

The Tamaqua Borough Council held its first Regular Council Meeting for the month of April on Tuesday, April 3, 2018 at 7:00 p.m. in the Council Chambers at the Tamaqua Municipal Building, 320 East Broad Street, Tamaqua, PA.

Present were Councilmembers Ronald Bowman, Thomas Cara, Brian Connely, R. Daniel Evans, Mary Linkevich, Ritchie Linkhorst and David Mace. Officials present were Mayor Nathan Gerace, Officer in Charge Corporal Dwayne Hacker, Borough Manager Kevin Steigerwalt, Solicitor Michael S. Greek, Assistant Borough Secretary/Treasurer Amy Macalush and Director of Community Development Ann Marie Calabrese.

The meeting was called to order by President Mace. The invocation was given by Councilman Cara followed by the Pledge of Allegiance led by Councilman Connely. The roll was called with all councilmembers present.

President Mace announced that the Public Safety Committee, on behalf of borough council, met in executive sessions several times over the past weeks to discuss personnel matters. President Mace also announced that an ad hoc negotiating committee of the borough met with the United Autoworkers (UAW) in executive sessions over the last seven months to discuss personnel matters.

The reading of the minutes of the Regular Council Meeting held on March 20, 2018 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Cara, seconded by Bowman, and unanimously approved.

Communication was received from Pete Bieniek, Esteemed Leading Knight, Tamaqua Elks #592, requesting permission to block off the parking lot across the street from the Elks, adjacent to the Tamaqua American Legion, from 9:00 a.m. to 12:00 p.m. on Saturday, May 5, 2018 for a Bike Run Benefit for Matthew Fannock. A recommendation was made to grant the requests. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Linkevich, seconded by Linkhorst, and unanimously approved.

Communication was received from Leona Rega, Tamaqua Community Arts Center Coordinator, stating that Tamaqua's Raw Aspirations project is moving along nicely and that five large sculptures are ready for installation on April 30, 2018. Ms. Rega stated that the sculptures would be placed at privately owned land such as railroad land, the American Hose and the Community Art Center and others would be on borough properties. The communication requested permission to place one of the large art sculptures in either Depot Square or on the bus curve of the Railroad Street parking lot closest to the covered engine, which would require cutting down two trees near the lump of coal on a cement barrier. Sketches of two sculptures were provided with the communication. The communication also requested assistance with traffic control for an Artist Meet & Greet scheduled for June 7, 2018 from 6:00 p.m. to 9:00 p.m. Similar to the Meet & Greet held last year as part of the Tamaqua Has Heart project, there will be food truck vendors, music and interactive artist displays. A recommendation was made to grant the request, with Ms. Rega working in conjunction with the Borough Manager. Councilwoman Linkevich asked that two trees be replanted at some point in place of the ones that would be cut down. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Linkevich, seconded by Bowman, and unanimously approved.

Manager Steigerwalt reported on a Schuylkill County Tax Claim Bureau Repository Sale for a property located at 241 Lafayette Street, tax parcel number 65-11-0120.000. Manager Steigerwalt

stated that the borough submitted a bid in the amount of \$1.00 for the repository sale of 241 Lafayette Street for the purpose of demolition. A recommendation was made to approve the Schuylkill County Tax Claim Bureau Repository Sale of 241 Lafayette Street, tax parcel number 65-11-0120.000, to the Borough of Tamaqua. 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 Bowman, and unanimously approved.

Manager Steigerwalt reported that two other notices were received from the Schuylkill County Tax Claim Bureau regarding bids received for the repository sale of two properties on Brown Street.

Manager Steigerwalt also reported on the following: the bid opening for the pool bathhouse building improvements is scheduled for April 12, 2018 at 4:00 p.m.; the contract for the pool bathhouse electrical improvements was awarded at the last council meeting; and season pool pass applications are now available at the borough hall, Tamaqua Public Library, Fegley's and Our Family Mini Market. It was noted that opening day for the pool is still pending as the last day of school has not yet been determined.

Manager Steigerwalt also reported that property settlement for 216 Penn Street is scheduled for April 17, 2018 at 1:30 p.m.

Director of Community Development Calabrese reported that the annual Community Revitalization Improvement Zone (CRIZ) report which was due on April 1, 2018 was submitted; the 2017 CRIZ audit was completed by Maillie; and the CRIZ reports were sent to the PA Department of Revenue, PA Department of Community and Economic Development (DCED) and the Governor's Budget Office.

Officer in Charge Cpl. Dwayne Hacker reported that everything is going smoothly within the Police Department.

Under the Building and Equipment Committee report, a recommendation was made to purchase a plow and spreader for truck #44 through COSTARS at a cost of \$11,733.00 with funds designated from the Building and Equipment Fund. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Evans, seconded by Bowman, and unanimously approved.

Under the Public Safety Committee report, a recommendation was made to hire Getac to service the police camera system at a cost of \$1,260.00 for all three units. 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 Bowman, and unanimously approved.

Chairman Connely of the Public Safety Committee reported that the committee had been exploring several options regarding the replacement of the Police Chief and began researching the idea of a part-time chief with a 29-hour work week. Chairman Connely stated that nine full-time officers (the current schedule +1) with a part-time chief would result in a savings of over \$56,000.00. Chairman Connely stated that a full time chief with eight officers would only result in a savings of approximately \$31,000.00. A motion was made by Connely and seconded by Bowman to change the chief of police job description to include a 29-hour work week. Mayor Gerace questioned the numbers and stated that the police department has been running with nine full-time officers, but is fully capable of operating with eight full-time officers. Mayor Gerace stated that he

feels that the best decision would be to promote a chief from within leaving the department with eight full-time officers, which would totally eliminate the salary of former Chief Weaver. Mayor Gerace also stated that promoting officers from within that have worked hard over the years allows them to take a step forward into a leadership role, and that we need to think about preparing for the next 5, 10, 15 years rather than for 2 to 3 years. Chairman Connely stated that when the department had eight officers, coverage was offset with part-time officers. Councilwoman Linkevich was surprised at the recommendation of eight officers because everything she heard is that more officers are needed. There was some discussion about the following: department savings with a part-time chief vs. a full-time chief; operating the department with eight officers instead of nine; the chief's salary; promoting a chief from within the department; the savings of promoting a chief from within; the safety of citizens; and the need for a full time chief.

Council recognized several residents who voiced their concerns regarding the part-time chief proposal.

John Sienkiewicz stated that Tamaqua had one of the largest crime rates over the past several years, and under the leadership of Chief Weaver, things have improved and other communities have commented on how well Tamaqua's police department and borough council have been doing to make things better. Mr. Sienkiewicz added that the town wants and deserves a full-time chief.

Michael Hobbs, Tamaqua Patrolman and member of the police bargaining unit, stated that the Fraternal or of Police (FOP) had never been contacted regarding the part-time position, and if they had, they would not have supported it. Councilman Connely stated that Atty. Eagan, who represents the FOP, was involved and had been in contact with the Auditor General's office, etc. regarding the part-time chief position.

Michelle Turner stated that there are officers that have been working in the police department for years and earned the spot as Chief.

Charles Rodgers stated that our police officers are fine people that do their job and respect the community. Mr. Rodgers asked council if they took into consideration the fact that many of the officers will be looking for a new job if they decide to hire a part-time chief. The officers will be left with no incentives and nothing to work for. Mr. Rodgers asked council to reconsider their decision to hire a part-time chief.

Tammy Sienkiewicz expressed her concerns regarding the hiring of a part-time chief stating that the current officers are vested in the community, they know the town, they know the people that have warrants, they know faces and names, and all that public safety will be lost if the officers are not given a chance and choose to leave the department.

Justin Startzel expressed his concern regarding a part-time chief stating that the police department has a Drug Task Force and was given new vehicles, new equipment, etc. and to now have a full-time chief taken away from them is wrong. Mr. Startzel added that Tamaqua deserves a full-time chief.

There was much discussion about the following: the salary and benefits of the former chief; the savings of a part-time chief vs. a full-time chief based on the numbers presented by Chairman Connely; savings realized by promoting a chief from within; fairness and respect for the current officers; keeping the full-time officer complement at eight; rehiring of one police officer resulted in

one officer more than what was wanted; benefits offered for the part-time chief; a lump sum payment given to the former chief; the annual salary for the part-time chief; retirement pension and the Deferred Retirement Option Plan (DROP).

President Mace explained that the part-time chief would have off-hour responsibilities, similar to the full-time salaried chief, but the position would only pay for 29 hours. President Mace also stated that the part-time chief would also have arresting powers.

Council recognized Terry Livingston who stated that she believes there are qualified officers in the department that could be promoted to the chief position. Ms. Livingston also stated that she feels that a plan for a part-time chief should be advertised and perhaps put on a ballot for the community to decide.

Council recognized Charles Rodgers who asked if Council realized that the part-time chief can only earn up to \$5,000.00 for the year or he loses his pension, according to section 207 of the PA Municipal Retirement Law. Chairman Connely responded that most of that section was amended back in 2010 and there is no longer any reference to a monetary cap.

Comments were also made by both Council and residents regarding the effective leadership of former Chief Weaver, commending him for a job well done, thanking him for his service, and that the police department is running smoothly under the current Officer in Charge.

After much discussion and with several residents expressing concerns about the part-time chief proposal, the motion and second were rescinded. Chairman Connely stated that he understands that this is what the public wants, but also stated that these are tough decisions and Council will need to continue looking for ways to generate money for the borough. Councilman Bowman agreed and also stated that Council has no disrespect for any officer in the department.

A motion was made by Evans and seconded by Linkevich to have Atty. Jeff Stewart draft a job description and list of qualifications for a full-time chief and to advertise for the position. Councilman Cara questioned the need for a job description when one is already available and that it will cost the borough to have the attorney prepare one. After some discussion regarding the job description, the cost to prepare a new job description, the application process and requirements for advertising the position, the motion and second were amended as follows: A recommendation was made to have Atty. Jeff Stewart draft a job description and list of qualifications for a full-time chief. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Evans, seconded by Linkevich, and approved by a 6-1 vote with Councilman Cara opposed.

Chairman Cara of the Finance, Wage and Salary Committee reported that he had an ordinance amending the pension calculation for members of the Police Pension Plan who retire after January 1, 2017 to present for council's consideration:

**ORDINANCE NO. 695
BOROUGH OF TAMAQUA**

AN ORDINANCE AMENDING ORDINANCE NO. 613 WHICH AMENDED AND RESTATED ORDINANCE NO. 413 ENACTED NOVEMBER 1, 1983, AS AMENDED WHICH CREATED AND ESTABLISHED A FUND FOR THE CARE, MAINTENANCE AND RELIEF OF AGED, RETIRED AND DISABLED FULL-TIME POLICEMEN OF THE POLICE DEPARTMENT OF THE BOROUGH OF TAMAQUA; PROVIDING A PENSION FUND FOR SAID POLICEMEN; AND PROVIDING PAYMENT OF CERTAIN DUES,

**FEES, ASSESSMENTS, FINE TRANSFERS AND APPROPRIATIONS THERETO;
REGULATING MEMBERSHIP THEREIN, CREATING A COMMISSION FOR THE
MANAGEMENT THEREOF; PROVIDING THE AMOUNT, MODE AND MANNER OF
PAYMENT TO THE BENEFICIARIES THEREOF, AND FOR THE CARE AND
DISPOSITION OF SAID FUND; REPEALING ALL ORDINANCES OR PARTS OF
ORDINANCES INCONSISTENT HEREWITH.**

A recommendation was made to adopt the foregoing ordinance. 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 Bowman, and approved by a unanimous roll call vote.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to approve a Certificate of Appropriateness for lighting and an awning at 34 Mauch Chunk 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 Bowman, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to approve a Certificate of Appropriateness for a “Railroaders Memorial Sidewalk” sign to be placed above the wrought iron fence near the Train Station. 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 Bowman, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a motion was made by Cara, seconded by Linkevich, and unanimously approved to take the motion to accept a proposal from Graver’s Landscape Design, LLC at a maximum cost of \$3,070.00 for the improvements to the welcome sign on Center Street off the table. Councilman Cara provided background information on the welcome sign and stated that a revised quote was received from Graver’s Landscape Design, LLC at a cost of \$2,650.00 for the improvements to the sign. There was some discussion about the following: repainting the existing Tamaqua sign from green/gold to blue/white; the borough will supply the fill and top soil; removing a light pole at Speedway; getting permission to move sign to coal company property on the north side of the bridge; upgrades to other signs and sites for beautification; and funding for the welcome sign would be designated from the Streetscape fund. After further discussion, the motion and second were amended as follows: A recommendation was made to accept a proposal from Graver’s Landscape Design, LLC at a cost of \$2,650.00 for improvements to the Welcome to Tamaqua sign on Center 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 Linkevich, and unanimously approved.

Under the Recreation and Youth Committee report, a recommendation was made to approve a lease agreement with Tiffanie Wirth for the pool concession stand for the 2018 season. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Linkevich, seconded by Linkhorst, and unanimously approved.

Chairwoman Linkevich of the Recreation and Youth Committee announced the following events: Rabbit Run Fishing Derby will be held May 5-6, 2018; Kellner’s Dam Fishing Derby will be held May 20-21, 2018 and the Tamaqua Area Animal Rescue Annual Dog Walk will be held at the Owl Creek Reservoir on May 19, 2018.

Mayor Gerace reported on a note received by a resident that stated how awesome and amazing it was to witness two police officers in uniform playing basketball with kids at a

playground and how something so small could have a huge impact on someone and this is what communities need. It was noted that the officers involved were Patrolman Timothy Walsh and Patrolman Eddie Rodriguez.

Mayor Gerace also reported that Patrolman Harig provided a tour of the Police Department to a group of Cub Scouts and it was very well received. Several of the scouts made thank you cards and drawings for the officers.

Mayor Gerace also proposed a 10% discount on utility bills for senior citizen homeowners over the age of 62. Mayor Gerace stated that senior citizens currently pay the same fee as all other residents but have less usage and asked Council to consider offering a discount. After some discussion on the matter, a recommendation was made to refer Mayor Gerace's utility discount proposal/plan to the Finance, Wage and Salary Committee for further discussion on the particulars. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Evans, seconded by Linkevich, and unanimously approved.

The meeting was opened to the floor.

Shelly Turner, a member of the South Ward Playground Association, asked for permission to place a plaque in memory of her parents on the building at the playground. President Mace stated that although the borough owns the property, it is leased to the playground association and no action is required by council, however the request should be discussed with the playground association. Councilman Bowman asked if the lighting can be readjusted at the playground, stating that the lights come on very early in the morning and stay on until late. Michelle Mehallic of the South Ward Playground Association stated she would take care of the lighting issue.

John Sienkiewicz announced that Safer Streets for Tamaqua's Little Feet will host their Out of the Darkness Into the Light Overdose Awareness Event/Walk at the Owl Creek Reservoir on July 21, 2018 from 10:00 a.m to 5:00 p.m. Mr. Sienkiewicz stated that there will be games, guest speakers, bands, free popcorn and snow cones, a butterfly release and a food concession stand at the event.

Justin Startzel asked for an update on the Streetscape project on Center Street. Manager Steigerwalt stated that the project is done with the exception of the light poles. Manager Steigerwalt stated that the supplier of the decorative lights went out of business.

Justin Startzel also asked for an update on the old CVS building. President Mace stated that the building is currently owned by Tamaqua Auto Parts.

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

Solicitor Greek reported on a meeting held with Eastern Schuylkill Planning Commission's engineers and attorneys representing Rush, Walker and Schuylkill townships and advised Council that at the next council meeting he would be looking for a municipality contribution of \$1,000.00 which would be held by the attorneys in an escrow account to be used for the advertising costs for a joint hearing on the amended Zoning Ordinance.

Under Unfinished Business, Councilman Cara asked for an update on the ordinance codification. President Mace stated that comments from Solicitor Greek were submitted to General Code and publication is now underway. It was also noted that electronic copies of all ordinances will be available via the borough's website.

Under Unfinished Business, a recommendation was made to approve a Collective Bargaining Agreement with the UAW for the period of January 1, 2018 through December 31, 2021. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Bowman, seconded by Evans, and unanimously approved.

Under Unfinished Business, Chairman Evans of the Streetlight Committee provided background on the purchase of the streetlights and reported that on March 22, 2018 the Pennsylvania Public Utility Commission (PUC) approved the Agreement of Sale for transfer of streetlights to the Borough of Tamaqua. A recommendation was made to approve final payment for the purchase of streetlights, not to exceed \$70,000.00 and pending final invoice from PPL. Chairman Evans stated that the purchase includes 483 street light lamps, 38 poles and 1,770 feet of wire, and that the borough will move to an Energy Only Street Lighting Service Rate. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Evans, seconded by Linkevich, and unanimously approved.

Under Unfinished Business, Councilman Evans discussed the Lincoln Street wall and alternative funding options for repairs. Councilman Evans stated that the borough is unable to use Community Development Block Grant (CDBG) funds and a proposal from Alfred Benesch & Company came in at a cost of \$70,000.00 for engineering services and construction. Councilman Evans discussed the possibility of adding 1 mill to the Wabash Capital Improvement Fund (or 0.50 mill for two years) for the Lincoln Street wall repairs. Councilman Evans stated that the wall is not getting better and is in need of repairs and proposed that Council start looking at long term funding options for the repairs.

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

The council meeting was recessed at approximately 9:35 p.m. while council met in executive session.

The council meeting was reconvened at approximately 9:53 p.m.

President Mace announced that an executive session was held to discuss personnel and real estate matters.

A recommendation was made to increase the hourly rate of Timothy Ziegler by \$2.00 retroactive to January 1, 2018. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Bowman, seconded by Linkevich, and unanimously approved.

There being no further business, the meeting was adjourned at approximately 9:55 p.m. on motion of Bowman, seconded by Linkevich, to meet again at the call of the President.

ATTEST:

Amy Macalush, Assistant Borough Secretary/Treasurer