JIM THORPE BOROUGH COUNCIL MEETING
November 14, 2024
MINUTES

Meeting called to order at 6:32 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. Also, an acknowledgement of thanks as we celebrate our Veteran's this week in honor of Veteran's Day.

**Roll Call of Members**

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| Police Chief Schatz | Mayor Cinicola | Mike Yeastedt |
| Borough Manager Sterner | Connor Rodgers | Ted LaRizzio |
| Borough Secretary Klotz | Tom Chapman | Sydney Wernett |
| Solicitor Nanovic | Joanne Klitsch | Greg 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 Zoning Hearing Board (Alternate seat). This is a three-year term. Anyone interested in this seat should submit a letter of interest.

Recently, tree trimming notices went out to residents. This is to protect the Borough's trucks from damage from low hanging tree branches. The height of the branches needs to be a minimum of thirteen feet high.

Borough Council has already held two Budget Work Session meetings on November 6th and 13th. There will be an additional meeting on November 20th at 6:30 p.m. in the High School's LGI Room.

The 5th Annual Give-A-Gobbler is currently ongoing through November 20th. Chief Schatz explained the collection so far is going well and the L.B. Morris School joined in on collecting donations too.

The Festival of Trees lighting will take place on December 3rd at 5:30 p.m. in Memorial Park. Trees are available for purchase at the Borough office.

The Borough was recently awarded a DCNR grant totaling $535,835.00 for the Memorial Park Phase III Project. Greg Strubinger thanked the office staff, Barry Isett, Senator Argall, and Representative Heffley for helping the Borough successfully obtaining this funding. The third phase of the Memorial Park Project is the costliest so far. The Borough is still short the money needed to finish this Phase and will continue to seek additional funding.

Executive Session was held on November 7th for personnel.

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 presented two checks to Borough Council on behalf of JTTA in the amount of $2,000.00 and Immaculate Conception Church in the amount of $1,000.00. This is to help with the costs incurred from Fall Foliage Weekends. These donations were discussed previously and the recommendation is to give the funds to the Ambulance. Chief Schatz thanked the Lehighton Ambulance for their help and services during Fall Foliage Weekends. They were not originally included in with the PMVB funding. Because of this, it was thought that the ambulance would not have a large crew during Fall Foliage, but they still provided one anyway. Chief Schatz thanked Borough Council, Mayor Cinicola, the Administrative Staff, Public Works staff, Carbon County EMA, Carbon County, Juston Merkle and the 911 Center, JTTA, Senator Argall's office, Representative Heffley's office, Jim Thorpe Community Watch, Bernhard's, Officer Long and his family, the Gem Shop, and the Lorkowski family for their help and support with Fall Foliage weekends. There was lots of support behind the scenes that most people aren't aware of. Mayor Cinicola explained during Fall Foliage Weekends, there was a total of 81 Permit Parking Violations, 148 Citations issued, and 19 cars towed.

Chief Schatz discussed Shop With A Cop, which is something new the Police Department is trying. They are looking to include the three schools in the district and pick six students (two from each school) who would be eligible.

He also discussed the Police Department recently went through Defensive Tactic training that was required by the state. The department was able to partner with Palmerton Police Department on this training because one of their officers is a certified Defensive Tactic trainer.

Mike Coppie – He explained he was there to see what Borough Council does and discusses during meetings. He explained this was the first Council meeting he has ever attended. He discussed his disgust with the tourist who come in to town during Fall Foliage. They park where ever they please. They were parking on the sidewalk next to his house. He provided his idea of making local traffic only from 3rd Street to 9th Street during Fall Foliage. Greg Strubinger explained he and Borough Council are aware of the parking and tourist situation. Borough Council is always implementing new ideas, example being having one-way traffic in the Heights and having permit parking on West Broadway. Mike Coppie then discussed the stop sign that was recently placed at 4th and Oak Streets is too high. Also, the storm drain at this intersection is too high and the water does not flow into it properly because of this. He claimed part of his yard is being washed away because of this.

**Public Hearing**

NONE

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

NONE

**Action**

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Council Meeting Minutes from October 3, 2024.** There were no comments. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Council Meeting Minutes from October 10, 2024.** There were no comments. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Expenditures from all Funds as presented.** Manager Sterner explained there are a few corrections that needed to be

made. There is an additional $9.01 bill to be included in with the Sanitation Fund. In the Water Fund, there was an incorrect invoice from Tire Hub totaling $900.00. The invoice should have been for $544.00. The corrected total monthly bill amount is $320,547.15. Motion carries 7-0.

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

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Resolution 2024-24 – 2024 Auditor Appointment.** This resolution is to appoint Buckno & Lisicky as the Borough's Auditor. Motion carries 6-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve ratifying Pennvest Funding Center Avenue Water Main Project Updated Letter of Responsibility for $4,250,000.00.** Borough Council previously approved a Letter of Responsibility at their September 12th meeting, but since then, the amount has increased. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve Entech Engineering Work Order P240783.010 for the Water Treatment Plant DRCB Permit Renewal Application totaling $6,500.00.** Manager Sterner explained this is a permit, that when applied for, must be done a year prior to the current permit expiring. This authorizes Entech Engineering to apply for the permit on behalf of the Borough. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve the Water Treatment Plant DRCB Permit Renewal Application Fee totaling $13,068.83.** There were no comments. Motion carries 7-0.

***Facilities Project***
*Public Works Building*
**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Reading Payment Application #4 totaling $19,080.00.** This is for work completed and supplies purchased from September 20, 2024 through October 20, 2024. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Ted LaRizzio to **approve KC Mechanical Payment Application #3 totaling $37,842.30.** This is for work completed and supplies purchased from September 20, 2024 through October 20, 2024. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Bracy Payment Application #10 totaling $377,406.00.** This is for work completed and supplies purchased from September 20, 2024 through October 20, 2024. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Ted LaRizzio to **approve Barry Isett Invoice #0190347 totaling $1,500.00.** This is for Waterline and Utility Pole Location services provided. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Ted LaRizzio to **approve Spillman Farmer Invoice #8121.22.19 totaling $9,660.08.** This is for Professional Services from August 1, 2024 through September 30, 2024. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Ted LaRizzio to **approve United Inspection Services Invoice #25584 totaling $12,417.89.** This is for multiple testings that took place during the month of October. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Ted LaRizzio to **approve Requisition #11 – Partial Payment for Work Completed totaling $457,769.59.** This Requisition includes Reading Payment Application #4, KC Mechanical Payment Application #3, Bracy Payment Application #10, Barry Isett Invoice #0190347, Spillman Farmer Invoice #8121.22.19, and United Inspection Services Invoice #25584. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Bracy Change Order #9 (USDA #7) for a $9,013.40 increase in contract price conditioned upon Borough Manager review and verification.** Manager Sterner explained Bracy added additional verbiage to the change order cover sheet after the architect approved and signed. She explained she will have Solicitor Nanovic review the change orders if need be. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Bracy Change Order #10 (USDA #8) for a $7,824.30 increase in contract price conditioned upon Borough Manager review and verification.** Manager Sterner explained Bracy added additional verbiage to the change order cover sheet after the architect approved and signed. She explained she will have Solicitor Nanovic review the change orders if need be. 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 JBM Mechanical Payment Application #8 totaling $32,130.00.** This is for work completed and supplies purchased from September 20, 2024 through October 20, 2024. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve GR Noto Payment Application #9 totaling $120,797.76.** This is for work completed and supplies purchased from September 20, 2024 through October 20, 2024. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Ted LaRizzio to **approve Bognet Payment Application #9R totaling $302,308.35.** This is for work completed and supplies purchased from September 20, 2024 through October 20, 2024. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Reading Mechanical Payment Application #6 totaling $100,458.90.** This is for work completed and supplies purchased from September 20, 2024 through October 20, 2024. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Spillman Farmer Architects Invoice #8122.22.21 totaling $1,718.40.** This is for Professional Services that included work

from the Civil Engineering Consultant from August 23, 2024 through September 30, 2024. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Spillman Farmer Architects Invoice #8122.22.22 totaling $8,128.76.** This is for Professional Services of the architect from August 1, 2024 through September 30, 2024. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve United inspection Services Invoice #25583 totaling $430.00.** This is for testing completed on October 7th. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Ted LaRizzio to **approve Requisition #10 – Partial Payment for Work Completed totaling $565,566.41.** This Requisition includes JBM Mechanical Payment Application #8, GR Noto Payment Application #9, Bognet Payment Application #9R, Reading Mechanical Payment Application #6, Spillman Farmer Architects Invoice #8122.22.21, Spillman Farmer Architects Invoice #8122.22.22, and United Inspection Services Invoice #25583. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve ratifying Bognet Change Order #13 for a $20,323.40 increase in contract price.** The Buildings & Grounds Committee already approved this change order for a change in the windows on the lower level. This is a design change so the windows fit into each of the offices. This is being ratified to include all of Borough Council's votes. 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 ratifying Bognet Change Order #14 for a $12,631.63 decrease in contract price.** The Buildings & Grounds Committee already approved this change order for a change of toilet partitions. The original partitions in the plans were "high end" partitions and weren't needed for the use of the building. A different type will be used that are cheaper in price. This is being ratified to include all of Borough Council's votes. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Sydney Wernett to **approve ratifying Bognet Change Order #15 for a $1,819.73 increase in contract price.** The Buildings & Grounds committee already approved this change order for a new mirror in the women's bathroom. The original plans include the mirror that was included in the old bathroom and it's not in good shape. This is being ratified to include all of Borough Council's votes. Motion carries 6-0-1, with Tom Chapman abstaining due to being a subcontractor on the project.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Axis Stabilization No Cost Change Order for the High Street Wall Project.** This deletes the guiderail that was included in the bid specs and adds aluminum fencing in place of the guiderail. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Tom Chapman to **approve Barry Isett Invoice #0194477 totaling $17,125.00 for the Blight Remediation Grant Project.** This is for professional services provided from September 29, 2024 through November 2, 2024. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Kunsman Payment Application #3 totaling $46,292.72 for the Asa Packer Mansion Roof Project.** Manager Sterner explained the project is 99% complete. The Borough is still holding the retainage for the project. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Entry #2 as the Asa Packer Mansion Logo Contest winner.** There were numerous entries for the logo contest and the Committee picked the top six entries. Out of the top six, Borough Council liked entry #2 the best. They would like the verbiage changed from "Victorian Splendor" to Jim Thorpe, PA. The winner will be invited to next month's meeting to present her with her monetary prize. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve the purchase of 17 picnic tables totaling $17,488.85 for Memorial Park.** There will be 15 of the 6-foot tables and 2 of the 8-foot ADA tables ordered from Tree Top Products. These tables will be replacing the ones currently in the big pavilion. The old ones will be repurposed for the park. Motion carries 7-0.

*Memorial Park-Swings* – At the Work Session meeting, Borough Council wanted to see if the current set of swings in the park could be repurposed. Manager Sterner explained she discussed this with the Engineer. The Engineer stated if the swings are not pulled out entirely, the structural integrity will be ruined. They cannot be cut and welded back together. Greg Strubinger expressed his interest in being able to save the swings. He wants to see them dug up and moved if possible. No action was taken.

*Memorial Park-Tree Removal* – Manager Sterner explained the tree remover hasn't yet looked at the trees in question. He will look at the four trees in the coming weeks and offer his opinion. No action was taken.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve listing the 1997 Craftsman Mower and Hotsy Pressure Washer on Municibid.** There were no comments. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Connor Rodgers to **approve listing the 2024 Chevy Tahoe Rear Seats on Municibid.** Chief Schatz explained the factory seats were replaced with tub seats. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Ted LaRizzio to **approve Eckert Seamans as the Borough's Construction Attorney.** There were no comments. Motion carries 7-0.

*Carbon County Open Space Program* – At the Work Session meeting, Borough Council requested additional information from the county as to whether or not the Borough could install water retention ponds on the easements. Manager Sterner explained she inquired with the County, but could not get a concise answer. As part of the program, the Borough would dedicate a portion of their land to open space and sell an easement to the County. Passive recreation is still allowed on these easements. She advised Borough Council should still consider potential room for growth and to be mindful of which parcel of land they would potentially select. The first step before applying would be to contact the County and request a site visit for an accurate appraisal. This is a 50/50 program, but the County can offer up to 50% of value. It's not guaranteed to get the full 50%. Solicitor Nanovic explained there is no harm in looking into the program, but Borough Council should know which parcel of land they would like to enter into the program before moving forward. Greg Strubinger asked if the property the

Borough owns around the Silk Mill Run, where the dam project is slated, would be eligible. Manager Sterner thought that it would because the stream is being restored back to it's original state before the dams were put in. Connor Rodgers expressed looking into subdividing the 600+ acres and saving the area by the current Water Plant in case an additional well would need to be drilled. Mike Yeastedt said the Borough could potentially sell off some parcels to be developed and use some of the other parcels for the Open Space Program. Ted LaRizzio reminded Borough Council that just because the Borough can get up to 50% value of the property, does not mean the Borough will. The County could only offer the Borough 10% if they so choose. No action was taken.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve the Padilla Handicap Parking Application.** Chief Schatz confirmed everything was in order with the application. Motion carries 7-0.

*Hiller RFA – Informational Trail Marker on Switchback Trail* – At last week's Work Session meeting, Secretary Klotz explained Bud Hiller was unable to make the meeting and would send Bonnie Hoffman in his place. When she spoke with Bonnie on the phone to confirm her attendance, Bonnie said she would not be attending and the church will be withdrawing their building permit application over concerns of liability. Secretary Klotz had requested the church provide in writing they wish to withdraw their building permit application. As of the meeting, the church had not yet submitted this. No action was taken.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve Account #3850 Payment Plan.** There were no comments. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve the Utility Rate Change Report (1).** Joanne Klitsch asked what is the purpose of switching from commercial to residential and why does it cost $120.00. Manager Sterner explained the reason for the cost is for the Zoning Officer's time to investigate and complete paperwork. Secretary Klotz explained the administrative staff has to report this change to the County. Manager Sterner explained the Utility Clerk also must update the resident's account information. Motion carries 7-0.

**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **approve the Utility Uncollectables Report (1).** There were no comments. 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

NONE

Public Service

*Flagstaff Road Illegal Dumping* – Greg Strubinger explained money is being budgeted for cameras to catch whoever decides to illegally dump tires and other trash on Flagstaff Mountain. Connor Rodgers explained since he started collecting tires on the mountain, there has been a total of 992 tires collected. There are still approximately 100 yet on the mountain, but they are hard to get to. If one were to get caught dumping tires, it is a $1,000.00 fine. If anyone should see illegal dumping of tires taking place, please report it.

Police
NONE

Buildings/Parks
NONE

Emergency Services
NONE

**Old Business**
NONE

**Executive Session**

**Adjourn**
**MOTION** by Mike Yeastedt, second by Joanne Klitsch to **adjourn the meeting.** There were no comments. Motion carries 7-0. The meeting ended at 7:58 p.m.

Respectfully Submitted,

Brooke Klotz
Borough Secretary