

JIM THORPE BOROUGH COUNCIL WORK SESSION  
NOVEMBER 3, 2022  
MINUTES

Meeting called to order at 6:30 p.m. by President Gregory 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-absent	Jessica Crowley
Michael Rivkin	Mayor Sofranko	Solicitor Nanovic-absent
Police Chief Schatz	Public Service Mgr. Boleski	Borough Manager Sterner
Borough Engineer-absent	Secretary Brooke Klotz	

**Announcements**

Greg Strubinger welcomed the new Public Service Manager, Joe Boleski.

The remaining 2023 Budget Work Session meetings are canceled.

The Fall 2022 Tire and Electronic Recycling Event was successful. Thank you to Connor Rodgers for his help. There were 104 TV's, 410 tires, and 83 miscellaneous computer electronics collected.

The 2022 Leaf Collection pickup will be taking place from October 31 through November 15. Residents are asked to put their leaves at the curb. Please no branches or other debris. Residents living along North Street are being asked to wait to place their leaves at the curb until the paving project is completed.

The third annual Give a Gobbler, a non-perishable food donation event, is currently taking place until November 15. The Jim Thorpe Police Department was challenged by the Lehighton Police Department to see which department collects the most non-perishable items. Residents can drop off their non-perishable items in the foyer of the Jim Thorpe Office Building.

The first Festival of Trees will be taking place on Thursday, December 1 at 6:00 p.m. in Memorial Park. There are still trees available to adopt. If residents are interested in a tree, please stop by the Borough Office as soon as possible. The Community Tree will still be in Memorial Park. Borough children are encouraged to make and bring ornaments to hang on it. Thank you to Betty Lou McBride for her time in helping make this event happen.

The Borough's Facebook page is currently active. Residents are encouraged to follow the page to get beneficial information. The Borough does not have all the equipment yet to provide livestreaming. There may be a trial run from a Borough cell phone at the next council meeting.

**Public Comment**

Judy Williams- She is upset that the Blight money from the grant received by the Borough is being rerouted. The other ½ double attached to her son's house is ready to collapse. They don't have the money to put towards the renovations needed to save their house. Her son is currently the only one working and cannot come up with the money needed to fix their home.

Peter McGuire- He discussed the Short-Term Rental hearings for 1112 Broadview. He wanted to thank the Zoning Officer for doing a good job by denying the Short-Term Rental application. Because that area is not approved for Short Term Rentals, he is trying to defend where he lives and does not want to see any Short-Term Rentals near his home.

James Dougher- He discussed the 165-167 West Broadway Conditional Use Application that will be part of the Public Hearing for the November 10 meeting. He asked Borough Council to please accept the Planning Commission's recommendations. He, as a resident, would like for the back door that has

always been utilized as an emergency exit, to remain that way. He also stated that parking will be a concern. The plans that were submitted, there won't be enough parking if the Low-Rise apartment building would ever become a Short-Term Rental building in the future.

### **Public Hearing**

165-167 West Broadway Conditional Use Application- This would be to convert the building into a Low-Rise Apartment Building. There would be five apartments total on the second floor and parking would be on the first floor. Manager Sterner said she would ask the Zoning Officer to attend next Thursday's meeting to explain the Conditional Use Application and to answer any questions Council may have.

1112 Broadview Drive Short Term Rental Application denial appeal- At the request of the applicants, the Hearings regarding Short Term Rental Applications have been continued. The following hearings will take place on December 22, 2022 for a Variance to Operate a Short-Term Rental and for an Appeal of the Zoning Officer's denial of a Zoning Change of Use Application to operate a Short-Term Rental and on January 12, 2023 in front of Borough Council for the Appeal of the Code Official's denial of a Short-Term Rental Permit.

### **SALDO-Subdivision and Land Development Ordinance**

Canyon Rim Estates (CRE)- Jake Arner's lawyer submitted a request to start subdivision construction. He would like to take the dirt from the stormwater ponds he will be digging to Flagstaff for their parking lot. According to Jake Arner, the response back from Solicitor Nanovic would prevent him from completing work on his farm road on Lot 1. Jay Miller asked Jake Arner to come to next week's meeting to speak with Solicitor Nanovic since he was not at the current meeting to explain and answer his questions and concerns.

### **Action**

The following items were reviewed:

Council Meeting Minutes from October 6, 2022.

Council Meeting Minutes from October 13, 2022.

Expenditures from all Funds as presented- it was asked to get clarification if the pressure reducing valves invoice is what was on the 2023 Budget List for the Water Department.

Treasurer's Report.

2023 Budget-Schedule and advertise consideration of the 2023 Budget at the December 8, 2022 Council Meeting

Resolution 2022-22 – Eliminating Police Officer's Contributions to the Police Pension Plan for 2023

Resolution 2022-23 – Act 57 of 2022-Amending the Local Tax Collection Law: Act 57 was signed by Governor Wolfe on July 11, 2022 and it requires taxing districts that impose taxes on assessed value of real property to adopt a resolution or ordinance within 90 days of the effective date of the act, or not later than January 9, 2023. This directs the Tax Collector to waive additional charges for real estate taxes in certain situations, therefore helping tax payers potentially avoid penalties.

Resolution 2022-24 – Housing Unit Re-Numbering 217 School Alley: This would change the current address of 216 ½ Center Avenue Rear to 217 School Alley. The current property owner is aware of the change.

JTB Emergency Operations Plan – Promulgation 2022 for update: This is updated every two years.

Municipal bid items for Police and Sewer: Items will be up for bid until Wednesday, November 9, 2022 until 12:00 p.m.

Dimmick Memorial Library request-use of Memorial Hall for monthly meetings: The Library Board is requesting the use for the second Tuesday of every month at 5:30 starting in December. They asked for use for their November meeting that will take place on Monday the 14<sup>th</sup> due to election day taking place on the 8<sup>th</sup>. The Board is aware of the future construction of Memorial Hall.

Carbon-Monroe-Pike Mental Health and Development Services request—Mental Health yard signs May 2023: They are looking to place these signs along the main roadways of the Borough. The signs would contain important contact numbers for local resources and supports, including county crisis.

Pietkiel request—removal of sycamore tree at 138 Center Ave: The tree is buckling the sidewalks and branches fall from it during a slight breeze. It poses a danger to pedestrians and vehicles. Shade Tree Committee will be meeting on the 7<sup>th</sup> and it's on their agenda to discuss. They will relay their recommendations afterwards.

### **Utility Action**

Active Utility Account Garbage Only Lien Report (3)

Active Utility Accounts Water/Garbage Lien Report (2)

Utility Accounts Proposed Updates (1)

### **Exoneration Request**

Report was submitted for review

### **Committees**

#### **Administration**

Contractor Licenses: Solicitor Nanovic was asked if municipalities have the authority to require Contractor's to obtain a license from the Borough to do work within the Borough. His recommendation was the Borough could require contractors to get a license, but it would serve little purpose. Any contractor that provides work over \$5,000.00 must acquire a license from the state. Obtaining that license just means that they have insurance in place. Any work being done on a property that needs permits, it is the property owner's responsibility to obtain them. Jay Miller said that just because a contractor gets a license, does not mean they do a good job doing the work they are performing. Michael Rivkin stated that if the Borough does decide to require contractors to get a license and there is an issue the property owner has, there would be a paper trail. Manager Sterner asked that if the Borough would require licenses, will the property owners be contacting the Office and expecting the Borough to do something when the contractor doesn't properly handle a project and would they expect the Borough to do something about it should that happen. Jay Miller feels the Borough should not get involved in this, the property owner should be getting the permits, not the contractor. Jessica Crowley stated she's against this. She said that if people are going around the proper channels of obtaining licenses and permits, it's because they really don't have the money to be doing the work that's needing to be done and looking for ways to cut out the costs. Jay Miller said he sees the importance to both sides, but is more concerned about the emergency services side of making sure projects are being done properly due to fire safety. Jessica Crowley asked if there were any statistics on how many houses burn down each year and if they recently had work performed on their homes. Jay Miller said there are no statistics, but there have been five fatalities in the last twenty years that could have been prevented. Mayor Sofranko asked if commercial buildings would be included or would it just be for residential properties. Mike Yeastedt said it should apply for everyone, residents and businesses; everyone needs to follow the rules. Michael Rivkin would like to see additional checks be put in place for local restaurants by the Borough's Health Inspector.

Carbon Chamber & Economic Development Annual Award Banquet: They are requesting proclamations for the Jim Thorpe Trolley Company and Carbon County Commissioner Wayne Nothstein. Council agreed to move this to action and asked that the Proclamations be prepared for next week's meeting.

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

On-Lot Sewage Ordinance: Currently the Borough does not have an Ordinance for an On-Lot Sewage System Management Program. This would be a stand-alone Ordinance. Solicitor Nanovic drafted it similar to Penn Forest Township's current Ordinance. It states the homeowner is to have their system pumped every three years and the pumper would submit a report to the Borough. The concern is that there is nothing in the draft about what happens to the property owner if a system fails; there are no consequences listed. Council would like to have the Sewer Enforcement Officer (SEO) and Planning Commission review. Council asked to have this moved to action for instructions.

#### Police

No Parking Zone—Chestnut Avenue: It is a very tight area, which is hard for EMS to get through should there happen to be an emergency. Police Chief Schatz inspected the area for proof of old signage that may have stated no parking in that area. An old post was cut from the sidewalk as you look towards School Alley, so there was definitely some sort of sign in place at one time. There is no Ordinance though prohibiting parking in that area. Council asked for this to be moved to action to authorize the Solicitor to draft an Ordinance Amendment.

#### Buildings/Parks

Mausoleum Trees: The Borough only received two bids out of the three companies they requested from. It was recommended to remove the trees. Mike Yeastedt asked if new trees would be put in place of the old ones. The Borough could do that, but should be careful as to what type of trees are put in. Council asked for this to be moved to action.

#### Emergency Services

The Committee will be meeting with a representative from KME to discuss the fire trucks that were ordered and have yet to receive. The meeting will take place Friday the 4<sup>th</sup> at 2:30 p.m. in the Borough Office.

#### Old Business

None

#### Adjourn

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **adjourn the meeting**. There were no comments. Motion carries 6-0. The meeting ended at 8:47 p.m.

Respectfully submitted,

Brooke Klotz  
Borough Secretary