Meeting called to order at 6:30 pm in the Memorial Park Hall, 115 East Tenth Street, Jim Thorpe by President Gregory 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 Edith Lukasevich

Jay Miller Borough Manager Sterner PSM Yaich

Connor Rodgers, JCP Police Chief Schatz Solicitor James Nanovic

Mayor Michael Sofranko Secy. McClafferty

**Public Hearing**

CDBG FY 2017

CDBG FY 2018

CDBG FY 2019

**Mayor’s Report**

Mayor Sofranko said everyone received a copy of the Police report to review.

Mayor Sofranko said Police Chief Schake met with Michael Rivkin from the Tourist Promotion Agency to discuss the flagger force that will be handling the traffic for Fall Foliage, this will be paid by JTTA, the Police Department will not be involved with the traffic this year. They will be walking about and handling the Borough.

Mayor Sofranko said next week the new full-time officer will be here to be sworn in.

**SALDO**

Canyon Rim Residential Preliminary Land Development Plan 6/7/19

Canyon Rim RV, Cabin & Camping Lots Preliminary Plan Time Extension

Borough Manager Sterner said the Residential plan is before Council for a decision on the land development plan.

Borough Manager Sterner said on the RV the applicant has been granted a time extension until November 30, 2019, as per Council to formally accept.

President Strubinger said the JT Planning Commission is recommending conditional approval of the Residential plan. He asked if the solicitor has reviewed the plans?

Borough Manager Sterner said yes.

President Strubinger asked if he has addressed all of Council’s concerns.

Borough Manager Sterner said the Residential is a Council decision. You all have to review and make a decision whether or not the stipulation agreement applies.

Borough Manger Sterner said the other plan RV, not added to the plan, this is not a big deal. To clear up the lot lines, with the merging of 3 lots, that is not clear as it could be on the plans. This is a preliminary plan there are a ton of outstanding issues. Stormwater specifications, sewage and all of that stuff is the final plan stage. The only thing is the stipulation agreement.

**Public Comment**

Trick or Treat – Wed, Oct 30th from 6:00 pm to 8:00 pm

Budget Workshop Sessions – 10/24; 10/31;11/6;11/13;11/20 & 11/21

Carbon County Day of Caring – Oct. 16

Tire & Electronic Recycling Day – Oct. 19; 7:00 am to 11:30 am

            Leaf Pick-Up Oct. 28 to Nov. 15

            Planning Commission Meeting – Oct. 22

Michael Rivkin, 61 W Broadway, regarding the Short-Term Rentals committee, this is just a proposal, they took bits and pieces from other communities from what they are doing. He urges that we continue with this, because there are several factors that need to be addressed. The STR is a challenge all over the country. They change communities, they displace residents, displace workers, they displace the tax office. The role of the committee was not to put any STR out of business. They were specifically going off of zoning and making them compliant. In order to do that the effort was to make it a level playing field. The STR is super important, it’s a liability issue, neighborhood issue, it’s a parking issue, most of all it is a safety issue.

Michael Rivkin said they were able to confirm a Flagger Force for the Fall Foliage event this year. Chief Schatz is going to train the flagger force how to control the traffic light. The Flagger force will have one individual at each intersection, they are going to manage the traffic on the basic need. They opted to keep crossing guards. The Flaggers will keep in touch with the crossing guards. In regards to the County parking lot, the Commissioners have assured them they will have one trained individual to ensure that the right turn lane is open or closed appropriately, to keep the left lane traffic flowing. They have 2 satellite parking facilities, the Mauch Chunk Lake and Sam Miller field, this is weather permitting. There will be a shuttle bus running to pick the people up and drop them off at the County lot on Packer Hill. Packer hill traffic will be one way up.

Mayor Sofranko thanked Councilman Highland for working on this and his committee.

President Strubinger said we will be setting up 2 meetings to discuss the Short-Term Rentals, one meeting will be in the evening and the other in the afternoon, he asked for some dates for next week’s meeting.

Borough Manager Sterner said the meetings will be a brain storm session, get the pros and cons. Get their ideas, put that together and present it to council to look over along with the stuff from the Planning Commission.

Mr. McGuire said he has volunteered to sit on this committee, he would like Louis Hall as the PC chairman to answer questions because they worked on this the most and Clem McGinley.

Lynn Humphrey, 531 Pine St, STR, she thanked council for keeping this on the front burner. They have 2 properties that they have as STR properties on the East side. She would like to participate in the public meetings to discuss the STR.

Louis Hall, 1490 Broadview Dr., STR, said this is not an ordinance, it’s conditional use, there is a difference. What they are asking for is conditional use of something that is not permitted in the borough. This will be based on units, not so much the criteria. Whether the borough does a zoning overlay, whether we restrict it just to the business area, that is where you will get the most controversy, that is where you will have to make a decision on what you want to do this. You can say there are provisions, that if you have a STR that gets out of hand, there are provisions to get rid of those particular situations.

Borough Manager Sterner said this is going to be an amendment to the zoning ordinance, so it is an ordinance.

Sheila O’Neil, 40 West Broadway, Halloween trick or Treat night on a Wednesday night, which is trash night. She would like to know if we could change trash night for the community?

Mayor Sofranko said the reason we do it the Wednesday before Halloween is because all of the communities get together that night to hold trick or treat night. It will keep all the people in their towns and all the police departments schedule another man out just in case something would happen.

Jake Arner, Canyon Rim Estate development, he would like to know if council has any questions on his plans?

Lisa Gaugler, 62 Broadway, would like to know if the train is leaving Jim Thorpe?

President Strubinger said there is nothing to report on this, at this point it is hearsay, some of this is not in our control. There is some issue over payment of the Amusement tax by the railroad, this issue is still pending. There has been communication with the railroad. We have been trying to set up a meeting but nothing has been set up yet.

Doreen Perdie, 111 Broadway, she stated she has watched how the train makes a difference in this town, without this train a lot of the businesses will go.

President Strubinger said when you go on vacation you pay the taxes, including amusement tax, people pay it, this is a pass-through tax.

Jason Mosher, 127 High St, if the train leaves town that is catastrophic to this town, that is what generates the people that come in to town. People come in town to see the trains, the steamers and the town, you pull that out you are going to lose all that revenue.

Mr. Miller stated he has to pay the tax, if he doesn’t, he can go elsewhere. He asked Jason to relay his message to Andy Muller also. If he doesn’t want to pay the tax, that is not fair to others that do pay the tax.

Mr. Miller asked Manager Sterner if Berkheimer took this gentleman to court? What was the decision of the court?

Borough Manager Sterner said yes, he has to pay.

**Action**

Discuss Council Workshop Meeting Minutes from September 5, 2019

Discuss Council Meeting Minutes from September 12, 2019

Discuss Expenditures from all Funds as presented

Borough Manager Sterner said we have the Police MMO obligation payment and Foreign Fireman’s relief payments, that is why General Funds is higher this month.

Discuss Treasurer Report August, 2019 as presented

Discuss Resolution 2019-18 LSA Grant Facilities Project

Discuss Resolution 2019-19 LSA Community Centers Project

Borough Manager Sterner said these are two grants that we put in for the LSA Gaming Grant. The Facilities project, we are asking for $500,000.00 and the Community Center we are asking for $43,616.00. They require resolutions, the grant has been submitted we just need to approve the resolution and forward them.

Discuss Resolution 2019-20 Brian Bauer Eagle Scout

President Strubinger said he is a member of Troop #555, and he did his service project at Lehighton Band Hall.

Discuss Entech WO 10083 Multimodal Grant Application

Borough Manager Sterner said this is a work order to write the grant application, $2,400.00.

Mr. Miller asked where the money is coming from for this?

Borough Manager Sterner said what we are going to do is, the project will not exceed $650,000.00, it requires 30% match, we want to use our annual paving allocation of $150,000.00 as the match. We can get paving with the handicap curb cuts and extend our paving project for the year. The $2,400.00 is in this year’s budget.

Discuss Resolution 2019-21 Authorizing a Multimodal Grant Application

Discuss Entech WO 10082 PA Small Water Grant

Borough Manager Sterner said this is a small water and sewer systems grant. This is the small one we are hooking up with the CDBG grant to do that large project on Church Alley. This is approximately $215,050.00, matching is only 15%, we are asking for $187,000.00, we would match it with $28,050.00, the timing of this the match would be needed in 2021. The work order is $3,100.00 and is available in this year’s budget. This is School St water main replacement and paving.

Discuss Resolution 2019-22 Authorizing Application for CFA PA Small Water Grant

Discuss Water Capital Reserve Term Maturity

Borough Manager Sterner said she will have the rates for next week. The amount to roll over is estimated at $256,024.00 for 4 months.

Discuss JTASD Bus Parking Request

President Strubinger said this is in regards to parking school buses on 13th street. They are asking to allow buses to be parked along 13th street during football games, where they drop off and pick up the players.

Mr. Miller stated he does not know how we can condone this on the streets. There is a home down there that if they need to get down there with fire equipment, where will the guys be. He is against this.

President Strubinger said they have been doing this without any incidents since 2001.

Discuss Sofranko/Hammel Request

Borough Manager Sterner said this is at the top of Packer Hill near the blind curve, they installed a convex mirror on a pole a few years ago, the mirror has been broken. They are asking if the borough could install another one, rather than them bearing the expenses.

Mr. Miller said if we are going to do it for them, then everybody’s driveway that they say is the block is blind.

Borough Manager Sterner will check with the solicitor about the traffic device and placing liability on us.

Discuss Plesniarski Request

President Strubinger said the Request for Action form was submitted, she is requesting a slow sign and the police to patrol.

Mr. Miller stated he has seen this himself, how the people come speeding down the alley. He recommended we paint slow on the roadway like we did on Race Street.

Police Chief Schatz said he visited the area and he spoke with Mrs. Plesniarski. After looking at it there is a stop sign at the top by Center Avenue. According to vehicle code, we were tested and tried our streets are not considered if the alleys if they are two way.

Borough Manager Sterner said perhaps we could paint slow and direct chief to speak with the people asking them to slow down and LTAP will come in and teach our guys how to conduct a stop sign study. Would you like her to investigate this?

Discuss Kobalt Construction – 10th St. Stormwater Project Warranty Release

Borough Manager Sterner said their warranty release date is coming up on the 15th of October. Matt Boggs and Vince inspect and it is acceptable.

Discuss PennDOT Request Center Ave Traffic & Engineering Study

Borough Manager Sterner said basically before they do one, they want the borough’s written agreement to purchase, erect, and maintain the appropriate speed limit signs and additional signage and roadway markings at the intersection. They need further clarification on what the borough is requesting, prior to reviewing that request.

Mr. Miller said that is a stop sign with the lights around it. He has a problem with the maintenance of the signs.

Volunteer Fire Relief Association Disbursement

Mr. Miller said we have 2 relief organizations, there has been talk of merging them which will be a good thing. Do the same disbursement as we have in the past.

Marzen Longevity Pay

President Strubinger said this is mandated by the contract, $500.00.

Sewer Department Backhoe/Loader Purchase

Mrs. Klitsch asked if we have money for this?

Borough Manager Sterner said yes. This will be paid out of the Sewer Capital Reserve fund.

President Strubinger said we are replacing the old 1993 case backhoe; we had received a trade value in the amount of $12,000.00. This will be purchased from Medico Industries CoStar vendor $91,520.55.

Entech Work Order 10069 – Church Alley

Mr. Miller said they want to take $160,000.00, some thousand out of the Water Reserve plus 2017, 2018 & 2019 CDBG funds.

Borough Manager Sterner said $100,000.00 for the grant, the Water Reserve is $131,000.00, it is the engineering that we had budgeted because the CDBG won’t pay for the engineer.

Borough Facilities Projects

* Spillman Farmer Administration Invoice
* Spillman Farmer Garage Invoice

Mr. Miller asked where we are at with these projects?

Borough Manager Sterner said right now with the garage, we are waiting on Penn Dot occupancy permit. We just heard back from them, the NPDES permit is the other item we are waiting on and the Penn Dot highway occupancy permit waiver request, we made a change and we need to discuss that. Hopefully November. As far as the hall, we had a survey done part of the park property for the conversion use. The appraisals are on the agenda, she has 3 proposals. She is waiting for DCNR to approve that the survey is acceptable for National Parks, then once you accept the proposals, we can get the appraisal moving. That is 6 to 8 weeks. They have to appraise the value of the area of the addition of the hall, and the area of the municipal building dollar amount to remove that out of the grant. Then they need to appraise the garage area and storage area and the lot across the street to put the value of those into the grant. Hoping we have an even swap, so then the land complies with the grant. We cannot do this project until this is done. That is being done through the Master Parks Site Plan. We can ask for an amendment to DCNR for the grant to get at least half of that paid for the survey and environmental assessment, this is in progress now.

Park Master Site Plan

* Maser Environmental Assessment Proposal

Borough Manager Sterner said this is to ratify this, $1,500.00

* Yellow Book Appraisal
* Yellow Book Appraisal Review

Borough Manager Sterner said she contacted 3 appraisers; it was difficult because there are not many people that can do Yellow Book Appraisals. All 3 submitted a quote, only one submitted the review of the appraisals. Council can take action to approve one of them with the condition upon DCNR approval also. We will put this in for full reimbursement for the grant.

D & L Trail Project - Bower Time Extension – October 31, 2019

Borough Manager Sterner said this is to ratify, we had granted that extension.

Bower Time Extension – November 30, 2019

Borough Manager Sterner said this is for the additional fencing. D & L have the funding to pay for it. We have funds left from the grant fund and interest earned. We need Council to authorize the grant amendment from DCNR and request the use of the interest earned in the DCNR checking account and we need to approve the Bower payment.

Authorization to request Grant Amendment from DCNR additional fencing

* Authorization to request use of interest earned from DCNR additional fencing
* Bower Change Order/Contract Amendment additional fencing
* Bower Payment Application #4 - $107,695.89

Borough Manager Sterner said the additional fencing is on the other side where the gate is, the split rail fence to the end of the retaining wall.

WWTP Upgrade Project

* Entech Engineer Addendum for As-Built Plans
* Eastern Environmental payment application #32 – None
* Howard Company payment application #27 – None
* Mr. Rehab Invoice #160919MRH - $18,166.47
* Mr. Rehab Inc. #8 - $19,231.70
* Mr. Rehab Change Order additional line work
* DRBC Project Review Fee Due
* Requisition #36 – $75,524.58
* Requisition #37 - $18,166.47
* Requisition #38 – $41,503.15

Matt Boggs said last month he spoke about using some of the remainder funds for replacing the sewer that are critical and need to be replaced. He wants to do this with Eastern because they have a good contractor that did the trench work. RUS prefers to use Mr. Rehab. We want to get this project done. We will have Mr. Rehab do the lining repairs because there are still dozens of linings out there that could be upgraded. They are going to put the remaining funds that we have, we are close to $130,000.0 that we can give Mr. Rehab to do some of the lining work. He talked to Mr. Rehab today about this, he is booked until the end of the year. He told them we need to get on his schedule as soon as possible.

**Utility Action**

Utility Accounts Lien Reports

* Active Utility Accounts Garbage & Others Lien Report (0)
* Active Utility Account Garbage Only Lien Report (1)
* Active Utility Accounts Sewer/Garbage Lien Report (0)
* Active Utility Accounts Water/Garbage Lien Report (0)
* Active Utility Accounts Water/Sewer/Garbage Lien Report (0)
* Temporary Off Lien Report (0)
* Inactive (0)

Uncollectible Accounts Report – (0)

Utility Accounts Proposed Updates (0)

Carbon County – place back on the agenda, this was not acted on last month

Account #4540 Payment Plan

Account #7720 Payment Plan

Account #1955 Request

**Tax Exoneration Action**

**Committees**

**Administration**

Restore Pennsylvania

Borough Manager Sterner said she has met with Thomas Cafferty who is the director in Northeast Regional office of the Office of the Governor. What he asked was if we would be interested in adopting a resolution to support their Restore Pennsylvania an initiative of the Governors. This is basically a tax on the marcella shale that is going to be used on Blight, contaminant remediation and brown field, downstream manufacturing business development, energy, flood control and disaster response, transportation capital projects. Let her know if you would like a resolution drafted.

2019 Auditor Proposal

Borough Manager Sterner asked council if they wanted her to gather proposals from other firms, or with the ending of the Waste Water Treatment Plant Project do you want to stick with who we have been working with. In addition to the annual audit, we will need a single audit for the WWTP. Depending on when the facilities get started, we will need some type of audit if not a full single audit on each of those projects. We do need DCED project for the D & L project we will need an audit for the grant portion. She will find out if we can use DCED funds for an audit.

General consent of Council is to stay with the firm we have been using.

Short Term Rentals

Committees/Boards Seats Term Expirations

Borough Manager Sterner said we announce this so if there is anyone interested is serving on one of the boards they may submit a letter of interest.

Mr. McGuire said we should send the letters to the boards for their recommendations for the boards. He said as the Library board he swooped, he is the trustee to the board, Chris Lukasevich is on the board now, he is the representative for the borough.

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

Seip RFA

Borough Manager Sterner said this is for the blacktop crown. There was only one response asking if there are any grants or low interest loans out there for the residents for curbing. She is not aware of any. She asked Council for direction.

**Police**

Mr. Highland said the Police Committee met to discuss the letter sent to use from the JTASD about the Resource officer. They looked over it and there were a few items they did not agree with Chief was going to go back and talk to them. They are looking for 3 officers, 29 hours part-time, they would pay for their salary no cost to us, we have to supply them. The 3 officers would not be at one time, it would be one regular officer, if one was sick and maybe a third one if he couldn’t show up. There are a few things about who would control the officer that they didn’t agree with. We think the Chief should have full control of the officer; they want to take control of him. We are waiting to hear from them.

Mr. Miller said the only concern he has with this is as long as it doesn’t interfere with our scheduling.

Mr. Highland said this will help us out with part-timers, because they are so hard to come by. If we could guarantee them 29 hours a week it will make it more appealing to them.

Police Chief Schatz said the Resource officer is for the safety of the students. We do have everything in place with the current agreements that we have with the JTASD for sporting events. They are waiting on recommendations back from the school as to what the next move is.

**Buildings/Parks**

**Emergency Services**

Mr. Sheckler said everything is good.

**Old Business**

Permit Parking

Readdressing Phase II

Susquehanna Street No Parking Ordinance

Blight Landbank

Zoning Ordinance Group Homes

**Executive Session**

Personnel

**MOTION:** Jay Miller second John McGuire to adjourn and go into executive session to discuss personnel.

YES 7 NO 0

Adjourned at 8:30 p.m.

Respectfully submitted

Louise McClafferty

Borough Secretary