JIM THORPE BOROUGH COUNCIL WORK SESSION
April 4, 2024
MINUTES

Meeting called to order at 6:32 p.m. by President Greg Strubinger with the pledge of allegiance and a moment of silence for the armed forces, first responders, and their families.

Roll Call of Members

Police Chief Schatz
Borough Manager Sterner
Borough Secretary Klotz
Solicitor Nanovic-absent
Mayor Cinicola
Joanne Klitsch
Mike Yeastedt
Tom Chapman-absent
Ted LaRizzio
Engineer Clint Davis
Sydney Wernett
Connor Rodgers-absent
Gregory Strubinger

Announcements

The Borough is accepting letters of interest for two (2) vacancies on the Shade Tree Committee, terms ending December 31, 2028 and December 31, 2025. If anyone is interested, please submit a letter of interest.

There is a vacancy on the Planning Commission, term ending on December 31, 2027. If anyone is interested, please submit a letter of interest.

Annual Street Sweeping will be taking place from April 22nd through April 29th. More information will be announced closer to the dates.

Pick Up the Poconos Spring Event will be taking place on Saturday, April 20th from 9:00 a.m. until 12:30 p.m.

The Spring 2024 Tire and Electronic Recycling Event will be taking place on May 18, 2024 from 7:00 a.m. until 11:30 a.m.

The Borough was awarded $3,530.26 for the 2022 Performance Recycling Grant.

A reminder for residents: pertinent information for residents can be found and received through the Borough's All-Call, website, and Facebook page. Residents can sign up for the All-Calls through the Borough's website.

Public Comment

John McGuire – He was there to discuss Penn Forest Township's proposed recreation trail. This was originally discussed at the Carbon County Council of Governments meeting, which he is the Borough's alternate representative. Penn Forest Township is looking to connect their walking trails to the D&L trail in the Borough. Penn Forest Township would need to do a feasibility study and the Borough should be receiving a letter in regards to the proposed recreation trail.

Gerry Strubinger – He was there to discuss the Borough's Land Development Ordinance, storm water issues, and an idea for building new roads in and out of the Borough.

Maria Loyd – She was there to ask Borough Council if she could present a scholarship on behalf of her business to a local student at the May meeting. She discussed the scholarship and internship program her local business offers to local students. Borough Council said she could present at the May meeting and she would be on the agenda to do so.

Public Hearing

NONE

SALDO-Subdivision and Land Development Ordinance

NONE

Action

The following items were reviewed:

Miller Proclamation

Council Meeting Minutes from March 7, 2024

Council Meeting Minutes from March 14, 2024

Council Meeting Minutes from March 21, 2024

Expenditures from all Funds as presented

Treasurer's Report

High Street Wall Project – Clint Davis was there to discuss the project. The project bidding recently ended on March 26th. Axis Construction was the low bidder at $496,000.00. There were two (2) total bidders. Axis was the construction contractor who completed the 2017 High Street Wall Project. Mike Yeastedt asked about the opening bids if the paving portion could be bid out separately. It cannot be because it was already in the bid specs. Greg Strubinger asked what the next steps are. Clint Davis explained the notice to award would be issued to the contractor, and they would return insurance, bonds, and agreement. Once all of this received, notice to proceed will be given. The project is tentatively to start on May 29th. Construction would end tentatively on September 30th. Mike Yeastedt asked if PP&L was contacted. They were and the pole in the area is staying and will be stabilized. Gerry Strubinger, who was in the audience, asked how much the project cost and how was it being funded. The project is being funded by a multimodal grant.

Ordinance 2024-02 Vehicle & Parking Amendment-Kiosk Fees and Hours – This would change the hours the kiosk would be in use from 9:00 a.m. to 6:00 p.m. and to increase the rates to $2.00 cash for weekends (Fridays, Saturdays, and Sundays) and holidays, $1.50 cash for weekdays (Monday through Thursday) and credit charges are $0.50 extra and change the fees by Resolution going forward.

Ordinance 2024-03 On-Lot Sewage Maintenance Amendment-Pumping Inspection Intervals – This would change the required pumping interval from every three (3) years to at least every five (5) years or when recommended by the pumper/hauler. This amendment still needs to be advertised before adopting.

2024 Chemical Bids – Bids were opened on April 28th. Water and Sewer Department Supervisors reviewed the bids. All the required paperwork was submitted with the bidding paperwork.

2024 CDBG Pre Application – The Borough will be applying for this grant funding for outdated equipment that must be replaced at the West-Side Water Plant.

Municibid-approval to sell Administration & Police Copy Machines -- They are Kyocera machines. The new machines are scheduled to be delivered next week.

Utility Payments ACH Limit Increase – This is for ACH income. Since utility fees have increased, the current limit has almost been reached.

Facilities Projects

Public Works Building

Bracy Construction – Application for Payment #2 $232,425.00

Larry McCullion & Son Electrical – Application for Payment #2 $31,500.00

Reading Mechanical – Application for Payment #1 $10,260.00

Spillman Farmer Architects Invoice 8121.22.14 – Professional Services $4,154.00

Memorial Hall
Bognet, Inc – Application for Payment #2 $24,480.00

JBM Mechanical – Application for Payment #1 $182,475.00

Reading Mechanical – Application for Payment #1 $19,184.40

GR Noto – Application for Payment #2 $4,151.25

Bognet, Inc. – Contract Change Order GC-CO-01 $10,580.00 credit

Bognet, Inc. – Contract Change Order GC-CO-02 $35,430.53 increase

Bognet, Inc. – Contract Change Order GC-CO-03 $48,838.43 increase

Spillman Farmer Architects Invoice 8121.22.15 Professional Services $3,986.00

Summer Rec Program – This year's program will be held at LB Morris School due to upcoming construction in the park. They requested a $500.00 donation in lieu of the normal donation of the use of the park. Greg Strubinger asked if there are funds budgeted for this. Manager Sterner said there is funds available in miscellaneous expenses. Greg Strubinger asked if there was anything in-king that can be done. Manager Sterner explained we oversee some of their payroll, which would be the in-kind match. Mostly children within the Borough attend; it's about 75% and the remainder of the children who attend are from Penn Forest Township.

JT Summer Basketball League RFA – The league is requesting use of the basketball courts on Mondays and Thursdays starting June 17th through August 15th, as well as annual maintenance. Joanne Klitsch asked if the construction in the park would affect the courts. Manager Sterner explained the basketball courts will not be affected and they are in a different phase of the park construction.

JTNB Hot Dog Day 2024 -- This will be taking place on June 7th at their 12 Broadway and 418 Center Street locations from 11:00 am to 5:00 pm.

Hairy Guys Request-Transient Merchant License approval for Food Trucks in R-3 District – Tim Benyo and Tom Whitehead were at the meeting to discuss their request. They own Hairy Guys Brewery at 204 Center Street. They are requesting a waiver to allow food trucks to receive transient merchant licenses at their establishment. There were vendors that recently received transient merchant licenses that were revoked due to Hairy Guys Brewing being in the R-3 District. Borough Code currently does not allow for vendors to receive merchant licenses in residential districts. Tim and Tom explained they went in front of the Zoning Hearing Board and was granted a special exception to operate their business in that district. They ensured food trucks would only be scheduled on Saturdays, during the hours they are open (1:00 p.m. to 8:00 p.m.) and the food trucks would be in their parking lot. Greg Strubinger asked if this request was supposed to go in front of the Zoning Hearing Board. Manger Sterner explained this is not a Zoning Ordinance, so the request would not go in front of them. She said she would reach out to the Solicitor to see if this request is allowable for Borough Council to grant their waiver request.

New Utility Liens to File (6)

Utility Rate Changes (1)

Exoneration Request

None

Committees

Planning Commission

Letter of Interest – A letter of interest was submitted by Jennifer Murphy. Planning Commission has requested that a member of Borough Council fill the remaining seat. Borough Council would like to see if any additional letters of interest come in.

Short-Term Rental Ordinance Amendment Recommendation – After their last meeting, Planning Commission voted to recommend Borough Council amend a section of the Short-Term Rental Ordinance. Their recommendation was a change to the total number of permitted people as follows:

Two (2) per bedroom, plus two (2) additional persons conditioned:

1. Must be age 17 or under.
2. Must be per deeded property, not per unit.

Andrew Roberts and James Dougher, who were in the audience, explained further why this concern was being discussed. There are a few properties approved for short-term rentals that have multiple units. This brings up safety and nuisance concerns. There are no space requirements for the additional people. Manager Sterner brought up the "three strike rule." James Dougher explained it is three strikes per unit, not property. This would take longer for a permit to be revoked should there be an issue with a multi-unit property.

Tax Rolls Review-Deceased – Berkheimer is recommending the deceased individuals be removed from the tax rolls. Once approved, the list would be forwarded to Berkheimer.

Safety Committee RFA-Full Staff Training – This would be Active Shooter Training for the entire Borough Staff. The training is tentatively scheduled for May 8th in the afternoon at Onoko, dependent upon Borough Council approval. The Borough office would be closed that afternoon.

Multimodal Grant Application for Downtown Vehicular & Pedestrian Safety Project – The Borough was not awarded this grant. The Borough also applied for a grant through the America 250 group for this same project. Members from this group were invited to the Jim Thorpe Birthday Celebration on May 18th. A Resolution would need to be approved at next week's meeting in order from a Representative to come to the event to discuss America's 250th birthday celebration and what the group is currently working on.

Administration

Memorial Hall New Phone System – The Borough received a total of five proposals- Guyette, ET&T, Blue Ridge, NEPA Business Technologies, and 3CX. Secretary Klotz said after receiving the initial quote from 3CX, they stopped communicating. With the way technology is changing and the direction most businesses are going in is a cloud-based phone system. Out of all the proposals, only two companies offer the option to purchase the phones themselves, with one of the two requiring use of land-lines, the others require a lease. The cheapest cloud-based phone system proposal was from Guyette. The phones the Administrative office currently uses were originally purchased through Guyette years ago, with no known issues to date. These phones still utilize the old land-line system through Blue Ridge. Mike Yeastedt asked if the Borough were to go with Guyette, would a separate internet account need to be purchased like in the Blue Ridge quote. Secretary Klotz explained all of the other vendors do not require a separate internet account for phones, with the exception of Blue Ridge, which is one of their requirements should Council decide to utilize them as the phone vendor. Blue Ridge is also the only vendor requires a 5-year commitment, whereas the rest of the vendors only require a 3-year commitment. Secretary Klotz added up all of the monthly fees to get a grand total of what would be spent in total in 3 years and 5 years. Borough Council would like to get opinions from other local municipalities who use Guyette.

Public Service (Sewer/Sanitation/Water/Streets)
Streets Department Wheel Loader Quotes – The current loader has about 10,000 hours on it and was purchased around 1997. The Streets Supervisor contacted different dealerships and looked at four (4) different Loaders. It was determined the best suited for the Borough would be a John Deere 344-P Compact Wheel Loader. The cost is $157,823.66 with a trade-in of the old loader. This was an item that was budgeted for this year.

Sewer Department Employee Probationary Period – Employee #427's probationary period ended on April 1st. The employee's status would need to be changed to Full-Time Truck Driver/Laborer – Sewer Plant Operator Trainee.

Municipal Waste Vacant Unit Options – Since the new garbage contract took place and garbage fees has increased for residents, there have been a few inquiries about homes that aren't currently being occupied and being exempt from the trash bill. The only way to remove properties from the garbage contract is if there are increments of 50 total. Solicitor Nanovic mentioned at last month's meeting, Lower Towamensing Township has a program in place to be exempt from paying garbage fees for vacant properties. Secretary Klotz had reached out to their secretary about their program. Their secretary emailed over a waiver the residents fill out every 6 months for the vacant properties. Secretary Klotz said she will reach out to their secretary again for their ordinance reflecting this program.

PFAS Testing -- Per-and polyfluoroalkyl substances, or PFAS, also known as forever chemicals. This second round of testing did not show any signs of PFAS.

Police
2024 Jim Thorpe B.A.R. – Chief Schatz said he has not heard from Aki Susko since March 15th, so there is nothing new to report.

Race Street Run – There are six total requests in their letter:
Supporting their application to PennDOT for a permit to use Broadway, West Broadway and Lentz Trail for the run, utilizing Fire Police Services for pedestrian and traffic control, permission to close Race Street from 8:30 am until noon the day of the event, three (3) barricades and seven (7) directional detour signs, permission to temporarily mark the streets to indicate the race route, and insurance. As long as the event coordinator is able to utilize Penn Forest Township fire police, a Police contract will not be needed.

Local Roadway Designation – The roads Chief Schatz suggested to designate as local are Packer Hill Road, Hill Road, and Race Street. Doing this will take these roads off of navigation apps and reduce the traffic on those local roadways. Greg Strubinger asked if this is a change by ordinance. Chief Schatz said he didn't see it indicated in the current Vehicle & Traffic Ordinance and has already reached out to Solicitor Nanovic for clarification, but has not heard back from him yet.

Buildings/Parks
Kemmerer Park Board RFA-Photo Contest – The request is to allow members of the public to take pictures of and in the park, which will be exhibited at a future date that has not yet been set. They wanted to make Council aware to this as there is currently a lease agreement between the Borough and Kemmerer Park.

204 Center Avenue-Demolition – Solicitor Nanovic drafted a Complaint against the property owners of 204 Center Avenue. The request is for a court order for the defendant demolish and remove the structure. If they should fail to do so within 20 days, it gives the Borough the authority to demolish and remove the structure. Greg Strubinger asked about the grant funding the Borough received to help in the costs to demolish the structure. Manager Sterner explained an extension has been granted to 2025.

Diligent Fire Company Roof – Mike Yeastedt explained he met with the contractor, and they discussed putting a coating down, but it will only extend the current roof's life by at most 7 years. It would be better

to just replace the roof right away rather than delay it. The Borough would go through COSTARS for the roof replacement.

Emergency Services
NIMS Council Member Update – Tom Chapman and Ted LaRizzio still need to complete the NIMS course. Ted LaRizzio explained he is working on the courses currently. Tom Chapman was not in attendance, so no update could be given by him. Greg Strubinger asked if any members of the office staff or public works needed to take these courses. Manager Sterner explained those that need to take the courses have already done so or are in the process of taking them.

Manager Sterner informed Borough Council the Visitor's Bureau announced they have awarded their Community Impact Grants. The Borough was awarded for the West Broadway lights project, Kemmerer Park was awarded for pavilion and concrete work, and JTTA was awarded for sign replacement of the welcome sign by Turkey Hill.

Old Business
NONE

Executive Session
NONE

Adjourn
MOTION by Mike Yeastedt, second by Ted LaRizzio to **adjourn the meeting.** There were no comments. Motion carries 5-0. The meeting ended at 8:55 p.m.

Respectfully Submitted,

Brooke Klotz
Borough Secretary