

JIM THORPE BOROUGH COUNCIL MEETING  
October 13, 2022  
MINUTES

Meeting called to order at 6:36 p.m. by President Strubinger with the pledge of allegiance and a moment of silence for the armed forces, first responders, and their families.

**Roll Call of Members**

Gregory Strubinger	Joanne Klitsch	Jay Miller-absent
Michael Yeastedt	Bob Schaninger-absent	Jessica Crowley
Michael Rivkin	Solicitor Nanovic	Mayor Sofranko
Police Chief Schatz	Borough Manager Sterner	Secretary Brooke Klotz
Public Service Mgr-absent	Borough Engineer-absent	

**Mayor's Report**

There was a friendly wager between Mayor Sofranko and Palmerton's Mayor Herrman for the Jim Thorpe versus Palmerton football game. The losing team's Mayor would have to wear the other team's spirit wear to their Borough Council meeting. Jim Thorpe lost, therefore leaving Mayor Sofranko to wear a Blue Bomber's shirt. Both town's collected canned goods for the food pantries before the football game kicked off. They would like to continue the tradition of collecting canned good for the food pantries every year.

Fall Foliage Festival – traffic is flowing as smoothly as it can. Please consider making a monetary donation to the local Fire Police. They have been helping directing the traffic over the weekends.

Police Report – there were no comments

Lehighton Halloween Parade – The Lehighton Borough asked for help from Jim Thorpe's Fire Police. There will be no problem offering help and recommends Council approving it.

President Strubinger thanked Chief Schatz, the Police Department, and events planners for everything they are doing to make Fall Foliage run as well as it can.

**Announcements**

Trick or Treat will be held rain or shine on Saturday, October 29 from 5 p.m. until 7 p.m. In the event of extremely severe weather, it would be held the next day at the same time. Sam Miller Field will be holding a Trunk or Treat at the same time.

The Borough was awarded a DCED Greenways, Trails & Recreation Grant Award for Memorial Park Phase II in the amount of \$200,000.00. Overall, the Borough has been awarded over ½ million dollars in grant money for the Memorial Park Construction.

The Fall 2022 Tire and Electronic Recycling Event will be held Saturday, October 15<sup>th</sup> from 7 a.m. until 11 a.m. Please arrive no later than 10:45 a.m. as the truck pulls away promptly at 11 a.m. Please enter on the 9<sup>th</sup> Street side of the park and exit on the 10<sup>th</sup> Street side. No freon items or microwaves are allowed. Connor Rodgers will once again be helping with this event.

JT Lions Heroes' Banner Program – The banners are worn out and will be taken down after Veteran's Day. Council is working on a new program and looking for volunteers to help. Residents who bought a banner that would like to keep it should contact the Borough Office.

### **Public Comment**

Carol Lethridge – She submitted a letter prepared by her lawyer to Borough Council about the proposed Special District Ordinance Amendment. In her letter and vocally, she explained the importance of the lake to the community. She lives on the other side of the lake and would like to see the area remain as it is.

Steve Chuckra – He was there on behalf of the Lehigh River Stocking Association. He was a former Board Member and President of the Association. The Association stocks trout in the Lehigh River and its tributaries. His concern is about the Mauch Chunk Stream and the potential septic issues that could come with the proposed Zoning Ordinance Amendment in the Special District.

Bill Malatak – He spoke about the water holding pond from the high school that has been overflowing with the heavy rains in the creek, then down on to Germantown Road. Large rocks and stones are also being carried onto the road with the excess water. He doesn't understand how the Borough can get grants for parks when items like this, as well as the roads and sidewalks need fixing for years. Manager Sterner said the school district received an adequacy letter and is preparing an RFP for improvements for that area. The railroad also recently poured footers for the sidewalks downtown.

Dorinda Getz – She is upset with the electric sign in front of Kresge's business. It's extremely bright and a nuisance. She cannot leave her window blinds up. She asked why a sign like that would be allowed in a residential area. According to the ordinance for signs, they cannot be flashing. President Strubinger explained that this is a zoning matter; the zoning officer was asked to re-review this again due to the various concerns expressed by residents. Solicitor Nanovic explained there are time limits to appeal a decision after a permit has been issued and posted. Ms. Getz explained that neighbors saw the poles were put up in place for an extended amount of time, but had no idea what they were for.

Louis Hall – He is asking Borough Council to reconsider changing the ½ mile buffer in the Special Zoning District due to the Mauch Chunk Creek being elevated to a high-quality water system by the state. He requested that a roll call vote be given for Action Item #5.

Dana Miller – He spoke about the electric sign in front of Kresge's business. He said it's too big, too bright, and annoying.

Jake Arner – He asked Borough Council about his request to start construction. His lawyer answered the questions Solicitor Nanovic had and brought support documents to the meeting. His request to Council is to allow the start of construction of Phase I and II, reduce the amount of money placed in escrow, and the Borough would get the money from the first lot sales. President Strubinger explained due to receiving the documentation the previous day, Council and Solicitor Nanovic would need additional time to look over the documents.

### **SALDO (Subdivision and Land Development Ordinance)**

None

**Action**

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve Council Meeting Minutes from September 1, 2022**. There were no comments. Motion carries 5-0

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve Council Meeting Minutes from September 8, 2022**. There were no comments. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve Expenditures from all Funds as presented**. Michael Yeastedt said there was a bill listed from the fire company that was already paid for by them and did not have to be paid by the Borough. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve the Treasurer's Report**. There were no comments. Motion carries 5-0.

**Zoning Ordinance Amendment-Special District Sewage**

Borough Council agreed they don't want to rush into a decision. President Strubinger explained the developer of the area realizes the importance of the lake, which is why he wants to keep the lots limited to 5 acres. Summit Hill has over 40 homes on their side of the lake. Their Borough is unaware of any failing systems. **MOTION** by Michael Yeastedt, second by Joanne Klitsch to **forward to Borough and County Planning Commissions for their comments**. A roll call vote was taken.

Joanne Klitsch-yes

Michael Rivkin-yes

Jessica Crowley-yes

Michael Yeastedt-yes

Greg Strubinger-yes

Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **allow the solicitor to draft an on-lot sewage system maintenance program ordinance**. Currently there is no Borough wide on-lot system maintenance program ordinance. It was asked to take into consideration the time frame of when systems need to be pumped (three to five years) due to different types of systems and usage. Motion carries 5-0.

**MOTION** by Joanne Klitsch, second by Michael Yeastedt to **approve Resolution 2022-20 — Memorial Park Improvements Phase III**. Phase III would include new basketball courts and lighting. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve Memorial Park Phase III Funding Commitment**. CBDG pledged funds are \$164,272.00 and the Borough will pledge funds to bring the matching total to the required 20%. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve Buckno, Lisicki, & Co. 2022 Audit Proposal**. The cost would be \$21,000.00. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve Resolution 2022-21 – appointing Buckno, Lisicki, & Co. as auditor for 2022 to complete the audit**. There were no comments. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve 2022 Line Item Transfers as presented.** There were no comments. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve 2000 Homes Program Repayment of \$129,934.00 to DCED and \$12,830.00 for the sale of an additional remaining home.** There are two outstanding loans with one closing within the week due to the sale of the property. The remaining home would need to be continued to be tracked by the Borough. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve Foreign Fireman's Insurance Disbursement to Mauch Chunk Relief Association -- \$24,609.34.** This is given by the state and needs to be disbursed within 90 days of receiving. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve Lehighon Ambulance Association Fee Waiver Request.** This is for the inspection fees by Barry Isett and Associates. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **authorize select Police department and Sewer department items to sell on Municibid.** Before any items are sold on Municibid, it must go before Council to approve. Motion carries 5-0.

#### **Live Streaming-Facebook**

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve equipment purchase for live streaming meetings.** It was explained that only one camera can be used at a time to livestream on Facebook. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Jessica Crowley to **approve the Facebook and Livestream Policies and Procedures.** There were no comments. Motion carries 5-0.

#### **Borough Employment**

a. **MOTION** by Joanne Klitsch, second by Michael Rivkin to **release Brooke Klotz's probationary period effective November 4, 2022.** There were no comments. Motion carries 5-0.

b. **MOTION** by Joanne Klitsch, second by Michael Yeastedt to **appoint Brooke Klotz as Borough Secretary effective immediately.** There were no comments. Motion carries 5-0.  
**MOTION** by Michael Rivkin, second by Joanne Klitsch to **adjust Brooke Klotz's pay rate effective today to \$20.26/hr.** There were no comments. Motion carries 5-0.

c. **MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve Teamster's Contract Addendum-Position and Wages for Truck Driver/Laborer-Plant Operator Trainee.** There were no comments. Motion carries 5-0.

d. **MOTION** by Michael Yeastedt, second by Michael Rivkin to **offer employment to applicant #504 for the Public Service manager position at a rate of \$85,000.00/year conditioned upon passing pre-employment CDL drug testing.** Joanne Klitsch asked how long the probationary period is for. Manager Sterner explained it is a six-month probationary period. The applicant only needs one required water subclass to complete. There was a roll call vote:

Michael Rivkin-yes  
Jessica Crowley-yes  
Joanne Klitsch-yes

Michael Yeastedt-yes  
Greg Strubinger-yes

e. **MOTION** by Michael Yeastedt, second by Michael Rivkin to **offer employment to applicant #128 for the Streets Supervisor position at a rate of \$30.25/hr conditioned upon passing pre-employment CDL drug testing.** There were no comments. There was a roll call vote:

Michael Rivkin-yes  
Jessica Crowley-yes  
Joanne Klitsch-yes  
Michael Yeastedt-yes  
Greg Strubinger-yes

f. **MOTION** by Michael Yeastedt, second by Michael Rivkin to **offer employment to applicant #214 for the Truck Driver/Laborer-Water Plant Operator Trainee at hourly rate of pay set forth by the Teamster's Bargaining Agreement, conditioned upon passing pre-employment CDL drug testing. Continued employment is conditioned upon the employee obtaining the Licensed Water Plant Operator License and all required Subclasses within three years from the date of employment.** Jessica Crowley asked if this was the position that was discussed earlier; it was. There was a roll call vote:

Michael Rivkin-yes  
Jessica Crowley-yes  
Joanne Klitsch-yes  
Michael Yeastedt-yes  
Greg Strubinger-yes

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve the Elder Fraud Seminar.** This would be presented by an agent from the FBI and be open to all Carbon County residents. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve Jim Thorpe Area Running Festival 4/29/23 and 4/30/23.** There will be no Police services needed. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve Raising the House-Lights at the Lake.** There will be no Police services needed. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve the Morris family request for action for a Children at Play/slow down sign.** Chief Schatz said that when patrolling, it doesn't seem to be an issue. Joanne Klitsch asked if there are these types of signs around the Borough. Police Chief Schatz said that there are. Joanne Klitsch said that she has seen people flying through that area when she travels through. Public Service checked the area to ensure a sign would be able to be placed. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve School Street-PA Small Water-Ondeck Concrete Payment Application #1 for \$11,728.75.** There were no comments. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Greg Strubinger to **approve the Facilities Project-Auditor Proposal financial update proposal for \$7,500.00.** Greg Strubinger asked if there was funds in the budget for this; there is. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Greg Strubinger to **approve the Facilities Project-Environmental Assessment update proposal for \$6,000.00.** There were no comments. Motion carries 5-0.

**MOTION** by Joanne Klitsch, second by Michael Rivkin to **approve the request for Fire Police assistance for the Lehighton Halloween Parade.** There were no comments. Motion carries 5-0.

#### Utility Action

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve five Garbage Only Lien Reports.** There were no comments. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve four Sewer/Garbage Lien Reports.** There were no comments. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve one Utility Accounts Proposed Updates.** There were no comments. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve a request for sewer credit for \$27.49 due to a water leak for account #1142.** There were no comments. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve a payment plan for account #7545.** There were no comments. Motion carries 5-0.

**MOTION** by Michael Yeastedt, second by Michael Rivkin to **approve a request for sewer credit for \$128.27 due to a water heater leak for account #7545.** There were no comments. Motion carries 5-0.

#### Exoneration Report

**MOTION** by Michael Yeastedt, second by Joanne Klitsch to **approve the monthly Exoneration Report.** There were no comments. Motion carries 5-0.

#### Committees

##### Administration

Code Enforcement Policy - Manager Sterner has not had an opportunity to follow up on the code enforcement.

##### Public Service

County/Railroad Project-Sidewalk Extension SR 209 across from post office – work on this has started

PA Small Water H2O program grant applications have started. The Borough is looking at Front Street Stormwater project or Fifth Street Bank Stabilization project (Entech believes it can be included into a sewer item). They are checking to see if plant equipment would be considered infrastructure to potentially add this to an application.

Buildings/Parks

JT Mausoleum Trees – The Borough is waiting on a proposal from one tree service company, information from another one, and one company did not respond.

Emergency Services

June 2023 is the tentative date to receive the new fire truck.

**Old Business**

None

**Executive Session**

**MOTION** by Michael Yeastedt, second by Bob Schaninger to **move into executive session for personnel and litigation**. There were no comments. Motion carries 5-0. The meeting paused at 8:10 p.m.

**MOTION** by Michael Yeastedt, second by Bob Schaninger to **resume the meeting**. There were no comments. Motion carries 5-0. The meeting resumed at 8:47 p.m.

There was nothing that needed to be discussed.

**MOTION** by Michael Yeastedt, second by Bob Schaninger to **adjourn the meeting**. There were no comments. Motion carries 5-0. The meeting ended at 8:48 p.m.

Respectfully submitted,

Brooke Klotz  
Borough Secretary