

JIM THORPE BOROUGH COUNCIL MEETING
November 9, 2023
MINUTES

Meeting called to order at 6:30 p.m. by President Strubinger with the pledge of allegiance and a moment of silence for the armed forces, first responders, and their families, as well as the service members who lost their lives while serving our country, and Veterans in honor of Veteran's Day.

Roll Call of Members

Gregory Strubinger	Joanne Klitsch	Jay Miller
Michael Yeastedt	Bob Schaninger	Tom Chapman
Michael Rivkin	Solicitor Nanovic	Secretary Klotz
Police Chief Schatz	Borough Manager Sterner	Mayor Sofranko
Consultant Carson Helfrich		

Mayor's Report

Mayor Sofranko asked if there were any questions about the Police Report.

He spoke about the traffic issues from October 28th. The traffic due to tourism has become too much for the Borough to handle and the Borough will be looking into forming a Traffic Committee. Chief Schatz would like to have a round table meeting between the Borough, Carbon County Commissioners, Carbon County EMA, the Fire Department, and Ambulance Association. Mayor Sofranko expressed getting Representative Heffley and Senator Argall involved as well. He expressed that pedestrians were also a big problem on the 28th and would also like to have the railroad involved in a meeting. He thanked the residents for their patience during the last fall foliage weekend.

Announcements

Greg Strubinger welcomed Jason Novak and John Barile, who were in the audience, as the Borough's two new Water Department employees.

The Borough is still accepting letter of interest for the vacant International Property Maintenance Board seat. Any resident who is interested, please submit your letters to the Borough office.

Leaf Collection is taking place now through Friday, November 17th, weather permitting. Manager Sterner reminded residents not to mix any rocks or branches in with the leaves, as that will damage the new leaf collector.

Operation Give A Gobbler in taking place now through November 14th. The Jim Thorpe Police Department was challenged by the Palmerton and Lehighton Police Departments to see who can collect the most amount of non-perishable goods. Last year, Jim Thorpe won the challenge. This year's losing Police Department will have to take part in the Polar Plunge. Non-perishable items that are being donated can be dropped off in the Borough building lobby.

The Borough is currently accepting applications to purchase a Christmas Tree for the 2nd annual Festival of Trees. There have been 22 trees out of 60 that have been sold so far. During the event taking place on Thursday, November 30th, Santa will be in attendance, booster club cheerleaders will perform, and refreshments will be available to purchase.

Executive Session was held for Personnel on October 18th at 4 p.m., October 25th at 6:30 p.m., October 26th at 5:00 p.m., and November 1st after the Work Session meeting.

Public Comment

Dennis & James McGinley – The Fairview Social Club held a Block Shoot last month and made \$500.00 that they would like to donate to the Police Department.

Betty Lou McBride – She thanked and congratulated the Police Department and volunteers for all the hard work they put in to help with the traffic issues from October 28th.

Jake Arner – He attended Mahoning Township's monthly meeting and explained they are concerned with the tourist traffic as Flagstaff Road was backed up into their township. He offered to allow tourists to park at Flagstaff and be transported to the downtown area.

Steve Ambrose – He thanked Chief Schatz and the rest of the Police Department, EMS, the Fire Department, the Fire Police, Michael Rivkin, and James Dougher for everything they did to help with the traffic issue that took place on October 28th.

Amy Kubishin – She congratulated Mayor Sofranko for winning the Commissioners election and thanked him and Chief Schatz for everything they did on October 28th. She said she spoke with other residents about what happened on the 28th. They told her they were angry and upset

AJ Petrucci – He asked about a stop sign at the intersection of Coal and Center. He also asked about the speed limit being reduced on Coal Street.

Gerry Strubinger – He stated he has concerns about the increase in the upcoming Garbage contract. He would like a committee formed that he is willing to serve on to help reduce costs for the Borough so taxes are not increased. He also addressed the traffic issue from October 28th and stated a by-pass should be built to help offset the traffic.

Bob Schaninger said he would rather have a few weekends of inconvenience rather than a blighted town.

The Borough received a mailed in comment from Anita Van Dine that was about Borough finances and the 2022 Audit.

Public Hearing

This Public Hearing is in regards to revisions and updates to the Zoning Ordinance. The updates were part of a joint grant with the Borough of Summit Hill. Carson Helfrich of Community Planning was in attendance for the Public Hearing. The Zoning Ordinance will be up for adoption at the December meeting. Greg Strubinger then opened the Public Hearing.

Jake Arner – He attended the various bi-weekly meetings of the Ordinance Committee. He feels the Ordinance is not ready. He believes the proposed Ordinance would take away people's lots and their ability to use their lots. He also feels the Conservation Subdivision provisions won't work due to the Borough's geography. He believes the changes aren't beneficial for developers. He asked that the current Ordinance tables stay in the updated Ordinance.

Carson Helfrich explained conservation design does not apply to the entire Borough and it does not apply to existing lots.

Solicitor Nanovic explained he sent the proposed Ordinance to the Carbon County Planning Commission for their review and they submitted a letter dated Oct 17 and believes it is consistent with current land use practices and state and local regulation and they recommend approval.

Jake Arner distributed letters to Borough Council with his concerns with the proposed Ordinance.

MOTION by Bob Schaninger, second by Joanne Klitsch to **close the hearing**. There were no comments. Motion carries 7-0.

MOTION by Bob Schaninger, second by Michael Rivkin to **advertise the Zoning Ordinance for adoption at the December 14, 2023 meeting.** There were no comments. There was a roll call vote:

Joanne Klitsch- yes
Jay Miller- yes
Mike Yeastedt- yes
Bob Schaninger- yes
Tom Chapman- yes
Michael Rivkin- yes
Greg Strubinger- yes
Motion carries 7-0.

SALDO (Subdivision and Land Development Ordinance)

NONE

Action

MOTION by Joanne Klitsch, second by Mike Yeastedt to **approve Council meeting minutes from October 5, 2023.** There were no comments. Motion carries 7-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve Council meeting minutes from October 12, 2023.** There were no comments. Motion carries 7-0.

MOTION by Mike Yeastedt, second by Jay Miller to **approve Expenditures from all Funds as presented.** There were no comments. Motion carries 7-0.

MOTION by Jay Miller, second by Mike Yeastedt to **approve the Treasurer's Report.** There were no comments. Motion carries 7-0.

MOTION by Bob Schaninger, second by Mike Yeastedt to **schedule and advertise consideration of the 2024 Budget at the December 14, 2023 Council meeting.** There were no comments. Motion carries 7-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve Resolution 2023-19 – 2023 Auditor Appointment.** This is an annual resolution. There will be an additional single audit for the Memorial Hall and Public Works projects. Motion carries 7-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **award the five (5) year Garbage & Recycling contract to the low bidder – Tamaqua Transfer.** Larry Wittig, owner of Tamaqua Transfer, was present to explain the reasoning behind the drastic increase from the last Garbage and Recycling contract in 2018. The cost has more than doubled. Landfill costs, employee salaries, fuel, and vehicle maintenance are the main reasons for the increase. During last week's Work Session meeting, Borough Council originally planned on accepting the 3-year bid proposal, but upon further discussion, it would be a better deal to accept the 5-year bid proposal. The difference between the 3-year and 5-year proposal would be approximately an additional \$1.00 a month per residence. The total cost per month for a resident with the 5-year contract is \$51.60. Borough resident Heather Barna Dowling asked if residents have the option of choosing their own hauler, which they do not. There was a roll call vote:

Joanne Klitsch- yes
Jay Miller- yes
Mike Yeastedt- yes
Bob Schaninger- yes
Tom Chapman- yes
Michael Rivkin- yes
Greg Strubinger- yes
Motion carries 7-0.

MOTION by Mike Yeastedt, second by Bob Schaninger to **approve the Abuse Prevention Policy**. This is a policy being required by the Borough's insurance company. Motion carries 7-0.

MOTION by Mike Yeastedt, second by Michael Rivkin to **accept, with regret, Larz Barnes resignation from the Sewer Department**. There were no comments. Motion carries 7-0.

MOTION by Michael Rivkin, second by Joanne Klitsch to **approve Sewer Supervisor Ed Gula's retirement and severance package**. This will go into effect in 2024. Ed has worked for the Borough for the past 46 years. Greg Strubinger wishes Ed the best and is sad to see him retiring. Motion carries 7-0.

MOTION by Michael Rivkin, second by Joanne Klitsch to **post the Full-Time Truck Driver/Laborer-Licenses Sewer Plant Operator Trainee in house for 5 days. If no in house interest, proceed through the Borough's process for outside employment opportunities**. This is to replace Larz Barnes vacated position. Motion carries 7-0.

MOTION by Greg Strubinger, second by Tom Chapman to **go with the guidance of the tax collector to have the collection of the tax retroactive to January 2023 for the Jim Thorpe Trolley Company**. Greg Strubinger recommended Council take the advice of the tax collector. The Borough has the option to retroactively collect from when the business first started in 2021. Michael Rivkin verified when the Jim Thorpe Trolley Company started to collect the tax, which was when the business first received the letter. He feels collecting the tax money from them should start when they started collecting it officially. Mike Yeastedt said the owners admitted at the work session meeting that they have not started collecting the tax and asked for it to be deferred until January 2024. He also asked if a payment plan was offered to the business and it was. He asked if there was an approximate value associated with the tax that should have been collected. Manager Sterner explained the estimate from January 1st through October 1st is \$17,500.00. Greg Strubinger asked if there is a regular sequence of audits. Manager Sterner explained the Borough does every three to five years. There was a roll call vote:

Joanne Klitsch- yes
Jay Miller- yes
Mike Yeastedt- yes
Bob Schaninger- yes
Tom Chapman- yes
Michael Rivkin- yes
Greg Strubinger- yes
Motion carries 7-0.

MOTION by Michael Rivkin, second by Mike Yeastedt to **authorize the Solicitor to advertise amending the Vehicle and Traffic Ordinance**. There was a request for action submitted by the Rod & Gun Club requesting that no parking signs be put up along Reservoir Road. The signs would be placed from the intersection of Center Street to the Gun Club parking lot. Motion carries 7-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve the Borough of Lehighton's request for Fire Police Assistance for the Snowflake 5K**. The race is taking place on December 9, 2023. Motion carries 7-0.

MOTION by Greg Strubinger, second by Mike Yeastedt to **approve a metal guardrail for the High Street Wall Project**. There were three different options to choose from to replace the wall: a metal guardrail, a wooden guardrail, and a cast in place wall. The most economic option is the metal guardrail and it will last longer than a wooden guardrail. Motion carries 6-1, with Bob Schaninger voting no.

MOTION by Jay Miller, second by Mike Yeastedt to **approve Water Department PO for 6th Street PRV Pit Rehabilitation from CLA-VAL**. These are replacement parts to rebuild the pilot controls. Motion carries 7-0.

MOTION by Jay Miller, second by Mike Yeastedt to **approve Entech Engineering EWO for the Center Avenue Water Main Replacement Project totaling \$312,300.00.** This project won't be work ready until January 2025. Motion carries 7-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve Wildlands Conservancy Invoice #110223 totaling \$32,750.00 for the Silk Mill Run Restoration Project.** This amount will be reimbursed through grant funds. Motion carries 7-0.

Facilities Projects-Public Service Garage

MOTION by Mike Yeastedt, second by Jay Miller to **approve Eckert Seamans invoice totaling \$4,983.93.** There were no comments. Motion carries 7-0.

MOTION by Mike Yeastedt, second by Jay Miller to **approve Solicitor Nanovic invoice totaling \$2,000.00.** There were no comments. Motion carries 7-0.

MOTION by Mike Yeastedt, second by Jay Miller to **approve Gross McGinley invoice totaling \$1,800.00.** There were no comments. Motion carries 7-0.

Facilities Projects-Memorial Hall

MOTION by Mike Yeastedt, second by Jay Miller to **approve Eckert Seamans invoice totaling \$4,999.41.** There were no comments. Motion carries 7-0.

MOTION by Mike Yeastedt, second by Jay Miller to **approve Solicitor Nanovic invoice totaling \$2,000.00.** There were no comments. Motion carries 7-0.

MOTION by Mike Yeastedt, second by Jay Miller to **approve the Sewer/Garbage Lien report.** There is one account. Motion carries 7-0.

Exonerations

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve the monthly Exoneration Report.** There were no comments. Motion carries 7-0.

Committees

Administration

Public Service

Main Street – Leisure Lane Association- Joanne Klitsch put in a request for the Borough to take over a portion of Main Street. Solicitor Nanovic explained the Borough can do that, but some conditions would need to be met before taking over the road. The road would need to be brought up to today's standards and specifications. Agreements must be prepared for the homeowner's association and surrounding residents. The Ordinance would need to be amended. Solicitor Nanovic explained the last time the Borough took over a portion of road was for Onoko Lane. Jay Miller asked about the sign and CBU mailboxes in the middle of the road- can part of the conditions be removal of these? Manager Sterner explained the Borough has the option to take over from the start of where the HOA owns the road to the sign. No one was present from the homeowner's association to discuss this topic further. **MOTION** by Bob Schaninger, second by Michael Rivkin to **table this topic.** Motion carries 6-0-1, with Joanne Klitsch abstaining.

Police

Chief Schatz thanked the Onoko Fire Department members for their help while the Police were shorthanded during the Halloween Parade and Trick or Treating.

Buildings/Parks

The Facilities Projects contracts have been distributed, signed, and sent to USDA.

Emergency Services

Jay Miller said there is high levels of radon in the basement of the Dilly's station and asked for Borough Council to consider purchasing a mitigation system.

Old Business

Executive Session

Adjourn

MOTION by Mike Yeastedt, second by Jay Miller to **adjourn the meeting**. There were no comments. Motion carries 7-0. The meeting ended at 9:07 p.m.

Respectfully Submitted,

Brooke Klotz
Borough Secretary