

The Tamaqua Borough Council held its second Regular Council Meeting for the month of January on Tuesday, January 21, 2014 at 7:00 p.m. in the Council Chambers at the Tamaqua Municipal Building, 320 East Broad Street, Tamaqua, PA.

Present were Councilmembers Thomas Cara, R. Daniel Evans, Micah Gursky and David Mace. Councilman Justin Startzel arrived later in the meeting. Absent were Councilmembers Brian Connely and John Trudich Jr. Officials present were Mayor Christian Morrison, Chief of Police Richard Weaver, Borough Manager Kevin Steigerwalt, Solicitor Michael S. Greek, Borough Secretary/Treasurer Georgia Depos DeWire and Fire Chief Thomas Hartz.

The meeting was called to order by President Gursky. The invocation was given by Councilman Cara followed by the Pledge of Allegiance led by Councilman Evans. The roll was called with five councilmembers present and two absent.

The reading of the minutes of the Regular Council Meeting held on January 6, 2014 was ordered suspended. Councilman Mace stated that the January 6, 2014 minutes should be changed to reflect that Chief Weaver’s additional day was not a holiday but a personal day. The minutes of the last Regular Council Meeting held on January 6, 2014 were corrected to read as follows:

Under Other Business, a recommendation was made to approve a two percent discretionary bonus and an additional personal day for Chief Weaver. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Connely, seconded by Mace, and unanimously approved.

The minutes were approved as corrected on motion of Mace, seconded by Cara, and unanimously approved.

Communication was received from Antoinette Allesch, president of Salute, LLC of 300 East Broad Street, expressing an interest in operating the Tamaqua Swimming Pool Concession Stand for the 2014 season. A recommendation was made to refer the matter to the Recreation and Youth Committee. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Mace, seconded by Cara, and unanimously approved.

Communication was received from Robert T. Yurchak, Esquire of One East Catawissa Street, P.O. Box 127, Nesquehoning, PA, inquiring if the borough would be interested in entering into a Mutual Aid Agreement with Nesquehoning Borough to provide fire protection. A recommendation was made to refer the matter to the Public Safety Committee. Council recognized Fire Chief Hartz who stated that Schuylkill Haven Borough and Mahanoy City Borough may also be interested in entering into a Mutual Aid Agreement. There was no one else from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Mace, seconded by Evans, and unanimously approved.

Manager Steigerwalt reported on the 2014 Street Materials bid results. Manager Steigerwalt stated that there were a total of two bidders and that he provided council with a bid results worksheet and a comparison of material hauling cost calculations for pickup of materials at the plant or quarry. The hauling costs were calculated using the PennDOT recommended method. Manager Steigerwalt stated that due to the difference in mileage and travel time to each plant or quarry, the lowest per ton bid is not always the lowest price. Manager Steigerwalt’s recommendations for contract awards are as follows:

400 tons Superpave Wearing Coarse (pickup)	Pottsville Materials, Pottsville, PA	\$ 22,400.00
400 tons Superpave Wearing Coarse (delivery)	Pottsville Materials, Pottsville, PA	\$ 25,300.00

30 tons Superpave Any Wearing Coarse(pickup)	Pottsville Materials, Pottsville, PA	\$ 1,680.00
100 tons Superpave Base Coarse (pickup)	Pottsville Materials, Pottsville, PA	\$ 4,850.00
100 tons PaDOT OK Cold Patch (pickup)	Pottsville Materials, Pottsville, PA	\$ 11,000.00
500 tons 2A stone (pickup)	Pottsville Materials, Pottsville, PA	\$ 2,375.00
100 gallons PG 64-22 (pickup)	Lehigh Asphalt, Tamaqua, PA	\$ 950.00
750 tons Anti-skid Type 2 (pickup)	Lehigh Asphalt, Tamaqua, PA	\$ 7,312.50
750 tons Anti-skid Type 2 (delivery)	Lehigh Asphalt, Tamaqua, PA	\$ 10,312.50
200 tons #57 stone (pickup)	Lehigh Asphalt, Tamaqua, PA	\$ 2,000.00
200 tons #57 stone (delivery)	Pottsville Materials, Pottsville, PA	\$ 2,750.00
100 tons #8 stone (pickup)	Lehigh Asphalt, Tamaqua, PA	\$ 1,250.00
100 tons #8 stone (delivery)	Lehigh Asphalt, Tamaqua, PA	\$ 1,650.00

A recommendation was made to award the 2014 Street Materials based on the recommendations of the Borough Manager. There was some discussion about this matter. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Cara, seconded by Mace, and unanimously approved.

Manager Steigerwalt discussed a resolution approving a price adjustment for bituminous materials for 2014. A recommendation was made to adopt a resolution approving a price adjustment for bituminous materials for 2014. The following resolution was presented for council’s consideration:

**RESOLUTION NO. 2014-1  
PRICE ADJUSTMENT OF BITUMINOUS MATERIALS  
FOR SMALL QUANTITIES**

A recommendation was made to adopt the foregoing resolution. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Cara, seconded by Mace, and approved by a unanimous roll call vote.

Manager Steigerwalt reported that the Swatara Street Project has been completed but repaving would not be completed until spring.

Manager Steigerwalt also reported that there were problems with ten of the new parking meters and four were returned to the manufacturer. Manager Steigerwalt stated that all but thirteen parking meters are out on the street.

Councilman Startzel arrived at approximately 7:10 p.m.

Council recognized borough employee Dave Christ who is installing the new parking meters. Mr. Christ stated that the parking meters were certified this week and the thirteen parking meters that remain to be installed are in the area of the Majestic House and the East Broad Street bridge project.

Manager Steigerwalt also reported that a lighting project by Lenape Solar, LLC of Sunbury, PA has been completed. Manager Steigerwalt stated that Lenape Solar will begin the three additional lighting projects, which includes the Bungalow Pool and Concession Stand, the North and Middle Ward Playground and the East End Playground, this week.

Manager Steigerwalt also reported that the Schuylkill County Tax Claim Bureau has notified the borough that a property at 27 East Elm Street has been bid on by Deeds R Us, LLC of Las Vegas, Nevada. Manager Steigerwalt stated that the owner of the company is Francis Davizio who had also bid on three properties last May; however the sale was not approved by the school district and did not go through. President Gursky stated that the business address is a post office box in Nevada and that the business is not registered in Pennsylvania.

A recommendation was made to disapprove the repository sale to Deeds R Us, LLC of Las Vegas, Nevada for tax parcel # 65-07-0092.003, 27 East Elm Street. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Cara, seconded by Startzel, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to change an existing double-sided sign at 116 East Broad Street. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Startzel, seconded by Mace, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for demolition of a rear addition at 44 West Broad Street. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Startzel, seconded by Mace, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for installation of an emergency generator at East End Fire Company at 556 East Broad Street. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Startzel, seconded by Mace, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for installation of an emergency generator at the Water Department Garage at 120 South Greenwood Street. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Startzel, seconded by Mace, and unanimously approved.

The meeting was opened to the floor.

John Tracy of 724 East Broad Street stated that he had two issues to discuss. Mr. Tracy clarified whether he sent a letter of interest to the Tamaqua Borough Authority expressing an interest in serving on the authority. He stated that the letter that council received was submitted by the Tamaqua Borough Authority who recommended his reappointment to a five-year term on the authority. Mr. Tracy stated that the second issue is more serious. He stated that he takes issue with Councilman Cara and his reference that two members of the Tamaqua Area Water Authority were uncooperative with issues related to the repairs needed at the Water Treatment Plant and funding of the repairs. Mr. Tracy stated that during the water authority meetings, they approved projects for improvements and repairs. Mr. Tracy stated that he has been a member of the water authority for ten years and in the last five years Mr. Cara never attended a water authority meeting. Mr. Tracy stated that he has been replaced as a member on the Tamaqua Borough Authority and it may be the first time an authority's recommendation has not been considered. Mr. Tracy stated that someone has a hidden agenda. President Gursky stated that Mr. Tracy served well on the authority and the authorities are run well, however appointments to the authorities are made by council not by the authority. Councilman Cara stated that he was called by someone from the water plant who said that the plant is in need of dire repairs. Councilman Cara stated that he contacted someone that he works with who is familiar with water operations and they went to the water plant. Councilman Cara stated that he was advised that the plant was about to fail and the operators told him that they

were using parts from a secondary backup system to repair issues with the primary system and that if a part failed the system would go down. Mr. Tracy agreed and stated that he was not against doing the repairs but that the authority did not have the funds to move forward with projects. He said that the big issue was that the authority needed \$9 million and it could not be borrowed in a few weeks. Mr. Tracy stated that there was no one single motion turned down due to lack of cooperation. Mr. Tracy asked why council voted against appointing him to the borough authority, which has nothing to do with the water authority. Councilman Cara stated that the appointments are for five years and you need to have some background and reasons to vote for a person. President Gursky stated again that appointments are made by council. There was more discussion about these matters.

Kenneth Mellor of 27 Rear Center Street stated that during the last deep freeze he had frozen water lines. Mr. Mellor expressed his concerns about the following: he is not able to access his water line which runs through an adjacent property that has been condemned; his neighbor gave him about an hour and a half to go in there and try and thaw his line and he could not get the line thawed; the neighbor threw him out and he has been denied access to the property; and he had to hire a plumber to take care of thawing his line at a cost of \$550. President Gursky stated that if neighbors share a water line, typically they have an easement. Mr. Mellor stated that he needs help solving this problem. He also asked that the borough consider running a water line in the alley by his property so that he can connect directly. There was much discussion about this matter. Manager Steigerwalt would look into the matter.

Kathy Nunemacher of 322 Mahanoy stated that her sewer line had blocked over New Year's Day for a period of three days. Ms. Nunemacher stated that she hired Dan Reigel to unclog her sewer line and that he said that root growth from the main line is catching all that's coming out of their line. She said that approximately eight or nine years ago she had the same problem and the borough put crystals into the line to kill the roots and open the line. Manager Steigerwalt would look into the matter.

Cathy Miorelli of 163 Owl Creek Road questioned the appointments to the water and sewer authorities and the lack of advertising for the vacancies. Mrs. Miorelli stated that she is here as a tax paying citizen and former Councilwoman and council's actions support Mr. Tracy's claims. She stated that if you are replacing someone there have been questions about then why would you not advertise and try to find the very best to put on the authorities, or put scientific people from our community on the authority. Mrs. Miorelli stated that she supports Mr. Tracy's claims about a hidden agenda.

With no one else wishing to address council, the meeting was closed to the floor.

Mayor Morrison reported that the new squad car would be delivered by the end of the week.

Mayor Morrison also reported that mutual aid agreements for police protection with surrounding municipalities are still being worked on.

A recommendation was made to accept and file the various reports of borough officials. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Mace, seconded by Evans, and unanimously approved.

A recommendation was made to pay all properly approved bills and claims against the borough. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Cara, seconded by Mace, and unanimously approved.

A recommendation was made to hold an executive session to discuss personnel matters. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Mace, seconded by Startzel, and unanimously approved.

The council meeting was recessed at approximately 7:50 p.m. while council met in executive session.

The council meeting was reconvened at approximately 9:10 p.m.

A recommendation was made to have the office employees have the same benefits in the pension retirement as the UAW workers. The benefit offers employees who have 25 years of service and who are 55 years of age the benefit to retire in 2014. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Cara, seconded by Startzel, and approved by a 3-2 roll call vote with Councilmembers Mace and Gursky opposed.

There being no further business, the meeting was adjourned at approximately 9:20 p.m. on motion of Mace, seconded by Evans, to meet again at the call of the President.

ATTEST:

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Georgia Depos DeWire, Borough Secretary/Treasurer