

**REGULAR COUNCIL MEETING
MAY 12, 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 (a)	John McGuire	Thomas Highland
Joanne Klitsch	Jay Miller	Kyle Sheckler
Gregory Strubinger	Mayor Michael Sofranko (a)	Police Chief Schatz
Manager Maureen Sterner	Vince Yaich, PS Manager	Boro. Secy. McClafferty
Kim Mazur, Entech		

D & L Corridor

Scott Everett said the borough has 2 projects related to the D & L trail.

- C2P2 through DCNR \$365,000.00
- DCED grant \$223,000.00

Both of these are to do the retaining wall around the Sewer Plant and the remaining section of the D & L trail from the Sewer plant down to trestle. There are expiration dates of next year. They requested dollar for dollar match between DCED & DCNR. They received the full amount from DCNR but DCED. The overage from DCNR they would like to use for the design and construction of the retaining wall. They are allowing them to do this for the pedestrian bridge project. What they need from council is the approval for the change of scope for the project. The scope change is from construction to design and construction. None of this will cost the borough a dime. He went over the scope of the project with council. The engineer suggested-walls, the retaining wall will be paved on top. The other item they need council's approval on is the permit and design work to be completed by Wilson Consulting group.

Mr. Miller asked what was delayed in the overall scheme.

Scott Everett said when they lost the major funding for the bridge. This was always supposed to be one big project. They were not able to get the complete funding back from the bids from Penn Dot. We are down to getting the final issues resolved with Norfolk Southern with crossing their railroad tracks.

Mrs. Klitsch asked we have the Sewer plant project will that be clear when our project starts.

Scott Everett said this is still on the table.

Kim Mazur said he and Ed Gula have looked at the plans and they are ok with everything.

Manager Sterner said D & L said they are going to request that council submit a draw down on DCNR funds.

Scott Everett said yes 90% of it.

MOTION: Jay Miller second John McGuire that the borough requests advanced funds is allowed from the DCNR C2P2 grant amount of \$328,500.00

YES 6

NO 0

ABSENT 1 Paulette Haupt

**REGULAR COUNCIL MEETING
MAY 12, 2016
MINUTES**

MOTION: Gregory Strubinger second Jay Miller to approve the change of scope for the C2P2 grant for the design work for the construction of the pedestrian bridge.

YES 6

NO 0

ABSENT 1 Paulette Haupt

MOTION: Jay Miller second Thomas Highland to approve Wilson Consulting Group to be the engineer's utilizing the funds of the DCNR C2P2 grant, using solely the funds.

YES 6

NO 0

ABSENT 1 Paulette Haupt

Mr. Miller asked when will this project start.

Scott Everett said possibly by the end of next summer 2017.

Mayor's Report

Nothing to report

Public Comment

Ed McArdle said he has the same complaint about the garbage truck driver leaving the vehicle in the 600 block of Center St. He contacted the Police dept. Officer Marzen told the guy next time he leaves the truck he will be cited.

Manager Sterner said she spoke to Tamaqua Transfer about this again.

Andrew Roberts spoke with the Manager about the parking lot that the borough owns on West Broadway and the sidewalks that need to be repaired and the parking lot down by the Mauch Chunk Opera House. He said maybe the borough should look into selling them but put stipulations in them that they can only be used for residential parking. He is not going to take his tree down.

Dennis Hager 133 W Broadway would like to know about the parking lot rent going up from \$30.00 a month to \$60.00 a month.

Manager Sterner said this is proposed fee schedule that is before council for tonight's action. They determined this would be an adequate fee for maintaining the parking area.

Dennis Hager said the borough doesn't maintain the parking lot.

Manager Sterner said the borough plows the parking lots, if you are not patient enough and you choose to plow it yourself there is not much we can do. We must get the roadways before we do the parking lots.

Mr. Miller said he thinks we should get rid of them other than the easement for the pressure reducing valve for the water. Why should we get into the parking business unless we had a parking deck.

President Strubinger suggested this be placed on the workshop agenda to discuss again.

Police Chief Schatz said the parking lot lease are annual leases and they roll over.

**REGULAR COUNCIL MEETING
MAY 12, 2016
MINUTES**

Mike Batovsky said his concern with the parking lot increase, this is a residential area not commercial area. They deal with the Old Jail and a few years ago two parking spaces were taken away because buses were parking there and it was dangerous. They can't lose parking in this area. They are at everyone's mercy for parking. He wouldn't know where to park if the lot was sold. He said the borough should fix the lot if you are doubling the rental fee.

Jake Arner said the Flagstaff cleanup was a success. There were about 200 tires and TV's. The only problem is this is only half way cleaned up. The tires need to be cleaned up because of the zika virus. You should get the borough workers to help clean this up. He would like to know if there is a way to do more clean up along the roadway. The borough can put a steeper fine for violators for dumping. He suggested the borough put cameras up.

President Strubinger said since we cleaned up how do we prevent it from being dumped along the road again.

Public Service Manager Yaich said he has signs ordered to post no dumping.

Manager Sterner said we can post this area and make the fine steeper.

Police Chief Schatz said the Police check the Flagstaff Road on each shifts.

Solicitor Nanovic said he will look to see if we can go above the \$300.00 fine.

Wendy Healey they live in Leisure Land she is here to discuss the dumpster and the dumping the in area. The problem is the devices that were put on the dumpster was destroyed by the bear, the dumpster is open and there is no way to close it. There are people in town that think this dumpster is their personal dumpster, so there is no room for their trash. She doesn't know if the borough is going to clean up around the area again. They are paying \$25.00 a month for a dumpster that is full. She would like to talk about a solution. She doesn't want the dumpster they would like curb side pickup like the rest of the community.

Mrs. Klitsch said our manager has spoken to Tamaqua Transfer and they will not provide us a bear lock dumpster because they would need a special truck to pick it up.

Manager Sterner said it would cost them \$10,000.00 for the dumpster then they would need to buy a truck to pick that up. They were supposed to get a new lock for it or new dumpster there that would be locked. They are working on that for us. We did talk about writing a letter to the people in the area that should not be using the dumpster because they have curb side pickup. To let them know they should be using the curb side pickup and not the dumpster. We also talked about surveillance in that area too. The big problem in the winter time is the roads are not maintained enough for them to pickup.

Mrs. Klitsch suggested they get a petition signed by the residents in that area and then bring it to borough council.

ACTION

MOTION: Jay Miller second Joanne Klitsch to approve the Work session minutes from April 7, 2016.

YES 6

NO 0

ABSENT 1 Paulette Haupt

**REGULAR COUNCIL MEETING
MAY 12, 2016
MINUTES**

MOTION: Jay Miller second Thomas Highland to approve the Council minutes from April 14, 2016.

YES 6

NO 0

ABSENT 1 Paulette Haupt

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

QUESTIONS:

Mrs. Klitsch said she would like under Memorial Park to hold item #452 until this is straightened out.

Manager Sterner said the way the report was doing it, it lists the first bill with the amount, then the second bill instead of adding that amount it was adding that to the first amount then totaling it then the third bill it was the amount of the third bill plus the second and the first bill it kept adding everything up. Total is the same. It was the report the accounting program generated, it should have been deleted out of the accounting program and it wasn't deleted out.

Mrs. Klitsch said when you look at the linen bills there are two different companies. She also has a question on the profit/loss report. She would like to review these.

Mr. McGuire said the linen costs are passed onto the people holding the event. He doesn't understand questioning this expense.

Mrs. Klitsch said she didn't know we had two linen companies.

Manager Sterner said she will go over this with Mrs. Klitsch tomorrow.

YES 6

NO 0

ABSENT 1 Paulette Haupt

MOTION: Jay Miller second Kyle Sheckler to approve the treasurer report as presented.

COMMENTS

Mr. Miller said he just wants to observe that the Water Dept. fund cash position has approved a little bit.

YES 6

NO 0

ABSENT 1 Paulette Haupt

MOTION: Jay Miller second Joanne Klitsch to approve Ordinance 2016-2 – designating a portion of Silk Street no parking.

YES 6

NO 0

ABSENT 1 Paulette Haupt

MOTION: John McGuire second Gregory Strubinger to approve Resolution 2016-6 – 2016 Fee Schedule.

QUESTIONS:

**REGULAR COUNCIL MEETING
MAY 12, 2016
MINUTES**

Mr. McGuire asked if this resolution includes the parking lot rental fees change.

President Strubinger said yes this is a change from \$30.00 a month to \$60.00 a month.

Mr. Miller said he thought we were going to talk about this at the next work shop session.

Mr. McGuire said he thinks we need to keep the parking lot for now to make sure the residents have parking in this area.

Mr. Miller asked why as the lot rent doubled.

Manager Sterner said for the maintaining of the lots. They figured it out what it costs to have the guys do work in the lot and it was over \$1,000.00.

YES 5

NO 1 Jay Miller

ABSENT 1 Paulette Haupt

Council discussed the Building Codes Clarification.

Solicitor Nanovic asked what does this mean.

Manager Sterner said this is all the information that she had sent to him to review.

In the process of doing the fee schedule there was confusion as to how we were doing the building code. She pulled out the reorganization minutes. Council had appointed Barry Isett as the building & zoning company. She is asking council to appoint a zoning officer and to appoint a building code official. You could direct the solicitor or herself to draft a resolution establishing protocol for inspections by third party inspectors. If that is the route we are going then we should have a process in place for companies to apply to council to be named as a third party inspector and they will need to provide to us their certificate of insurance and they will also need to know when they do an inspection they need to submit it to the borough.

MOTION John McGuire second Gregory Strubinger to appoint Barry Isett & Associates as the zoning officer for the borough.

YES 6

NO 0

ABSENT 1 Paulette Haupt

MOTION: Kyle Sheckler second Jay Miller to appoint Barry Isett & Associates as the building code official for the borough.

YES 6

NO 0

ABSENT 1 Paulette Haupt

Andrew Roberts said up until now the borough has had options that you could use any one that is in the state that we could use them for residential & commercial inspections. A few years ago he had asked council to add people to the list.

Manager Sterner said if council would like to go with multiple inspectors that they direct the solicitor and herself to draw up the procedure which would be in the form of a resolution.

**REGULAR COUNCIL MEETING
MAY 12, 2016
MINUTES**

Mr. McGuire suggests this be multiple inspectors because he is hearing it is taking BIA to do an inspection. This gives the people an option.

MOTION: John McGuire second Gregory Strubinger to direct the solicitor and the manager to draw a draft resolution establishing the protocol for the Uniform Construction Code for multiple residential and commercial inspectors for the borough.

YES 6 NO 0 ABSENT 1 Paulette Haupt

MOTION: John McGuire second Jay Miller to award the Street Paving project for 2016 to Livengood Excavator amount of \$214,158.20.

YES 6 NO 0 ABSENT 1 Paulette Haupt

MOTION: Joanne Klitsch second Jay Miller to advertise Street Paving Project #2

YES 6 NO 0 ABSENT 1 Paulette Haupt

MOTION: John McGuire second Joanne Klitsch to award the Oil & Chip project to Shiffer Bituminous Service Co. amount of \$9,298.40

YES 6 NO 0 ABSENT 1 Paulette Haupt

MOTION: Joanne Klitsch second Thomas Highland the purchase from KME – Kovatch SUV for the JTPD correct amount is \$39,449.56.

YES 6 NO 0 ABSENT 1 Paulette Haupt

MOTION: Joanne Klitsch second Thomas Highland to approve the purchase from KME – Kovatch 5 ton truck w/ snow removal equipment - \$73,748.82 (lease purchase)

YES 6 NO 0 ABSENT 1 Paulette Haupt

MOTION: Joanne Klitsch second Kyle Sheckler to waive the turn on & turn off fees for water for the Jim Thorpe Area School District for the Athletic field.

YES 6 NO 0 ABSENT 1 Paulette Haupt

MOTION: John McGuire second Jay Miller to approve the following exonerations:

- Robert Gavornik, 508 Pine St – retired
- Mary Gavornik, 508 Pine St – retired
- Regina Klein – retired
- Christopher Gallagher – retired

YES 6 NO 0 ABSENT 1 Paulette Haupt

MOTION: Kyle Sheckler second Gregory Strubinger to approve the Liquid Sludge Removal Contract with Aqua Wastewater Management, Inc.

**REGULAR COUNCIL MEETING
MAY 12, 2016
MINUTES**

YES 6 NO 0 ABSENT 1 Paulette Haupt

MOTION: John McGuire second Thomas Highland to approve the Route 93 Traffic Plan letter

YES 6 NO 0 ABSENT 1 Paulette Haupt

Andrew Roberts request to remove tree he would like to hold on this.

MOTION: Joanne Klitsch second Jay Miller that a letter be sent to Penn Dot that the Borough send letter expressing interest in acquiring lots from Penn Dot on North Street.

YES 6 NO 0 ABSENT 1 Paulette Haupt

MOTION: John McGuire second Thomas Highland to approve the Storm Sewer Pipe – 13th & 7th Sts project - \$5,296.00.

YES 6 NO 0 ABSENT 1 Paulette Haupt

Business

Administration

MOTION: John McGuire second Jay Miller that council forwarded comments to PUC regarding preserving municipal right-of-way rights, this was in regards to installing mini towers that are not governed under PUC regulations.

YES 6 NO 0 ABSENT 1 Paulette Haupt

Louis Hall Planning Commission updated council on the nuisance ordinance and Zoning Ordinance Amendment – parking Broadway & Race St. They are also working on the readdressing of Leisure Land.

Kurt Jackson said the only thing they need to do is met with the County & council with the numbering.

Louis Hall said they will be back next month to give council an update.

Public Service (Sewer/Sanitation/Water/Streets)

Mrs. Klitsch thanked Mr. McGuire & Gary Solt for helping out with the Tire & Electronic recycling event.

Mr. McGuire said the residents are happy we provide this service to them. This is done twice a year.

Kim Mazur said the update on the Sewer plant upgrades, they had received a contract from Mr. Rehab for the televising part of the contract. This will get started soon. They will be doing a pre-construction meeting soon and will keep the borough posted. They are having a final meeting with everyone to go over the plans.

Mr. McGuire said Manager Sterner has been in contact with the JTASD to start discussing the drainage issue that goes to Germantown. They need to finish up the project they started.

**REGULAR COUNCIL MEETING
MAY 12, 2016
MINUTES**

President Strubinger said they did have another meeting with Spillman Farmer. To look at the current building and the hall the current use of the facilities and to see what our needs are and where they are being met and aren't being met with the current use of the borough office and the hall. They will be at the June workshop meeting. This meeting will be at the hall. Part of the discussion was the current garage and the long term plans.

Mr. Miller said the CDBG fund for 7th St water line replacement the Manager is working on that.

Mr. Miller asked Kim Mazur about the Water plant the mixers for the tank did this all work out.

Kim Mazur said yes. He called the subcontractor and their intentions are to put them in the upper hatch. They don't have any problems with that. They are waiting for the DEP permit and then schedule that for installation.

Manager Sterner said she will be drafting and forwarding a letter to see if this works. If not she will go to the solicitor for him to send a letter.

FYI - Bureau of Forestry will be spraying for gypsy moths between the late April and early June in the Borough.

Police

Nothing to report.

Buildings/Park

Nothing to report.

Emergency Services

Nothing to report

Mr. McGuire said the Dimmick Memorial Library hired a new Librarian. The board has become very involved with the fund raiser. They thanked the borough for their donation.

Mr. Miller asked if the borough can use the CDBG funds and then be refunded

Manager Sterner said no.

PSM Yaich said they were going to submit the information they were given today and he was told this would speed it up.

Mr. Miller said PSM Yaich came up with at good thing for replacing the water main and laterals on 7th St. They are going to take that fill between 7th St & South St and fill that ditch in. They will be putting a pipe in there and take the dirt from the project and fill that.

MOTION: Joanne Klitsch second Gregory Strubinger to go into executive session personnel matters.

YES 6

NO 0

ABSENT 1 Paulette Haupt

**REGULAR COUNCIL MEETING
MAY 12, 2016
MINUTES**

Into executive session at 8:00 pm
Back at 8:30 pm

Executive Session

MOTION: Joanne Klitsch second Thomas Highland to advertise to hire a Part Time CDL/Laborer worker at \$15.00 an hour not to exceed the term of the Teamster contract.

. YES 6 NO 0 ABSENT 1 Paulette Haupt

Old Business

- A. Burgie Handicap Sign – 223 WB
- B. Waste water Treatment Plant Upgrade project – July meeting
- C. Cuoco – 56 W. Broadway – no update
- D. Packer Hill Road proposed one way Ordinance – no update
- E. Collection Agency for delinquent utility fees – no update
- F. DCNR Community Partnership (C2P2) grant program information has been sent to the Planning Commission and they are working on this.
- G. Cable TV Franchise agreement
- H. Packer Hill/Karnish & Radocka accident

MOTION: Kyle Sheckler second Jay Miller to adjourn

. YES 6 NO 0 ABSENT 1 Paulette Haupt

Adjourned at 8:33

Respectfully submitted


Louise McClafferty
Borough Secretary