

The Tamaqua Borough Council held its first Regular Council Meeting for the month of August on Tuesday, August 20, 2019 at 7:00 p.m. in the Council Chambers at the Tamaqua Municipal Building, 320 East Broad Street, Tamaqua, PA.

Present were Councilmembers Robert Amentler, Ronald Bowman, Thomas Cara, Brian Connely, Mary Linkevich and David Mace. Absent was Councilmember Ritchie Linkhorst. Officials present were Borough Manager Kevin Steigerwalt, Solicitor Michael S. Greek and Borough Secretary/Treasurer Georgia Depos DeWire. Mayor Nathan Gerace and Chief of Police Henry Woods arrived later in the meeting.

The meeting was called to order by President Mace. A moment of silence was observed in memory of former Councilman and Council President James Knowles. The invocation was given by Councilman Cara followed by the Pledge of Allegiance led by President Mace. The roll was called with six councilmembers present and one absent.

The reading of the minutes of the Regular Council Meeting held on July 16, 2019 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Connely, seconded by Bowman, and unanimously approved.

Communication was received from Pete Bieniek, Esteemed Leading Knight of the Tamaqua Elks Lodge 592, requesting that Nescopec Street, between Rowe and Broad streets, be blocked for their 3<sup>rd</sup> Annual ACS benefit bike run and pig roast event on September 21, 2019 from 7 a.m. to 9:00 p.m. A recommendation was made to grant the request to block Nescopec Street, between Rowe and Broad streets, and to authorize the Fire Police to assist with the event. 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.

Communication was received from Brian Keich, president of the Tamaqua Lions Club, stating that the Annual Tamaqua Halloween Parade is planned for October 22, 2019 at 7:00 p.m., with a rain date of October 23, 2019. The parade will assemble on East Broad Street, in the vicinity of Lech Transportation, and proceed west on Broad Street and continue to St. Jerome's Church. The communication requested permission to prohibit parking along the parade route and assistance from the Tamaqua Police Department and the Fire Police. The communication also requested that East End Avenue be made a one-way going west from Laurel to Columbia streets so that traffic is going in one direction for drop off of the Tamaqua Band and Soccer teams at the M&M Storage Lot. A recommendation was made to grant the requests, and to authorize the use of the Tamaqua Fire Police. 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 Connely, and unanimously approved.

Communication was received from Francis Betz, secretary of the Citizens Fire Company #1, requesting permission to close Hegarty Avenue on October 5, 2019 for their Annual Pig Roast and Cornhole Tournament from 7:00 a.m. to 11:00 p.m. A recommendation was made to grant the request. 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 Connely, and unanimously approved.

Communication was received from Joshua J. Esposito stating that he is resigning from his position as Zoning/Code/Health Enforcement Officer, effective immediately. A recommendation

was made to accept the resignation of Joshua J. Esposito. 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 Cara, and unanimously approved.

Communication was received from Larry Frederick, owner of 12-14-16-18 Mauch Chunk Street, and Larissa Young, manager of Texas Chili-Dog, requesting a 15 Minute Parking Only sign at the first parking space near a take-out window and to add an additional parking spot in front of 18-20 Mauch Chunk Street. A recommendation was made to refer the matter to the Parking and Traffic Committee. 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 Cara, and unanimously approved.

Communication was received from Jason Markey of 517 Lombard Street expressing his concerns about traffic and safety issues, speeding and enforcement in the area of Lombard Street and Boyle Avenue. Mr. Markey is requesting a Slow Down Children Playing sign. Mr. Markey also stated that the street sweeper never comes up to sweep Boyle Avenue. He is also requesting that the street sweeper sweep Boyle Avenue. A recommendation was made to refer the matter to the Parking and Traffic Committee. 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 Bowman, and unanimously approved.

Communication was received from Martin J. Baddick Jr. of 126 Market Street requesting that a stop sign be placed at the intersection of Market and Biddle streets coming north from East Broad Street. Mr. Baddick expressed his concerns about traffic and safety issues, and speeding. A recommendation was made to refer the matter to the Parking and Traffic Committee. 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 Special Business, President Mace stated that his special ad-hoc committee, consisting of Councilmember Linkhorst, Councilmember Linkevich, and himself met with representatives of Solar Renewable Energy LLC.

Chief Woods and Mayor Gerace arrived at approximately 7:11 p.m.

President Mace turned the meeting over to Doug Neidich of Solar Renewable Energy LLC whose solar array presentation included, but was not limited to, the following: the cost of solar has decreased to 43 cents per kilowatt; the federal tax credit is currently at 30 percent and decreases in the following years; Pennsylvania closed its borders to out-of-state solar generation; the borough would be offsetting approximately 13 cents per kilowatt-hour (kWh); it is a supply and demand market; Solar Renewable Energy LLC is the second largest solar development firm in Pennsylvania; the solar array project with the Tamaqua Area School District (TASD); solar array placement at the Water Treatment Plant and the Waste Water Treatment Plant; a solar array placement must be within two miles of usage; a cash flow analysis; a 25-year power service agreement which has the option to buy out the system beginning in year six with funding via long-term, low interest debt financing; a 40-year cash flow is based on the estimated useful life of a solar array; would provide an analysis of addressing an option not to buyout; a lease agreement; and the solar panels come with a 30-year power production warranty. There was much discussion about these matters.

Manager Steigerwalt discussed a Tamaqua Planning Commission recommendation to grant a conditional preliminary approval of land development plans for a Lehigh Anthracite Land Development project as detailed in a letter from Daniel J. Wilusz, P.E., Senior Project Manager, for Barry Isett and Associates Inc. Manager Steigerwalt stated that the applicant proposes to construct a one-story 24,000 square-foot building adjacent to the former Jamesway Plaza that would be used to bag and sell coal as well as to distribute coal to outside retailers. Manager Steigerwalt turned the meeting over to Gretchen Coles Sterns, Attorney at Law, Kevin Fruck, P.E. Cornerstone Consulting, Engineers and Architectural, Inc. and Peter Clelland, BET Investments, Inc. whose presentation included, but was not limited to, the following: the Lehigh Anthracite Land Development project preliminary plan; the project was initially reviewed at the July 29, 2019 Tamaqua Planning Commission meeting without a quorum; the Planning Commission recommended granting conditional preliminary approval of the land development plans; the conditions were to include satisfying the remaining Borough Engineering comments and the Borough Solicitor on all agreements, maintenance, and performance guarantees; a summary of the conditions of approval; a letter from Daniel J. Wilusz of Barry Isett and Associates Inc. and comments offered for consideration from an Isett review letter dated July 29, 2019 which still must be addressed; an access road; requesting waivers; the area is in Tamaqua Community Revitalization and Improvement Zone (CRIZ) ; adding approximately ten new jobs; and requesting three waivers and a motion to approve a preliminary plan. There was much discussion about these matters.

A recommendation was made to grant a conditional preliminary approval of the land development plans; the conditions were to include satisfying the remaining Borough Engineering comments and the borough Solicitor on all agreements, maintenance, and performance guarantees. 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 Bowman, seconded by Linkevich, and unanimously approved.

A recommendation was made to grant the following three waivers contingent upon receiving a letter from the applicant: showing features on the land development plan; traffic impact study; and storm water management. 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 Bowman, and unanimously approved.

Manager Steigerwalt reported on the following: the bathroom renovation project in the borough building has been completed, with the exception of the installation of heaters which will be done by borough employees; the PennDOT paving project has been completed with the exception of line painting on Broad Street; and street postings and closings for the Schuylkill County Firefighters Parade.

A recommendation was made to approve the street postings and closings for the Schuylkill County Firefighters Parade. 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 Cara, and unanimously approved.

The street postings and closings for the Schuylkill County Firefighters Parade are as follows:

**PARADE ROUTE**

**(Post “Parade Route” and “No Parking Saturday”)**

East Broad Street From Tamaqua Insurance Center to Pine Street (post both sides)

Pine Street From East Broad Street to Elm Street (post both sides)  
 Elm Street From Pine Street to North Railroad Street (post both sides)  
 North Railroad Street From Elm Street to Broad Street (east side)  
 West Broad Street From North Railroad Street to Catawissa Street (post both sides)  
(DO NOT post East Broad Street from Five Points to Pine Street)  
(DO NOT post Mauch Chunk Street from Five Points to Pine Street)

**PARADE LINEUP****(Post “No Parking Saturday”)****Parade staging will be on Old Route 209**

Swatara Street From West Broad Street to Rowe Street and West Broad Street to Iron Steps  
 Child Development lot at West Broad Street and Swatara Street

**DETOUR ROUTES****(Post “No Parking Saturday”)**

Cedar Street From Boyer’s to Greenwood Street (south side)  
 Greenwood Street From Cedar Street to Hazle Street (east side)  
 Hazle Street From Elizabeth Street to Broad Street/end (both sides)  
(DO NOT post Hazle Street from Greenwood Street to Elizabeth Street)  
 Spruce Street From Bowe Street to Oak Street (south side)  
 Oak Street From Spruce Street to Van Gelder Street (both sides)  
 Van Gelder Street From Oak Street to Coal Street (both sides)  
 Coal Street From Van Gelder Street to Penn Street (both sides)  
 Lafayette Street From Lehigh Street to Washington Street (both sides)  
 Washington Street From Lafayette Street to Elm Street (both sides)  
 Washington Street From Elm Street to Vine Street (east side)  
 Vine Street From Washington Street to Pine Street (south side)

**STREETS CLOSED****(Drop off barricades at intersections)**

Swatara Street At Broad Street and at Rowe Street  
 Catawissa Street At West Rowe Street  
 Old 209 at Odd Fellows - barricade and DO NOT ENTER sign

All signs will be posted and barricades/cones dropped off on Friday.

The Police Department will start ticketing and towing cars from the parade and detour routes at 10:00 a.m. on Saturday.

The Street Department will pick up garbage and run the sweeper upon completion of the parade.

Manager Steigerwalt also reported that the borough has purchased the vacant lot on South Railroad Street from Mrs. Carolyn McCloskey.

Manager Steigerwalt also reported that the next paving project is planned for a portion of Owl Creek Road up to the Carbon County line. The borough is working on trying to get the work done this year and the work will be done by borough employees. Manager Steigerwalt stated that the borough would need to rent paving equipment and an operator. The deadline for paving is October 31<sup>st</sup>. A recommendation was made to advertise for bids for the rental of a paver with an operator and a tack coat vehicle with an operator. Council recognized Joseph Salla of 204 Owl Creek Road who asked if the state could help with the project. Councilman Bowman stated that it is not a state-owned road but a borough road. There was some discussion about this matter. There was no one else from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Bowman, seconded by Cara, and unanimously approved.

Under the Borough Manager’s report, a recommendation was made to approve a proposal from Alfred Benesch and Company of Pottsville, PA in the amount of \$4,500.00 for the annual inspection of the Upper and Lower Owl Creek Dams. 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 also reported that a public hearing would be held on September 3<sup>rd</sup> for the proposed transfer of an intermunicipal liquor license owned by Tomas Corporation in Mahanoy City to Savas G. Logothetides, Wheel Restaurant, and to be located at 123 East Broad Street.

Manager Steigerwalt also reported on improvements to the Owl Creek Recreation area. The improvements include a deck for a rental cabin, site work for a new pavilion, kitchen upgrades, and new gazebos.

President Mace announced that Child Development is holding an open house on August 21<sup>st</sup>. President Mace stated that Child Development is another successful CRIZ project.

Chief Woods reported on the following: an officer that had been out on illness has returned to work; the department is losing a part-time officer who has obtained full-time employment; a request to advertise for more part-time police officers; and he spoke with Civil Service Commission member Kathy Kunkel about conducting a Civil Service Commission Patrolman Test.

A recommendation was made to advertise for part-time police officers. 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 Connely, and unanimously approved.

A recommendation was made to conduct a Civil Service Commission Patrolman Test to provide a certified list of candidates. 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.

Under the Building and Equipment Committee report, a recommendation was made to approve a three-year lease agreement with Mauch Chunk Trust Company for a 2019 Ford F-150 4x4 police vehicle at a cost of \$48,203.83 with funds designated from the Equipment Fund. Councilman Connely stated that there will be no trade-in, this vehicle is a COSTARS purchase and it falls in the rotation of obtaining a new police vehicle that was started years ago. 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 Connely, and unanimously approved. President Mace asked the police department to consider looking into hybrid technology for its next purchase. Councilman Connely stated that the department did inquire about hybrid technology but it is not ready yet.

Chairman Cara of the Finance, Wage and Salary Committee reported that he had an ordinance granting a non-exclusive cable television franchise to Service Electric Cablevision Inc. to present for council's consideration:

**ORDINANCE NO. 708**  
**AN ORDINANCE OF THE BOROUGH OF TAMAQUA AUTHORIZING THE**  
**EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE BOROUGH**  
**AND SERVICE ELECTRIC CABLEVISION, INC.**

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.

Chairman Cara of the Finance, Wage and Salary Committee reported that he had an ordinance establishing regulations for the keeping of animals to present for council's consideration:

**ORDINANCE NO. 709****AN ORDINANCE OF THE BOROUGH OF TAMAQUA, SCHUYLKILL COUNTY, PENNSYLVANIA, AMENDING IN ITS ENTIRETY CHAPTER II, ENTITLED "ANIMALS" OF THE BOROUGH OF TAMAQUA CODE OF ORDINANCES BY ESTABLISHING REGULATIONS FOR THE KEEPING OF ANIMALS.**

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

Under the Ad Hoc Code Enforcement Committee report, a recommendation was made to hire Greg Kurtz as a full-time Zoning/Code/Health Officer at an annual salary of \$72,500.00, effective immediately. President Mace stated that Mr. Kurtz is familiar with the borough's operation as he was a part of the Barry Isett and Associates team. Councilman Amentler asked what the working hours will be for the Zoning/Code/Health Officer. His hours will be from 8:00 a.m. to 4:00 p.m. 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 Linkevich, and unanimously approved.

Under the Ad Hoc Code Enforcement Committee report, a recommendation was made to authorize the Borough Manager to negotiate a fee with Barry Isett and Associates Inc. to allow Greg Kurtz to assist them with outstanding items. 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.

Mayor Gerace reported on the following: the National Night Out event held at the borough on August 6<sup>th</sup> had a nice turnout; the Tamaqua Salvation Army would be holding a Kidz Block Party event from 9:00 a.m. to 12:00 p.m. on August 24<sup>th</sup> before the Fireman's Parade; and he would be announcing the date for Trick or Treat night at the next council meeting.

The meeting was opened to the floor.

George Haldeman of the South Ward Fire Company stated that Oak, Van Gelder and Coal streets must be cleared at 8:00 a.m. and not 10:00 a.m. for the Schuylkill County Firefighters Parade. Mr. Haldeman stated that registration starts at 8:00 a.m.

Mr. Haldeman also asked about an ordinance addressing garbage pickers. Manager Steigerwalt stated that our ordinance already addresses it but he will look into the matter.

Tammy Sienkiewicz of the Safer Streets for Tamaqua's Little Feet organization stated that International Drug Overdose Awareness Day is on August 31<sup>st</sup>. Ms. Sienkiewicz is requesting permission to turn the light up fountain at Depot Square Park purple from August 30<sup>th</sup> to September 1<sup>st</sup>. A recommendation was made to grant the request. 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.

Joseph Salla of 204 Owl Creek Road stated that people think he is the Mayor of Owl Creek. He stated that he would like to take three councilmembers on a tour of Owl Creek to show them the areas of concern. Mr. Salla expressed his concerns about the following: the condition of the Sepos property where grass has not been cut once this year; the syringe by the flagpole in Owl Creek is still there; and the pornography on a fire zone three sign has not been removed yet.

A special ad-hoc committee consisting of Councilmembers Connely, Amentler and Bowman would be available to tour Owl Creek with Mr. Salla. President Mace requested that a two-hour limit be place on the tour.

Chief Woods stated that he will take care of removing the syringe tomorrow.

Mayor Gerace stated the police department has monitored speeding and traffic issues along Owl Creek Road for approximately one month.

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

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 Cara, seconded by Bowman, and unanimously approved.

Under Unfinished Business, President Mace announced that council met in executive session on July 26, 2019 for personnel matters.

Under Unfinished Business, Manager Steigerwalt stated that he had a Codification Adoption Ordinance to present for council’s consideration:

**ORDINANCE NO. 710  
AN ORDINANCE TO APPROVE, ADOPT AND ENACT AN ORDINANCE  
CODIFICATION FOR THE BOROUGH OF TAMAQUA, COUNTY OF SCHUYLKILL,  
COMMONWEALTH OF PENNSYLVANIA; TO PROVIDE FOR THE REPEAL OF  
CERTAIN LEGISLATION NOT INCLUDED THEREIN; TO SAVE FROM REPEAL  
CERTAIN OTHER LEGISLATION NOT INCLUDED THEREIN; AND TO PROVIDE  
PENALTIES FOR TAMPERING WITH THE CODE.**

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.

Manager Steigerwalt stated that the borough will have the Code of Ordinances electronically and a link to the General Code website would also be available through the borough’s website.

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 Bowman, and unanimously approved.

There being no further business, the meeting was adjourned at approximately 8:57 p.m. on motion of Bowman, seconded by Linkevich, to meet again at the call of the President.

ATTEST:

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Georgia Depos DeWire, Borough Secretary/Treasurer