JIM THORPE BOROUGH COUNCIL MEETING
August 8, 2024
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, as well as the service members who lost their lives while serving our country.

**Roll Call of Members**

| | | |
|---|---|---|
| Police Chief Schatz | Mayor Cinicola | Connor Rodgers |
| Borough Manager Sterner | Mike Yeastedt | Ted LaRizzio |
| Borough Secretary Klotz | Tom Chapman | Sydney Wernett |
| Solicitor Nanovic | Joanne Klitsch | Greg Strubinger |

**Mayor's Report**

The Police Department is wrapping up the aggressive driver grant the ends on August 18th. This was funded by the state. It's intended to slow people down on S.R. 903, S.R. 209, West Broadway, and Lentz Trail.

Greg Strubinger discussed the success of National Night Out. Chief Schatz said there were about 250 to 300 people that attended. The Police Department was awarded the County Opioid Settlement Fund Grant of $5,000.00 to go towards National Night Out. He thanked the community for their involvement and participation.

**Announcements**

OVR Program – Greg Strubinger explained this year was the third year of the state funded program. Four kids participated this summer and there was a season ending picnic held today in their honor. During the picnic, State Representatives and the kid's supervisor, Lisa, presented the Borough with an award as a thank you for participating in the program. The kids were issued certificates as a thank you for their hard work they did for the Borough. The Borough looks forward to having the kids back again next summer.

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.

There is a vacancy on the Zoning Hearing Board. Anyone interested in this seat should submit a letter of interest.

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**

James Dougher – He discussed the JTTA Welcome Sign project. He explained the Welcome Sign will be ready within the next six to eight weeks, with an installation date sometime during the first week of October. He explained there is still $5,000 additional grant funding remaining that could be used towards the additional welcome and directional signage throughout the

Borough. He thanked the Borough for the continued events committee meetings that are being held with County & State officials, EMA, PMVB, and JTTA. He also addressed there have been many Amazon tractor trailers coming up and down West Broadway in the evenings that should not be.

Gerry Strubinger – He asked if the Borough has a funds balance. Manager Sterner explained the Borough does and it goes into the Capital Reserve Funds for General, Water, Sewer, Sanitation. He explained he is trying to figure out how the garbage contract is figured out. He said if someone has a dumpster and Tamaqua Transfer is picking it up, then the Borough is paying for that when they shouldn't be. Manager Sterner explained Commercial Trash is separate and must be paid for separately by the business owner. He also said he would like to be involved in the upcoming Silk Mill Run Dam Project meetings.

Jay McElmoyle – He read a letter on behalf of the Lion's Club about their opposition of having a financial and inventory audit performed at the Asa Packer Mansion. He explained Borough Council has received a fund report every month for their review and nothing was ever brought up the entire time they submitted those reports. He also explained Borough Council can take the most recent 2023 inventory audit list, and complete the audit themselves.

Bob Schaninger – He asked what the Halloween Parade route would be. Chief Schatz told him what the new route this year is. He did not agree with the route based on the traffic flow. He asked for an update on the Movie Hill parking lot. Manager Sterner explained the Borough is intending on opening it up in September. He addressed the Welcome signs coming into the Borough and asked if they could be painted and have the grass cut around them. He asked what the intentions were for the Public Service Garage by Memorial Park once the new one is built on West Broadway. Greg Strubinger explained nothing has been decided at this time. He requested a new pool be put in place there. He also said he was happy to see the Borough hiring another young officer being hired and hoped the Borough would look into hiring another officer to grow the Police force.

**Public Hearing**

*Subdivision and Land Development Ordinance (SALDO)*

The Public Hearing was opened. Carson Helfrich, who helped update the Zoning and SALDO Ordinances with the Borough was in attendance. Kerry Good, the Borough's Engineer, was also in attendance to answer any questions.

Solicitor Nanovic explained this hearing was properly advertised in the Times News. The SALDO draft was also discussed with Planning Commission and the Ordinance Review Committee.

Carson Helfrich explained the Borough was awarded grant funding to update the Zoning and SALDO Ordinance and he helped in the process. Everything that was done to update the Ordinances was done per the Pennsylvania Municipal Planning Code (PAMPC). This Ordinance applies to updates to subdivision and land development and new commercial development.

Kerry Good explained he was in attendance to answer questions Borough Council and residents may have. He explained the updates made are very good.

Greg Strubinger explained the Borough partnered with Summit Hill to acquire the grant funding in order to update these Ordinances. Manager Sterner explained Summit Hill updated their own Ordinances and Jim Thorpe updated their own. Each municipality has their own separate Ordinances. Greg Strubinger asked when the last time the SALDO Ordinance was updated. Manager Sterner explained the SALDO Ordinance is twenty years old.

Solicitor Nanovic explained how the process works in adopting a new Ordinance. Once a final draft of an Ordinance is completed, it gets advertised for a Public Hearing. From the Public Hearing, as long as no other changes are deemed necessary to the draft, the Ordinance will get advertised for adoption at the next meeting.

There were no comments by the public and the hearing was closed.

**MOTION** by Joanne Klitsch, second by Mike Yeastedt to **authorize the Solicitor to advertise the Subdivision and Land Development Ordinance (SALDO) to be adopted at the September meeting.** There were no comments. Motion carries 7-0.

Jim Yaich missed Public Comment earlier and asked if he could discuss an item pertaining to Sami Miller Field. He explained he built a stage on an old hay wagon. The stage is a non-permanent structure on wheels. He did not think he needed permits for the stage because of this. The Zoning Officer reached out to their organization about this because permits are required for the stage. Solicitor Nanovic explained that just because the structure is temporary, it still requires permits. He recommended Jim talk to the Zoning Officer more about this.

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

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Banning Subdivision Final Plans dated August 25, 2022 (revised July 12, 2024).** This plan was approved in August 2023 with conditions (Highway Occupancy Permits and Sewage Planning Module approval by DEP). Due to the length of time between the conditions being met and last year's conditional approval, County Planning asked for the plans to be reapproved as a formality. Kerry Good explained the plans have met all of the conditions. Motion carries 7-0.

**Action**

**MOTION** by Joanne Klitsch, second by Connor Rodgers to **approve Council Meeting Minutes from July 11, 2024.** There were no comments. Motion carries 7-0.

**MOTION** by Joanne Klitsch, second by Connor Rodgers to **approve Expenditures from all Funds as presented.** There were no comments. Motion carries 7-0.

**MOTION** by Connor Rodgers, second by Mike Yeastedt to **approve the Treasurer's report.** There were no comments. Motion carries 7-0.

**MOTION** by Connor Rodgers, second by Joanne Klitsch to **approve Resolution 2024-16 Fee Schedule.** The updated fees include daily parking fees and Sewer Enforcement Officer Services. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Resolution 2024-17 Addressing to Comply with Carbon County 911 Public Safety System.** This Resolution gives an address to the garage next to the Stabin Museum on West Broadway. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Resolution 2024-18 Community Development Block Grant (CBDG).** This is a new requirement by the state as part of the grant application process. Motion carries 7-0.

**MOTION** by Connor Rodgers, second by Mike Yeastedt to **approve the 2024 CBDG Application Certification.** There were no comments. Motion carries 7-0.

**MOTION** by Joanne Klitsch, second by Connor Rodgers to **approve the 2023 CBDG Cooperative Agreement.** Mike Yeastedt asked if this was a straight-forward agreement. The County administers the grant funding and must follow the regulations of the State. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve the lowest base bid of $396,285.00 from LBDB with alternates 1, 5, and 9, and alternates 2, 3, and 4 conditioned upon receiving additional grant funding from DCED within 45 days for the Memorial Park Project.** Bryan from Barry Isett was in attendance at last week's Work Session meeting to discuss the project and bids received. Alternate 1 includes reinstallation of the 5- to 12-year-old playground equipment. Alternate 5 includes an additional ADA walking path. Alternate 9 includes mill and overlaying parking area to make it ADA compliant. The other alternates would not fall within the current funding. Bryan is in the process of asking DCED to match additional funding in order to include the additional alternates (2,3, and 4). Manager Sterner asked if Borough Council can award the project conditioned upon additional grant funding. Solicitor Nanovic said they could, but they would need to include a timeframe. Manager Sterner asked if the extra funding should be received, should change orders be made for the alternates. Solicitor Nanovic said the change orders should not exceed more than 10% of the project. Manager Sterner explained Bryan had forgotten to include the Borough's $16,000.00 match in with the available funds. An additional $100,000.00 would be needed in order to include the remaining alternates. Ted LaRizzio asked if the Engineering fees are included. Manager Sterner explained those fees are separate and money has been set aside for it. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Tom Chapman to **approve adding an additional section of the High Street Wall to the High Street Wall Grant Project.** Manager Sterner explained she spoke with Clint from Entech Engineering. There is a bump out in the wall at the other end, by 127 High Street. There is still $160,000.00 left to use from the funding for the current section of the wall. He recommended using those funds for the bump out. Paving will not be included. That section of the wall is 18 feet high and approximately 25 to 30 long. The bump out is at the bottom of the wall facing West Broadway. Axis is being asked to submit a change order for this. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Guyette's three-year phone system agreement for a total of $25,463.77.** Borough Council has been discussing the various proposals received for the new phone system to be installed in Memorial Hall once the renovations have been completed. Representatives from Guyette, PenTeleData, and NEPA Business Technologies came to prior meetings to explain how their phone systems work and operate and to answer any questions Borough Council may have had. Currently, the phones the Borough office uses are from Guyette and their service has been great whenever needed. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve purchasing Electronic Message Boards and Speed Notification Signs for a total of $66,629.46.** The LSA Monroe Grant that was awarded for this project will cover the entire cost. Motion carries 7-0.

**MOTION** by Connor Rodgers, second by Mike Yeastedt to **approve the Police Lease Vehicle Purchase through Mauch Chunk Trust Company for a 5-year term at 4.99%.** The Police Department will be getting a 2024 Chevy Tahoe. Three quotes were received from different banks and Mauch Chunk Trust came back with the best rate. The annual payments will be $16,504.56. Motion carries 7-0.

**MOTION** by Connor Rodgers, second by Mike Yeastedt to **ratify the approval of the 2024 Cyber Insurance Policy.** The Administrative Company approved the Policy prior to the meeting because the 2023/2024 Policy expired in July. The Borough received two quotes. One from HISCOX, who the Borough was using, and one from Houston Casualty. Houston Casualty came in lower. The cost came back within what was budgeted for Cyber Insurance. Motion carries 7-0.

**MOTION** by Connor Rodgers, second by Joanne Klitsch to **approve the 2024 Computer Purchases.** Money was budgeted this year for a new computer for the Administrative Assistant, three (3) desk top units for the Police Department, new printers for the Administrative Assistant and Utility Secretary, and four (4) battery backups. The Water Department also needs a new computer, monitor, printer, and battery backup, which was not budgeted for, but they have available funds that were budgeted for tree removal that can be used to purchase the computer equipment. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve the NEPA Contracted Professional Services Renewal totaling $6,750.00.** NEPA is the Borough's current IT company and this will renew their contract. The contract includes 50 hours of Professional Services. Motion carries 7-0.

**MOTION** by Connor Rodgers, second by Sydney Wernett to **approve a Financial Audit of the Asa Packer Mansion by Administrative personnel and an Inventory Audit of the Asa Packer Mansion by Industrial Appraisal Company.** The financial audit would be for all transactions completed from January 1, 2024 through June 30, 2024. The inventory audit is normally completed every three years. Joanne Klitsch asked who would be completing the inventory audit. Manager Sterner explained the company is Industrial Appraisal, which is the company that's been doing it since she started with the Borough. Tom Chapman asked why have the inventory audit. It was explained because of the transition from the Lion's Club to the Borough. The last inventory audit was completed last year after Ava and some of the guides quit. Betty Lou McBride, who was in the audience, asked who compares the inventory list from the previous years to the current year. Secretary Klotz explained Industrial Appraisal will ado the comparison. Tom Chapman asked if the Inventory Audit could be completed in house. Manager Sterner explained she wouldn't feel comfortable if it was done in house because the Administrative staff does not have the expertise to do it. Solicitor Nanovic did not recommend it either. Motion carries 6-1, with Ted LaRizzio apposed.

**MOTION** by Connor Rodgers, second by Sydney Wernett to **seek additional addendums to the proposals to include gates at the lower portion of the High Street Steps.** The quotes are for permanent chain link fencing. Mike Yeastedt said he does not think the chain link fencing will look aesthetically pleasing. Motion carries 6-1, with Mike Yeastedt apposed.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **offer employment as a Police Officer to Candidate #1 with a start date of August 25, 2024.** Calen Rich was introduced to Borough Council and the audience. Motion carries 7-0.

**MOTION** by Connor Rodgers, second by Joanne Klitsch to **ratify the approval of Sludge Removal by Environmental Service Corporation for a total of $5,200.00.** This was previously approved by the Sewer Committee because it was an emergency item. Motion carries 7-0.

**MOTION** by Joanne Klitsch, second by Mike Yeastedt to **approve purchasing Recycling Containers for a total of $7,475.00.** The cost for the recycling containers that are issued to Borough residents is slightly higher than what was initially budgeted for. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve the highest bid of $3,250.00 for a 2012 Ford F-450 Truck on Municibid.** Prior to the meeting, the Streets Supervisor determined this was a fair price for the truck as it can only be used as a parts vehicle. Motion carries 7-0.

*Facilities Projects*
*Public Works Garage*
**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Bracy Payment Application #6 totaling $106,829.64.** This Payment Application is for work completed and materials purchased from June 20th through July 20th. Motion carries 6-0-1, with Tom Chapman abstaining sur to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve KC Mechanical Payment Application #2 totaling $9,036.83.** This Payment Application is for work completed and materials purchased from June 20th through July 20th. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve United Inspection Services Invoice #25391 totaling $1,260.00.** This invoice is for testing completed on July 24th, 25th, and 26th. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Requisition #7-Partial Payment for work completed 6/20/2024 through 7/20/2024 totaling $117,126.47.** This includes Bracy Payment Application #6, KC Mechanical Payment Application #2, and United Inspection Services Invoice #25391. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Zurawa Invoice #1110-03 totaling $2,507.50.** This is for site visits, administrative work, and meetings during the month of June done by Projects Manager Kevin Zurawa. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Zurawa Invoice #1110-04 totaling $4,930.00.** This is for site visits, administrative work, and meetings during the month of July done by Projects Manager Kevin Zurawa. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Bracy Change Order #4 for $0.00.** This change order was already approved last month, but was rewritten to be a no cost, adding additional days extension. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Bracy Change Order #5 for a $40,000.40 increase.** This is for installing metal liner panels to protect the wall insulation. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Joanne Klitsch, second by Mike Yeastedt to **approve Reading Mechanical Change Order #2 for a $5,346.41 increase.** This is for the cost to install a propane water heater due to revised plan drawings. Reading Mechanical needs to make some numeric corrections on the change order. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

*Memorial Hall*
**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Bognet Payment Application #6 totaling $21,320.25.** This Payment Application is for work completed and materials purchased from June 20th through July 20th. Motion carries 6-0-1, with Tom Chapman abstaining sur to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve GR Noto Payment Application #6 totaling $15,356.25.** This Payment Application is for work completed and materials purchased from June 20th through July 20th. Motion carries 6-0-1, with Tom Chapman abstaining sur to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve JBM Mechanical Payment Application #5 totaling $65,085.81.** This Payment Application is for work completed and materials purchased from June 20th through July 20th. Motion carries 6-0-1, with Tom Chapman abstaining sur to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Requisition #7-Partial Payment for work completed 6/20/2024 through 7/20/2024 totaling $101,762.31.** This includes Bognet Payment Application #6, GR Noto Payment Application #6, and JBM Mechanical Payment Application #5. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Ted LaRizzio to **approve GR Noto Change Order #3 (USDA #1) for a $12,030.00 increase.** This is for relocating the conduit and wiring in order to continue with the structural steel work. There are some concerns over the additional page included with the change order that allows for GR Noto to reserve the right to an additional extension of time/pay. Solicitor Nanovic explained they can reserve that right, but it doesn't mean they will actually charge the Borough for additional time and pay. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Ted LaRizzio to **approve GR Notot Change Order #4 (USDA #2), conditioned upon the Buildings & Grounds Committee approval and reduction of time.** This is to add an additional data rack for the Police Department. The original request was for an additional 3 working days, but it was determined by the Borough's IT Company it should only take a few hours to build and install. Borough Council agreed it should

be reduced to four hours to complete this job. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Zurawa Invoice #1111-02 totaling $2,337.50.** This is for site visits, administrative work, and meetings during the month of June done by Projects Manager Kevin Zurawa. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Zurawa Invoice #1111-03 totaling $2,890.00.** This is for site visits, administrative work, and meetings during the month of July done by Projects Manager Kevin Zurawa. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor of the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve the updated Occupational Tax Exoneration form.** The updated form no longer requires the resident requesting the exoneration to get the form notarized. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve a Well Isolation Distance Exemption, conditioned upon a better drafted agreement.** After reviewing the document, Solicitor Nanovic said he has utilized a different document for the Well Isolation Distance Exemption. He stated he would provide the Borough with a copy. Motion carries 7-0.

**MOTION** by Joanne Klitsch, second by Connor Rodgers to **appoint Larry Cinicola to the vacant Zoning Hearing Board Regular Seat and post his Alternate seat.** Larry Cinicola holds an alternate seat. Appointing him to a regular seat would open up his alternate seat. Motion carries 7-0.

**MOTION** by Connor Rodgers, second by Mike Yeastedt to **approve Trick or Treat being held on Wednesday, October 30th from 5:00 p.m. to 7:00 p.m.** There were no comments. Motion carries 7-0.

**MOTION** by Connor Rodgers, second by Mike Yeastedt to **approve Account #1789's request to waive late fees totaling $20.15.** The property owners mailed their payment in from their full-time residence (not in the Borough) and it was returned by the post office with a yellow sticker saying it was undeliverable. The property owners removed the yellow sticker and resent the payment. It was received by the Borough office after the due date. The property owner has never had a late payment to date. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Account #2853's sewer credit request totaling $303.17.** The property owner's hot water heater broke and the water that leaked from it never made it into the sewer system. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Account #1300's sewer credit request totaling $62.17.** The property owner's hose burst and the water that leaked from the hose never made it into the sewer system. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Account #6815's sewer credit request totaling $56.96.** The property owner's dog chewed the hose and the water that leaked from the hose never made it into the sewer system. Motion carried 7-0.

**MOTION** by Connor Rodgers, second by Sydney Wernett to **approve one (1) Utility Rate Change.** One property would be changed from residential to commercial. Motion carries 7-0.

**Exonerations**
NONE

**Committees**

Administration
NONE

Public Service

Police
NONE

Buildings/Parks
NONE

Emergency Services
NIMS Update – Tom Chapman explained he is still working on his courses.

**Old Business**
NONE

**Executive Session**

**Adjourn**
**MOTION** by Mike Yeastedt, second by Connor Rodgers to **adjourn the meeting.** There were no comments. Motion carries 7-0. The meeting ended at 8:40 p.m.

Respectfully Submitted,

Brooke Klotz
Borough Secretary