

The Tamaqua Borough Council held its first Regular Council Meeting for the month of February on Tuesday, February 18, 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, Brian Connely, R. Daniel Evans, David Mace and Justin Startzel. Absent were Councilmembers Micah Gursky 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 Vice President Connely. The invocation was given by Councilman Cara followed by the Pledge of Allegiance let by Councilman Startzel. The roll was called with five councilmembers present and two absent.

The reading of the minutes of the last Regular Council Meeting held on January 21, 2014 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Mace, seconded by Startzel, and unanimously approved.

Communication was received from James R. Connely, fire chief of American Hose Company No. 1, Inc. stating that the company is submitting an application to the Borough Zoning Office to install a fire suppression system in its building kitchen area. The communication is requesting a waiver of all fees assessed by the borough and their agents associated with this construction project. A recommendation was made to grant the request. Council recognized Tony Rodrigue of 28 South Railroad Street who expressed his concerns about the request and zoning hearing fees. Solicitor Greek stated that a zoning hearing is not required as the kitchen is already there and the use is not changing. There was no one else 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.

Communication was received from Antonio Rodrigue, chairperson of the Tamaqua Planning Commission, stating that there are two member vacancies and the commission is asking council to consider, at least temporarily, reducing the number of members from seven to five in order to have a quorum on a more frequent basis. The commission is trying to continue its review of the Eastern Schuylkill Planning SALDO and have agreed to hold unadvertised workshop sessions during the next four weeks. The commission would like to make its recommendations to council within the next four to six weeks. A recommendation was made to refer the matter to Solicitor Greek. 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.

Manager Steigerwalt reported on the following: snow removal procedures and policies for residents; running three crews and private contractors for snow removal; equipment breakdown and repairs; does not think that there will be any financial relief from the state; the borough has sufficient supplies of salt and anti-skid; snow removal schedule; and requested guidance from council as to how long the borough should use the private contractors. There was much discussion about the following: private contractors should be used for as long as it takes; equipment repairs; intersections are horrendous; continuing snow removal until a fire truck or other emergency vehicles can access every street; utilizing staff; look into purchasing snow blower attachments; and snow emergency routes and policies. A recommendation was made to have the Parking and Traffic Committee review the snow removal procedures and policies. 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 Evans, and unanimously approved.

Councilman Startzel asked if borough councilmembers could be trained on operating the plow trucks and he offered his assistance and is willing to help out. There was some discussion about this matter.

Manager Steigerwalt also reported that the Refuse and Recyclable Materials Collection Contract would be expiring at the end of May and he is putting together the bid documents. A motion was made by Mace and seconded by Cara to authorize the Borough Manager to prepare Requests for Proposals (RFP's) for Refuse and Recyclable Materials Collection. After some discussion, the motion and second was amended as follows: A recommendation was made to advertise for bids for Refuse and Recyclable Materials Collection. 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.

Chief Weaver requested that council consider changing the number of hours a part-time officer can work from 29 hours per week to up to 32 hours per week as permitted under the Affordable Care Act. 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 Startzel, seconded by Evans, and unanimously approved.

Chief Weaver discussed the capabilities of a Radar Speed Display sign from All Traffic Solutions. There was some discussion about this matter.

Chief Weaver also discussed expenses for vehicle maintenance.

Under the Public Safety Committee report, a recommendation was made to approve a Mutual Aid Agreement for fire protection with the Borough of Nesquehoning. Council recognized Fire Chief Hartz who stated that Schuylkill Haven Borough and Mahanoy City Borough are also 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 Evans, seconded by Mace, and unanimously approved.

Under the Public Safety Committee report, a recommendation was made to hire Christopher Cruz as a part-time police officer, effective immediately. 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 Mace, and unanimously approved.

Chief Weaver introduced Officer Christopher Cruz.

Chairman Mace of the Recreation and Youth Committee stated that the committee meeting scheduled for February 13th was cancelled due to the weather and the next meeting is scheduled for February 20th.

The meeting was opened to the floor.

Bob Haggerty of 222 Broad Street presented council with a petition signed by approximately 160 residents who live in the area of the 200 block of East Broad Street to either lower the rates, or remove the parking meters in the 200 block of East Broad Street. Mr. Haggerty expressed the concerns of the residents as follows: the area of the High Rise and Majestic House is a heavily populated area; the parking meter increase is a 500% increase, from four dollars per week to twenty dollars per week; most of the people who live in the 200 block of East Broad Street are on fixed incomes, Social Security, disability, or Section 8 housing; they cannot afford \$1,000 per year for

parking; they would like the parking meters returned to ten-cents; and to offer more handicapped parking.

Janet Haggerty of 222 East Broad Street stated that the elderly people were not able to come to the meeting because of the bridge project. Mrs. Haggerty was asked by residents to express their concerns as follows: does council really care about the elderly or is it about the parking meter money; and to do something for the people of the High Rise.

There was also discussion about the following: removing the parking meters, making ten parking meter spaces into handicapped parking spaces; there are 144 units and 30 parking spaces at the High Rise and three of those spaces are reserved for staff members; it is really rough for people with canes and walkers to go out to place money in the meters; there are three businesses located in the area; and there is more concern for businesses than for residents.

A motion was made by Startzel to remove the parking meters. The motion died for lack of a second.

A recommendation was made to refer the parking meter issue to the Parking and Traffic Committee for review. Councilman Cara suggested Mr. Haggerty attend the Parking and Traffic Committee meeting. Council recognized Mrs. Haggerty who asked how long it would take to review this issue. Councilman Evans stated that the Parking and Traffic Committee meets once a quarter. Council recognized Tony Rodrigue of 28 South Railroad Street who stated that parking permits are used in the areas east of Pine Street and west of Nescopec Street. Council recognized Mr. Haggerty and Michelle Mehallic who also discussed parking permits. 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 Startzel, and unanimously approved.

Raymond Bonetsky of 652 East Broad Street asked about the status of a civil complaint that was served against the Reading, Blue Mountain and Northern Railroad for the reimbursement for repairs to a portion of a retaining wall collapsed along Pleasant Row. Solicitor Greek stated that the railroad has a new attorney and he is working with him.

Edward Moran of 30 Clay Street expressed his concerns about a misunderstanding about the schedule for snow removal on his street. Mr. Moran stated that residents thought that snow removal would begin at 11 a.m. but residents were awakened by police at 1:00 a.m. informing them that they needed to move their cars immediately. Mr. Moran also stated that those residents who complied and moved their vehicles should not be ticketed too, yet they were still ticketed the \$25 by police. Mr. Moran suggested that snow removal signs should have a starting time and an approximate ending time to help eliminate confusion and misunderstandings. Chief Weaver commented that the police need time to run the license plate of a vehicle to find the address of the owner and then notify them by going to the residence.

Stanley Huegel of 15 Clay Street also expressed his concerns about a misunderstanding about the schedule for snow removal on his street, and the communication and procedure process. Mr. Huegel stated that he paid his \$25 fine today. Vice President Connely discussed the possibility of using the Code Red Emergency Communications Network to notify residents by phone. The borough would look into this matter.

Kathy Nunemacher of 322 Mahanoy Street expressed her concerns about a vacant house on the corner of Mahanoy and Coal streets and another one on Spruce Street. There was some discussion about this matter and filing a complaint with code enforcement officials.

Mrs. Nunemacher stated that she has been at numerous places looking for salt and asked if anyone had any suggestions where she could find some.

Michelle Mehallic of 313 Orwigsburg Street expressed her concerns about the following: asked if people who do not shovel their sidewalks get fined; residents who throw snow into the streets; if residents are allowed to throw snow into the street; and she cleans the area of the South Ward Playground but is unable to move big boulders of snow on the sidewalks that show up after a snow plow goes through. There was some discussion about these matters.

Patricia Dougherty of 330 Market Street requested that a stop sign be placed at Union and Market streets to slow down traffic before the hill. There was some discussion regarding this matter and that stop signs are used to control intersections and not speed. Ms. Dougherty also expressed concerns about the following: the snow plows are only plowing uphill and on their hill the plow did not make two passes; visibility issues; and safety issues. Vice President Connely referred these matters to the Parking and Traffic Committee.

Liz Pinkey of 237 West Broad Street stated that property owners must maintain a three-foot-wide path on their sidewalks that is clear of all snow and ice but asked if property owners need to provide paths from the street onto the sidewalks. Property owners do not need to provide paths from the street onto the sidewalks.

Joseph Salla Jr. of 204 Owl Creek Road commended the borough truck drivers for doing a fantastic job with snow plowing. Mr. Salla stated that there is a problem with people who have snow plows because they are making the road narrower.

Mr. Salla asked what the final cost was for the Owl Creek Reservoir Project. The total cost was approximately \$5.2 million. Mr. Salla expressed his concerns that ATVs are destroying the reservoirs and the ATVs are also starting to ride on Owl Creek Road creating safety issues.

Mr. Salla stated that he had a complaint about a borough employee. Vice President Connely stated that a complaint about a borough employee would not be discussed in a public forum and that he should discuss the complaint with Manager Steigerwalt.

Michelle Mehallic commended the borough workers for doing a good job.

Shelly Bonser of 419 North Elizabeth Street commended the Tamaqua Police Department for a great job on the recent drug bust.

Dian Fudge of 500 Anderson Street discussed the placement of a stop sign on Market Street to control an intersection.

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

Mayor Morrison discussed an ordinance that requires property owners to remove snow from their sidewalks. Mayor Morrison reported on the following: the borough is sub-contracting for some of the snow removal; a code enforcement blitz on property owners who did not clear their sidewalks; habitual offenders who never make an effort to clear the snow from their sidewalks; and 70 citations were issued.

Mayor Morrison also reported that the Fire Police meet every month. Mayor Morrison stated that volunteers are diminishing, however, at the February meeting, three new members were sworn in.

Mayor Morrison also reported that the Police Department took ownership of the new squad car.

Mayor Morrison also reported that the Police Pension Commission, Non-Uniformed Employee Pension Committee and Uninvest Municipal Pension Services members held their quarterly pension meeting. Mayor Morrison stated that some of the items discussed were the investment performance of the plans, cost-of-living adjustments for eligible retired police officers and the non-uniformed early retirement provision.

Mayor Morrison requested an executive session to discuss personnel issues prior to adjournment.

Solicitor Greek discussed a resolution authorizing the newly elected Tax Collector, Pamela J. McCullion, to release and furnish information regarding the 2012-2013 tax year, upon request.

The following resolution was presented for council's consideration:

**RESOLUTION NO. 2014-2
A RESOLUTION OF THE BOROUGH OF TAMAQUA
SCHUYLKILL COUNTY, PENNSYLVANIA,
ELECTED TAX COLLECTOR INFORMATION RELEASE**

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 Startzel, and approved by a unanimous roll call vote.

Solicitor Greek discussed an ordinance amending Ordinance No. 295 which provides for the establishment and regulation of the non-uniformed employees' retirement plan optional retirement benefits. A recommendation was made to advertise the amended ordinance with clarifications to the optional retirement benefits. 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.

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 Startzel, 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.

Under New Business, Manager Steigerwalt reported that he had a resolution accepting a \$45,000 grant for the purpose of purchasing equipment for police services to present for council's consideration:

**RESOLUTION NO. 2014-3
RESOLUTION OF THE BOROUGH COUNCIL, TAMAQUA, PENNSYLVANIA,
REGARDING GRANTS FROM THE JOHN E. MORGAN FOUNDATION, INC.**

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 Startzel, and approved by a unanimous roll call vote.

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 Evans, and unanimously approved.

The council meeting was recessed at approximately 8:30 p.m. while council met in executive session.

The council meeting was reconvened at approximately 8:45 p.m.

Vice President Connely stated that an executive session was held to discuss personnel and litigation matters.

There being no further business, the meeting was adjourned at approximately 8:45 p.m. on motion of Mace, seconded by Cara, to meet again at the call of the President.

ATTEST:

Georgia Depos DeWire, Borough Secretary/Treasurer