

JIM THORPE BOROUGH COUNCIL MEETING
January 12, 2023
MINUTES

Meeting called to order at 6:33 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
Michael Yeastedt	Bob Schaninger	Jessica Crowley-left @ 9:10
Michael Rivkin-absent	Solicitor Nanovic	Mayor Sofranko
Police Chief Schatz	Borough Manager Sterner	Secretary Brooke Klotz
Public Service Mgr Bolesky	Borough Engineer-absent	

Mayor's Report

The mayor went over the yearly Police Report. For the year, crime and drug citations were down, but traffic citations and COM Center calls were up in 2022 versus 2021. There were more permit parking tickets issued at the beginning of the year versus the end of the year.

Speeding continues to be a concern along Center Avenue, North Street, and Broadway. Of the money received when a citation is issued, the Police Department only receives \$12.25.

The mileage in the Police vehicles was down in 2022 compared to 2021.

Announcements

None

Public Comment

Linda Christman- She was speaking on behalf of Save Carbon County. She is against the proposed Special District on-lot sewage amendment. She asked that Council have a Public Hearing on this item. Greg Strubinger explained the proper process of having a Public Hearing.

Joan Morikyn- She was upset that she received late fees on her utility bill. She said she walked from her residence to the post office to have it post marked that day due to the severe weather and being unable to drive it to the Borough Office. She said she shouldn't have had any late fees because of the Payment Act of 2014 and would like them refunded. It was explained that the Payment Act of 2014 was only introduced to Congress and never signed into law.

She also is concerned as a business owner over the effects that the permit parking has had. She said her business revenue is down 22% since permit parking started and people without parking permits cannot park in front of her business. President Strubinger asked that residents and business owners should submit any questions or concerns in writing to the Borough Office.

Ciro Pinto- He was there to speak against the proposed Special District on-lot sewage amendment. He said when septic systems fail, most people don't realize it.

Sharon Pinto- She was there to speak against the proposed Special District on-lot sewage amendment. She said Mauch Chunk Lake is the jewel of our area and should be protected.

Mary Louise Kimmel- She was there to ask that the fee be waived for the splitting of the sewer line for 10 E 2nd Street. She explained that the house was the first one there in that immediate area and should have been hooked up correctly to the sewer system.

Dorinda Getz- She explained that she and her neighbors are still unhappy with the Kresge electrical sign. Even after having the lights dimmed, it's still too bright. She would like the sign to be turned off at night. Mayor Sofranko expressed the need to look into changing the sign ordinance.

Steve Chukra- He was there to speak against the proposed Special District on-lot sewage amendment. He expressed that the Special District should not be developed.

SALDO-Subdivision and Land Development Ordinance

Garage LDP

MOTION by Mike Yeastedt, second by Jessica Crowley to **approve the Jim Thorpe Borough Garage SALDO waivers request**. There were no comments. Motion carries 5-0, with Bob Schaninger being out of the room.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve the Jim Thorpe Borough Land Development Plan**. There were no comments. Motion carries 6-0.

Action

Appointments

MOTION by Jessica Crowley, second by Bob Schaninger to **appoint Michael Huber to the Zoning Hearing Board for a 5-year term expiring on December 31, 2027**. There were no comments. Motion carries 6-0.

MOTION by Jay Miller, second by Bob Schaninger to **appoint Robert Ewashko to the Zoning Hearing Board Alternate for a 3-year term expiring on December 31, 2025**. Greg Strubinger said he cannot support someone who verbally criticizes the reappointment of one of the Council members. There was a roll call vote:

Jessica Crowley- no
Joanne Klitsch- no
Mike Yeastedt- no
Greg Strubinger- no
Jay Miller- yes
Bob Schaninger- yes

Motion fails 2-4.

MOTION by Mike Yeastedt, second by Bob Schaninger to **appoint Edward Lewis to the Civil Service Commission for a 6-year term expiring on January 1, 2029**. There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Bob Schaninger to **appoint William Solomon to the Vacancy Board for a 1-year term expiring on December 31, 2023**. There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Bob Schaninger to **appoint William Diehm as the Carbon County Communications Representative for a 1-year term expiring on December 31, 2023.** This person must be a member of the Jim Thorpe Fire Department in order to be a representative. Motion carries 6-0.

MOTION by Bob Schaninger, second by Joanne Klitsch to **appoint Jessica Crowley as the Dimmick Memorial Library Board Representative for a 1-year term expiring on December 31, 2023.** Greg Strubinger stated he is not in favor of this appointment due to Councilmember Crowley's lack of regular attendance to meetings. There was a roll call vote:

Jessica Crowley- yes

Joanne Klitsch- yes

Mike Yeastedt- no

Greg Strubinger- no

Jay Miller- yes

Bob Schaninger- yes

Motion carries 4-2.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **appoint Brooke Klotz as the Carbon County Tax Collection Committee Alternate Delegate.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **appoint Edie Lukasevich, Jay Miller, and James Dougher to the Kemmerer Park Board for a 3-year term expiring on December 31, 2026.** There were no comments. Motion carries 5-0-1. Jay Miller abstained.

MOTION by Joanne Klitsch, second by Mike Yeastedt to **appoint Brooke Klotz as the Open Records Officer (Right to Know).** There were no comments. Motion carries 6-0.

MOTION by Bob Schaninger, second by Jessica Crowley to **appoint Vince Yaich as the Fire Department Chief.** There were no comments. Motion carries 6-0.

MOTION by Joanne Klitsch, second by Bob Schaninger to **appoint William Diehm as the Fire Department Deputy Chief.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Bob Schaninger to **appoint Jay Miller as the Special Fire Department Account Member.** It was asked if this was the Mauch Chunk Fireman's Relief Association member. This is a completely separate position. Mike Yeastedt asked if that was being voted on at the meeting tonight. It was not. He said that position should be appointed as well. Manager Sterner said she didn't believe so, but would look into it. There was a roll call vote:

Jessica Crowley- no

Joanne Klitsch- yes

Mike Yeastedt- yes

Greg Strubinger- yes

Jay Miller- abstain

Bob Schaninger- yes

Motion carries 4-1-1.

MOTION by Mike Yeastedt, second by Bob Schaninger to **appoint Tony Augustine as the Borough's Health Official at a rate of \$21.86 an hour.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **appoint Bill Brior of Brior Environmental as the Borough's Sewer Enforcement Officer and Well Enforcement Officer, as per proposal.** There were no comments. Motion carries 6-0.

MOTION by Joanne Klitsch, second by Mike Yeastedt to **appoint Rob Fugate of Brior Environmental as the Borough's alternate Sewer Enforcement Officer and alternate Well Enforcement Officer, as per proposal.** There were no comments. Motion carries 6-0.

MOTION by Bob Schaninger, second by Joanne Klitsch to **appoint Attorney James R. Nanovic as the Borough's Solicitor at a retainer salary of \$15,201.82 plus rate, as per proposal.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Bob Schaninger to **appoint Entech Engineering as the Borough's General Engineer, as per proposal.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Bob Schaninger to **appoint Barry Isett & Associates as the Borough's Stormwater Management and Sidewalks Engineer, as per proposal.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Bob Schaninger to **appoint Barry Isett & Associates as the Borough's Recreation and Blight Engineer, as per proposal.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Bob Schaninger to **appoint Bureau Veritas as the Borough's Building, Zoning, Property Maintenance, and Other Codes Official, as per proposal.** Joanne Klitsch asked if the Zoning Officer works for them. The Zoning Officer does work for Bureau Veritas. Motion carries 6-0.

Non-Union Wages

MOTION by Mike Yeastedt, second by Jay Miller to **approve the Non-Union wages for Police Clerk/Meter Attendant (\$15.54), Part Time Police Officers, (\$21.00) Utility Billing Secretary (\$15.54), Borough Secretary (\$21.17), Treasurer (\$22.90), Water Department Supervisor (\$31.74), Sewer Department Supervisor (\$31.74), Streets Supervisor (\$31.16), Buildings/Groundskeeper-Part Time (\$16.90), Part Time Grounds Maintenance (\$13.80), and Part Time Health Inspector (\$21.86) as presented.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve the advertisement of the monthly meetings for Council Workshop (1st Thursday of the Month at 6:30 p.m. in Memorial Hall), Regular Council Meetings (2nd Thursday of the Month at 6:30 p.m. in Memorial Hall), Planning Commission (3rd Tuesday of the Month at 6:30 p.m. in Memorial Hall), Zoning Hearing Board (4th Thursday of the Month as needed at 6:30 p.m. in Memorial Hall), Ordinance Update Committee (2nd and 4th Mondays of the Month at 6:00 p.m. in Memorial Hall), and Shade Tree Committee (3rd Thursday in February, May,**

August, and November at 11:00 a.m. at Muggles Mug) as presented. There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Bob Schaninger to **approve Council Meeting Minutes from December 1, 2022.** There were no comments. Motion carries 6-0.

MOTION by Bob Schaninger, second by Mike Yeastedt to **approve Council Meeting Minutes from December 8, 2022.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve Expenditures from all Funds as presented.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Jay Miller to **approve the Treasurer's Report.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Jay Miller to **authorize the Solicitor to draft a Well Ordinance.** Jessica Crowley said she would like for the Ordinance to include large scale water extraction. She said she would send other municipality Ordinances to Solicitor Nanovic as reference to what she would like to see drafted into the Borough's Ordinance. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Bob Schaninger to **authorize the Solicitor to make changes to the On-Lot Sewage System Maintenance Program Ordinance.** Solicitor Nanovic explained that some of the changes Planning Commission requested be made have already been changed. Section C on page 10 would be kept, but it would include the fee to be set by Resolution for the Sewer/Pumper Hauler License. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve Resolution 2023-01 – Bituminous Price Adjustment.** There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve the Bare Roots Grant Application conditioned upon where the trees were going.** There was some confusion as to where the trees would be placed. Jessica Crowley thought these trees were to replace the trees being dug out from the future Front Street Project. Manager Sterner said she thought that the trees were to be planted in Twining Park as per the discussion she had with Dee Ford from the Shade Tree Committee. She said that she would clarify with Dee. Motion carries 6-0.

MOTION by Bob Schaninger, second by Mike Yeastedt to **approve the Teamster's Contract Addendum-New Hire Progression.** There were no comments. Motion carries 6-0.

MOTION by Bob Schaninger, second by Joanne Klitsch to **approve Ken McArdle's retirement, with regret.** Greg Strubinger thanked Ken for his 48 years of serving the Borough in the Water Department. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve the bid from JKL Contracting for the 2021 LSA Grant-Onoko Roof RFP.** The grant is \$32,000.00 and JKL's bid is \$34,350.00. The Borough would have to come up with the remaining funds. Motion carries 6-0.

MOTION by Jessica Crowley, second by Bob Schaninger to **approve the bid from Kresge Services for the PSM Office Heat/Air Unit.** There were no comments. Motion carries 6-0.

MOTION by Jessica Crowley, second by Joanne Klitsch to **approve the bid from Sargent for the Memorial Hall Mold Remediation**. Mike Yeastedt said he spoke with Sargent and explained what will be done. He suggested that the carpet in the office be removed rather than washed, which won't cost any extra money to do so. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Joanne Klitsch to **approve PP&L install a new transformer needed for the installation of a light pole at the intersection of 7th and Cypress**. The money can be pulled from the general/miscellaneous funds. Motion carries 5-0-1. Greg Strubinger abstained.

MOTION by Jessica Crowley, second by Mike Yeastedt to **approve JTTA's Winterfest Event and Police Agreement**. There were no comments. Motion carries 6-0.

MOTION by Jessica Crowley, second by Joanne Klitsch to **ratify Spillman Farmer Professional Services from November 1-30, 2022 for Public Services totaling \$1,419.75 and for Memorial Hall totaling \$2,620.00 and Buckno Lisicky & Company for financial statements totaling \$7,000.00**. These three bills were on the 2022 End of Year Bill List. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Bob Schaninger to **approve Entech Engineering EWO's for 2022 AWWA Water Audit totaling \$1,500.00, 2022 Chapter 94 Report totaling \$3,200.00, and School Street Paving & Improvements Project-Services During Construction totaling \$4,077.50**. There were no comments. Motion carries 6-0.

Utility Action

MOTION by Mike Yeastedt, second by Bob Schaninger to **approve the Payment Plan for Account #4390**. There were no comments. Motion carries 6-0.

MOTION by Mike Yeastedt, second by Jessica Crowley to **deny the request of waived fees for 10 East 2nd Street**. There were no comments. Motion carries 5-1.

Exoneration Request

None

Committees

Administration

Permit Parking- Greg Strubinger asked that any questions, comments, or concerns relating to permit parking be submitted to the Borough Office no later than the end of February.

Public Service

Mike Yeastedt asked about recently purchased trucks. PSM Bolesky said they were delivered today and is researching a possible flat bed for the green truck.

Emergency Services

Mike Yeastedt said that the lift cylinders have been replaced.

Old Business

Bob Schaninger would like to see a collection set up to help fight Blight, but asked if it was legal to do so. Solicitor Nanovic said it is, but asked who would be responsible and accountable for the funds collected. It was also recommended raising funds a landbank to fight Blight.

Adjourn

MOTION by Mike 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 9:32 p.m.

MOTION by Mike Yeastedt, second by Bob Schaninger to **resume the meeting**. The meeting resumed at 10:08 p.m.

MOTION by Jay Miller, second by Mike Yeastedt to **approve the Public Service Department to clean the garbage in the yard and for the Public Service Manager to obtain quotes to secure the first floor of 44 Coal Street and to forward the quotes to the Administration Committee for review and approval**. There were no comments. Motion carries 5-0.

MOTION by Jay Miller, second by Bob Schaninger to **adjourn the meeting**. There were no comments. Motion carries 5-0. The meeting ended at 10:10 p.m.

Respectfully submitted,

Brooke Klotz
Borough Secretary