

The Tamaqua Borough Council held its second Regular Council Meeting for the month of September on Tuesday, September 15, 2015 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, Brian Connely, R. Daniel Evans, Micah Gursky and David Mace. Absent were Councilmembers Kerry Lasky and Justin Startzel. Officials present were Mayor Christian Morrison, Borough Manager Kevin Steigerwalt, Solicitor Michael S. Greek and Assistant Borough Secretary/Treasurer Amy Macalush.

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

The reading of the minutes of the last Regular Council Meeting held on September 1, 2015 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Mace, seconded by Cara, and unanimously approved.

President Gursky introduced special guest Eric Smarr, a student at Lehigh Carbon Community College. Mr. Smarr, a resident of Barnesville, stated that he is studying Business Management and currently interning with Mr. Gursky.

Communication was received from Andrew Leibenguth of Tamaqua American Legion Post 173, requesting permission to hold the annual Tamaqua Veterans Day Parade on November 7, 2015 beginning at 10:00 a.m. The communication also requested permission to prohibit parking along Broad Street and assistance from the Tamaqua Fire Police upon availability. 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 Mace, seconded by Connely, and unanimously approved.

Communication was received from Andrew Leibenguth of the Tamaqua Volunteers Group requesting permission to place white solar LED lights on all 54 sidewalk trees in the downtown. The lights would be purchased via public donations and installed by volunteers. The estimated cost of the lights is \$2,200. 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 Mace, seconded by Cara, and unanimously approved.

Communication was received from Secretary/Treasurer Georgia DeWire informing borough council that the MMO for the Police Employees Pension Plan is \$263,208, the MMO for the Non-Uniformed Employees Pension Plan is \$33,828, and the MMO for the Non-Uniformed Defined Contribution Component Plan is \$22,000. Secretary/Treasurer DeWire stated that the borough would require state aid and /or borough contributions in the year 2016 to meet the funding requirements for any or all pension plan(s). Secretary/Treasurer DeWire stated that if General Municipal Pension System State Aid monies were not available, the borough contributions in the year 2016 to meet the funding requirements for all pension plans would be approximately \$319,036. There was some discussion regarding the change in contributions to the plans, the unit value and the defined contribution plan ordinance which is still pending. A recommendation was made to approve the certification for the Police Employees Pension Plan calculating the 2016 MMO as \$263,208, to approve the certification for the Non-Uniformed Employees Pension Plan calculating the 2016 MMO as \$33,828, and to approve the certification of the Non-Uniformed Defined Contribution

Component Plan as \$22,000. 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 reported on the judicial sale of properties scheduled for October 2, 2015, noting that two of the properties, 216 Penn Street and 317 ½ Arlington Street, are on the demolition list and were discussed at a previous meeting. Manager Steigerwalt also stated that twelve properties on the judicial sale list are located in Tamaqua. President Gursky suggested that if council wants to do anything with those properties, it should be discussed in an executive session at the end of the meeting.

Manager Steigerwalt also reported on the 2015 insurance policy renewal. Manager Steigerwalt stated that he is waiting for quotes and the policy renews on October 1, 2015. A recommendation was made to refer the insurance policy renewal to the Borough Manager and the Finance, Wage and Salary Committee to review and execute. 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.

Manager Steigerwalt also reported on the following: the bid opening for the heating oil contract will take place prior to the next council meeting and the results will be presented at that time, the 2015 Schuylkill County Fall Cleanup and Recycling Event for Tamaqua Area is scheduled for September 21 – 26, 2015, and the semi-annual SKIP cleanup will take place on Saturday, September 19, 2015.

Manager Steigerwalt also reported on the 2015 Community Development Block Grant (CDBG) application. Manager Steigerwalt stated that the CDBG allocation for 2015 is \$106,254 with the break down as follows: Administration (18 percent) \$19,125; Clearance/Demolition \$26,138; Street Reconstruction \$35,991; and Accessibility Improvements \$25,000. Manager Steigerwalt stated that unlike prior years, the submission of the application and the administration will now be handled by the county. Manager Steigerwalt asked council to review and discuss project ideas for 2015, and to discuss how to re-allocate 2014 CDBG funds for the pool bathhouses. There was discussion regarding the 2015 street paving proposal which includes, Swatara Street from Broad to Rowe (estimate \$12,636), Swatara Street from Lafayette to Jerome (estimate \$17,550), Jerome Street from Pitt to Swatara (estimate \$3,672), Pitt Street from Jerome to Yetten Circle (estimate \$36,378), Nescopec Street from West Elm to Jerome (estimate \$21,078), Nescopec Street from Jerome to Clay (estimate \$23,544), and Clay Street from Nescopec to West (estimate \$19,926).

A motion was made by Mace and seconded by Connely to re-appropriate \$61,144 of 2014 CDBG funds previously allocated to the pool bathhouses to street reconstruction. After President Gursky stated that council would have to adopt a resolution for the reallocation, the motion and second were then amended as follows: A recommendation was made to adopt a resolution to re-appropriate \$61,144 of 2014 CDBG funds previously allocated to the pool bathhouses to street reconstruction. The following resolution was presented for council's consideration:

**RESOLUTION NO. 2015 - 10**  
**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF TAMAQUA**  
**MODIFYING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR**  
**FISCAL YEAR 2014**

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 Mace, seconded by Connely, and approved by a unanimous roll call vote.

Councilman Connely discussed the possibility of completing the entire list of street paving projects, with the exception of the section of Pitt Street from Jerome to Yetten Circle, using the CDBG funds. There was discussion regarding the proposed street paving projects, putting the paving projects out to bid, combining the 2014 and 2015 street reconstruction allocations, approval by DCED for 2015 projects and the timing of the street paving projects. A recommendation was made to adopt a resolution to proceed with the 2015 CDBG allocation for administration, clearance/demolition, street reconstruction (2014 and 2015 funds combined to one project), and accessibility improvements as presented. The following resolution was presented for council's consideration:

**RESOLUTION NO. 2015 - 11**  
**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF TAMAQUA**  
**APPROVING THE BUDGET FOR THE COMMUNITY DEVELOPMENT BLOCK**  
**GRANT PROGRAM FOR FISCAL YEAR 2015**

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 Connely, seconded by Mace, and approved by a unanimous roll call vote.

Under the Borough Manager's report, Councilman Evans questioned the letter to Reading and Northern Railroad regarding the Spruce Street Paving Project. Councilman Evans stated he was pleased with the paving work done on Spruce Street by the borough's Street Department and asked to what capacity the borough has to continue doing that type of work. Councilman Evans stated that he hears comments from residents regarding other paving that needs to be done within the borough. Manager Steigerwalt stated that the letter was a breakdown of the cost of the project, and noted that per the cost share agreement, the Reading and Northern Railroad would be responsible for 40% of the total project cost. There was discussion about the following: having the right equipment in order for paving to be done by the Street Department; other paving projects to be done such as the railroad crossing on Broad Street, the railroad crossing on Greenwood Street, Stadium Hill; patching potholes and painting of the line at Spruce Street requested by the school bus drivers.

Under the Building and Equipment Committee report, a recommendation was made to advertise for the sale of two 1991 Dodge pickup trucks, two 1997 International dump trucks, a 1989 Chevrolet pickup truck and a 1983 Ingersoll Rand D30 asphalt roller. 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 Cara, and unanimously approved.

Under the Building and Equipment Committee report, a recommendation was made to advertise for the sale of a 1985 Ford L800 Camel sewer flushing machine and to set the minimum bid price at \$6,000. 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 Connely, and unanimously approved.

Under the Building and Equipment Committee report, Councilman Connely stated that a used four-wheel drive vehicle was found for under the approved purchase amount of \$15,000.

Chairman Mace of the Recreation and Youth Committee announced that the Tamaqua Borough received a five gold medal designation from the National League of Cities, "Let's Move! Cities, Towns & Counties" initiative. The medals represent training, display of MyPlate posters, meal programs, healthy and sustainable food service, and launching programs which provide increased access to physical activities in the borough. President Gursky stated that Tamaqua is one of only three communities in Pennsylvania, and one of fifty-two communities in the country to score five gold medals. President Gursky stated that he would be going to Washington D.C. to meet with the other cities and counties that also received the five gold medals.

Chairman Cara of the Finance, Wage and Salary Committee reported that a proposal was received from ADP to assist the borough with the administration of the new Affordable Care Act (ACA) annual health care reporting requirements and regulations. There was some discussion regarding the fees, the services provided and the forms that need to be submitted to the IRS. A recommendation was made to contract with ADP to assist the borough with the new ACA annual health care reporting requirements and regulations. 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.

Under Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to approve a Certificate of Appropriateness for two signs and an ADA ramp at 28 South Railroad Street. 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 Cara, and unanimously approved.

Under Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to approve a Certificate of Appropriateness for a rear deck conversion at 517 Arlington Street. 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 Cara, and unanimously approved.

Under Neighborhoods, Downtown and Historic District Committee report, a motion was made by Evans and seconded by Cara to appoint Bill Harlem to the Historical Architectural Review Commission (HARC) to fill a vacant position. Councilman Connely asked if there was an application, resume or letter of intent from this applicant. Councilman Evans stated that there was no correspondence attached. A motion was made by Mace, seconded by Connely, and unanimously approved to table the pending motion.

Mayor Morrison announced that Halloween Trick or Treat Night will be held on October 31, 2015. Mayor Morrison also announced that a proclamation was issued for "Back to Church Sunday" scheduled for September 20, 2015. Mayor Morrison stated that the purpose of the event, promoted by the Tamaqua Area Faith Fellowship Network, is to encourage people to come back to church.

The meeting was opened to the floor.

Herb Curvey of 118 Clay Street asked for an update on West Street between Clay and Union Street. Manager Steigerwalt stated he would follow up with the Code Enforcement Officer and ask for an update. Mr. Curvey also stated that a hymn sing would take place at Depot Square on Sunday.

Councilman Cara stated that he visited the recently opened restaurant The Dog Haus, and questioned if businesses are required to be handicap accessible. President Gursky stated that existing businesses are required to provide reasonable access if they can, however some storefronts are not long enough to accommodate a ramp. Councilman Mace discussed the specifications required for a wheelchair ramp. President Gursky stated that newly constructed businesses are required to be handicap accessible.

Andrew Leibenguth of 429 Rear Mauch Chunk Street showed council a set of lights that will be used on the trees in the downtown. Mr. Leibenguth explained that the solar lights will not be very bright, but all together will stand out.

Deb Althouse of 406 Pitt Street expressed her concerns regarding the lack of handicap accessibility at some of the local businesses. Ms. Althouse asked if there is a way the borough can force businesses to better service people in wheelchairs. President Gursky stated that the borough does follow the Americans with Disabilities Act and businesses are required to make reasonable accommodations for the handicapped, if they can.

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

Solicitor Greek stated he is still working on responses to the Editorial & Legal Analysis for the Ordinance Codification Project.

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 Connely, seconded by Mace, and unanimously approved.

Councilman Cara left the meeting at approximately 8:06 p.m.

Under Unfinished Business, a motion was made to approve the Editorial and Legal Analysis decisions, as per the attached, for the Ordinance Codification Project. 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 Connely, seconded by Mace, and unanimously approved.

A recommendation was made to hold an executive session to discuss a real estate matter. 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.

The council meeting was recessed at approximately 8:08 p.m. while council met in executive session.

Councilman Cara returned to the meeting at approximately 8:10 p.m.

The council meeting was reconvened at approximately 8:42 p.m.

President Gursky stated that an executive session was held to discuss acquisition of real estate.

There being no further business, the meeting was adjourned at approximately 8:42 p.m. on motion of Mace, seconded by Connely, to meet again at the call of the President.

ATTEST:

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Amy Macalush, Assistant Borough Secretary/Treasurer