get it back. They have someone that is very supportive and work with the borough. He spoke about the "Highline" bridge in NY and it joins the community. The old bridge should be preserved.

Todd Konstas read his email that he read to State Representatives to save the old Route 903 Bridge. He understands the borough's concern about the liability. He said Andy Mueller is willing to maintain and upgrade it. He said Andy Mueller needs the communities support and a letter that you support it.

Mayor Sofranko said he spoke with Andy Mueller is willing to donate in many areas. The amusement tax for the train rides is an insult to him. However, if Jim Thorpe went to him and said we would like to buy new fire equipment, equipment in the park, etc. He would be willing to give to those funds because he sees the benefits he gets with Jim Thorpe. He is willing to work, and he fully understands that this is not the borough's responsibility. Andy's passion is giving back to the community. He wants to work with council.

Charles Bott spoke with Myers, they are supportive of keeping historical things in place as long as it is possible. They would be open to doing this. It is the State verses the people and it is the will of the state that is prevailing rather than the will of the people. He spoke about the longer distance for residents that walk to the JT Market.



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Mr. McGuire said he has concerns about the people that are walking from one side of town to the other. We work with the businesses over there. He would like to see the bus services brought back.

Council discussed the old bridge topic for 50 minutes.

**Action Items**

**MOTION:** Joanne Klitsch second Jay Miller to approve the Work session meeting minutes from June 2, 2016.

YES 6                  NO 0                  ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Jay Miller to approve Council meeting minutes from June 9, 2016.

YES 6                  NO 0                  ABSENT 1 Thomas Highland

**MOTION:** Gregory Strubinger second John McGuire to approve the expenditures from all funds for June and the Interim bills 2016, as presented.

YES 6                  NO 0                  ABSENT 1 Thomas Highland

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

YES 6                  NO 0                  ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second John McGuire to approve waiving the zoning permit fee for - borough for a sign for the WWTP project.

YES 6                  NO 0                  ABSENT 1 Thomas Highland

Appointing Planning Commission member term expires 12/31/2019

Mr. McGuire said Kyle will be resigning from the Planning Commission but he will still be involved with the readdressing of Leisure Land.

Borough Manager said we have a seat on the JTPC available.

Mr. Sheckler said he would like to wait until the readdressing in Leisure Land is done then resign from the JTPC board.

**MOTION:** Gregory Strubinger second Jay Miller to accept Kyle Sheckler's resignation from the Planning Commission.

Louis Hall asked that the JTPC meeting be advertised that they will be meeting on July 19, 2016 at 6:00 instead of 6:30.

YES 6                  NO 0                  ABSENT 1 Thomas Highland

**MOTION:** John McGuire second Kyle Sheckler to accepting the Special Fire Department Account Advisory board appointees.

YES 6                  NO 0                  ABSENT 1 Thomas Highland

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**MOTION:** Joanne Klitsch Gregory Strubinger to adopt Resolution 2016-11 Re-establishing terms of the Civil Service Commission members.

YES 6            NO 0            ABSENT 1 Thomas Highland

**MOTION:** John McGuire second Curtis Jackson to adopt Resolution 2016-12 Re-establishing the terms of the Property Maintenance Board.

QUESTIONS:

Borough Manager Sterner asked the solicitor if it is a conflict of interest for a council member to sit on the property maintenance board?

Solicitor Nanovic said yes it is.

YES 6            NO 0            ABSENT 1 Thomas Highland

**MOTION:** Gregory Strubinger second John McGuire o accept Curtis Jackson's resignation from the Property Maintenance board.

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

Borough Manager Sterner said there are 3 seats on the Property Maintenance board.

**MOTION:** John McGuire second Kyle Sheckler to approve the Certified Civil Service list.

YES 6            NO 0            ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second John McGuire to advertise for Civil Service Applications.

YES 6            NO 0            ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second John McGuire to approve the Litter & Dumping Prohibition Ordinance 2016-3.

YES 6            NO 0            ABSENT 1 Thomas Highland

**MOTION:** John McGuire second Kyle Sheckler to approve the Second Street No Parking Ordinance.

YES 6            NO 0            ABSENT 1 Thomas Highland

**MOTION:** Jay Miller second John McGuire to approve Well #4 replacement/repairs by Kohl Brothers not to exceed \$35,675.00

YES 6            NO 0            ABSENT 1 Thomas Highland

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**MOTION:** Jay Miller second Kyle Sheckler to approve Entech Engineering sewage update project outstanding bills estimated amount of \$180,000.00.

YES 6                  NO 0                  ABSENT 1 Thomas Highland

President Strubinger asked that the Executive Session be move to the end of the meeting:

- a. Personnel
- b. Litigation

**Utilities Action**

Active Utility Accounts Water/Sewer/Garbage Lien Report – none

Borough Manager Sterner said we ran a new report and no new accounts were in this category.

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

YES 6                  NO 0                  ABSENT 1 Thomas Highland

**MOTION:** Joanne Klitsch second Gregory Strubinger to approve the Uncollectible Accounts Report.

**COMMENTS**

President Strubinger said this is something that has been suggested by our auditors, uncollectible debt.

YES 6                  NO 0                  ABSENT 1 Thomas Highland

**MOTION:** Jay Miller second Gregory Strubinger to approve the three payment plans for Utility Account #3660, #6633 and #9265

YES 6                  NO 0                  ABSENT 1 Thomas Highland

JT Camping Resort request to suspend sewer charges annually.

Borough Manager Sterner informed everyone that the JT Camping Resort would like not to be billed for the sewer during the winter months.

Mr. McGuire said the water is still treated, it goes through the sewer.

Mr. Jackson asked if this is done for anyone?

Council said no.

NO MOTION WAS MADE.

**MOTION:** John McGuire second Gregory Strubinger to approve the exoneration for Ann Marie Miller – retired.

YES 6                  NO 0                  ABSENT 1 Thomas Highland



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**Committees**

**Administration**

- a. Property Maintenance Board of Appeals – three (3) vacancies
- b. Shade Tree Commission – two (2) vacancies and one letter of interest has been received
- c. Planning Commission update
  - Nuisance ordinance
  - Park Planning for 2017 C2P2 Grant
  - Zoning Ordinance Amendment – Parking Requirements C2 Zoning District

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

Mr. Miller said we had a conference call today with bond council, solicitor, RUS and Jens Damgaard to discuss the approval letter for the Sewer upgrade loan. The loan is going to be \$6.129 million and the grant will be \$4.549 million total cost of the funding will be \$10.678 million. He questioned the interim financing. Jens Damgaard is going to send letters out for potential interim financing. The interim financing will be \$6.129 million, the loan from RUS is \$4.549 million.

Mr. McGuire said we did pay Entech's bills because they started the project, can we be reimbursed for that.

Solicitor Nanovic said yes.

Mr. Miller said the borough is obligated loan or grant fund not needed to complete the project will be De-obligated. Any reduction will be applied to the grant fund first, which means we need the \$6 million in a loan. The big ticket item for the public the loan repayment semi-annual installments the loan will be over a period of 38 years the maximum will be 40 years. Semi-annual payments will be \$135,758.00 times that by 2 equals \$271,516.00. Rates will be raised. Also, they are concerned that we have enough for debt services and operational services.

Mr. Jackson asked when is the closing on the loan and when is the first payment due.

Mr. Miller said we are probably going to have to fund the televising. Council can consider reducing the loan. Televising was budgeted out for Mr. Rehab. The pay back is large and are needed to bring the treatment plant up to standards.

**MOTION:** Jay Miller second Joanne Klitsch to approve sending letters to the banks - requesting proposal for the interim financing for the WWTP upgrade project, loan amount of \$6.129 million.

**COMMENTS**

Solicitor Nanovic said these will be opened before next month's council meeting and we will need to advertise and adopt an ordinance.

YES 6            NO 0            ABSENT 1 Thomas Highland

Kim Mazur gave council an update on the cleaning & televising project. They cleaned 13,000 feet of main both on the east & west side of the borough. They found a lot of roots, and some cracked pipes.



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PS Manager Yaich spoke about sinkhole area on Race Street – the utilities are done only thing that needs to be done is paving.

**Buildings/Park**

Borough Manager Sterner said Spillman Farmer study they did a little bite of updates in the office, and they are going to go through the fire depts.

**Emergency Services**

**MOTION:** Kyle Sheckler second Gregory Strubinger to support the JT Lion's Club banner project.

YES 6            NO 0            ABSENT 1 Thomas Highland

Borough Manager Sterner asked council how they would like the shade trees that need to be trimmed/removed handled. She asked if we can send letters to them.

General consent of council is to send the letters to the residents.

**Old Business**

- A. Germantown Stormwater
- B. Burgie Handicap Sign – 223 WB
- C. Waste water Treatment Plant Upgrade project – August meeting
- D. Packer Hill Road proposed one way Ordinance – no update
- E. Collection Agency for delinquent utility fees – no update

**Executive Session**

**MOTION:** Kyle Sheckler second Gregory Strubinger to go into executive session to discuss personnel, litigation and real estate.

YES 6            NO 0            ABSENT 1 Thomas Highland

Into executive session at 9:06 pm  
Back at 9:37 pm

**MOTION:** Jay Miller second Joanne Klitsch to hire Susan Mulderig as the full time confidential meter/secretary for the Police dept. contingent upon background & child protection being passed.

YES 6            NO 0            ABSENT 1 Thomas Highland

**MOTION:** Jay Miller second Joanne Klitsch to hire Kyle Oliver as a full time officer for the police dept., with the start date to be determined by the Police Chief.

YES 6            NO 0            ABSENT 1 Thomas Highland

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**MOTION:** Joanne Klitsch second Jay Miller to move Tammy Stong into a full time position.

COMMENTS:

Borough Manager Sterner will talk to her about the official full time start date.

Mr. Jackson abstain from the vote because he sold his house to them.

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

**MOTION:** Kyle Sheckler second John McGuire to approve the JT Lion's club annual Halloween parade to be held on Sunday, October 23, 2016, conditioned upon the approval from the Police dept.

YES 6          NO 0          ABSENT 1 Thomas Highland

**MOTION:** Gregory Strubinger second Kyle Sheckler to file suit against Cuocco and to collect the fines.

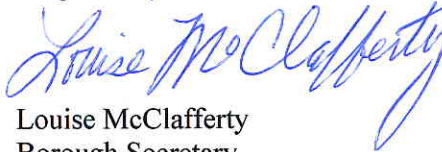
YES 6          NO 0          ABSENT 1 Thomas Highland

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

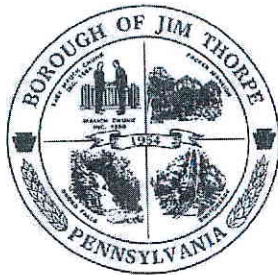
YES 6          NO 0          ABSENT 1 Thomas Highland

Adjourned at 9:42

Respectfully submitted

  
Louise McClafferty  
Borough Secretary





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

Conflict of Interest  
Abstention Memorandum

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

From: Curtis Jackson, council member

Date: 7-18-2016

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:

Full Time Hire of Tammy Stong

My conflict/reason for abstaining is as follows:

Former Business Dealings - Sold my  
House to Her -

\_\_\_\_\_  
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).

A BETTER IDEA  
KEEP  
THE CONNECTION

This petition is an effort <sup>to</sup> prevent the demolition of the existing route 903 bridge in Jim Thorpe.

This is an opportunity to preserve and create a treasure for us and future generations as a recreation park and Thoroughfare.

So saying this - support this effort

NAME	Address	City - State	Occupation	Phone
Tom Hunter	Tom Hunter	Mountain View, PA	retired	412-534-6661
Elise Reed	Elise Reed	Summit Hill, PA	mom.	
Beth Jennings	Beth Jennings	Southpa, PA	Human Resources	610-211-973
Kate Green	Kate Green	Tom Thope	WFLRA	510-710-1575
W. L. Green	W. L. Green	W. L. Green	Teacher	
John Dixon	John Dixon	W. L. Green	John Dixon	N/A
Al. Michelson	Al. Michelson	Jim Thope, PA	MANAGER	N/A
K. L. K. K.	K. L. K. K.	Jim Thope, PA	Don Linder	
Stan. Zuck	Stan. Zuck	Berwyn, PA	RN	576-42-12
Andy Smith	Andy Smith	Jim Thope, PA	special agent	
Al. Sisk	Al. Sisk	Jim Thope, PA	Advertising	412-414-414
Ke. Strick	Ke. Strick	Stowling, PA	Don	576-710-576
even Porezaski	even Porezaski	Jim Thope	Dee &	N/A



# PUBLIC COMMENT

JULY 14, 2016

Name	address	phone #	e-mail address
Bill MAEHAER	320 W Bow	3356	
Francine McGovern	118 W. High St		
Robert Gillispie	128 W. High St		
GLENN CLAYPOOLE	51 W. 9th St. St.	484-464 3005	
Pat Handwerkh	19 Paeker Ave		
Carl Jackson	39 Broadview Pl.	18229	
ANDREW ROBERTS	16 W Broadview		
Connor Rodgers	911 Germantown Rd.		
BILL MALATAK	" "		
ED McAROLE	622 CENTER ST	325-8148	
Betty Lou McBride	802 Center St.		
Michael J. Hy	46 Broadway - Rounders End		
CECILE BOTZ	125 W. 1st St	4650	WIFE @ PPD. CBT
Tara Heder	Times News		
Karen Ruckow	144 W. White St SH		
Teri Konstas	140 E Hazard ST. Summit Hill PA	18250 484 8090661	
Don Hugo	9 W Broadview JT	18229 484-274-3170	
Gerald Strubbing	555 W. 10th St. J.T.	670323323	geduldhaben@yahoo.com
Mark Boitz	529 North Street	570-325-3231	
JAKE ARNER	Box 600 LEHIGH TWP PA	610-554-4951	