

The Tamaqua Borough Council held its first Regular Council Meeting for the month of March on Tuesday, March 4, 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, Micah Gursky and Justin Startzel. Absent were Councilmembers David Mace 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 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 February 18, 2014 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Connely, seconded by Cara, and unanimously approved.

Communication was received from John Tracy of 724 East Broad Street stating that effective immediately, he no longer wishes to serve on the Tamaqua Area Water Authority. A recommendation was made to accept his letter of resignation and to send him a thank you letter for his years of service. 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 Evans, and approved by a 4-1 vote with Councilman Startzel opposed.

Communication was received from Timothy M. Stahl of 324 East Union Street expressing his concerns about the enforcement of Ordinance No. 545 (Residential Rental Inspection Ordinance) as follows: cost; availability for compliance; burden on renters and landlords; security; discrimination; application; and historical standard of enforcement. Mr. Stahl requested the following: that council immediately suspend enforcement of Ordinance No. 545; fix the many inherent mistakes; draft an ordinance that is fair to all the citizens of Tamaqua while promoting public safety in all homes regardless of tenant or owner occupied status; and that council should carefully consider the tremendous burden of taking on an outside, for-profit firm to enforce local ordinances.

Communication was received from Kathy and Pat of 711 Arlington Street and Janene and Joe of 707 Arlington Street thanking the borough crew for the good job they did on snow removal on their street.

Communication was received from Dina Depos stating that the Tamaqua Salvation Army would like to hold a Kidz Karnival to raise funds for their outreach and assistance programs to help meet the needs of local people during these difficult times. The communication is requesting permission to close and use the North Railroad Street Parking lot from 1 p.m. to 10 p.m. on August 5, 2014 for a Kidz Karnival event. The Karnival would be held on the same day as National Night Out. President Gursky referred the matter to the Recreation and Youth Committee.

Communications were received from John W. Steele, Karen M. Davison, Donna White and David W. Christ stating their intent to retire from the Borough of Tamaqua effective December 31, 2014 contingent upon the passage of the amended retirement ordinance (amendment to Ordinance No. 295 enacted October 14, 1969).

A recommendation was made to adopt an ordinance amending an Ordinance No. 295 which provides for the establishment and regulation of the non-uniformed employees' retirement plan optional early retirement benefits. The following ordinance was presented for council's consideration:

**ORDINANCE NO. 672**

**AN ORDINANCE AMENDING ORDINANCE NO. 295, AS AMENDED, WHICH PROVIDES FOR THE ESTABLISHMENT AND REGULATION OF THE EMPLOYEES' RETIREMENT PLAN OF THE BOROUGH OF TAMAQUA, SCHUYLKILL COUNTY, PENNSYLVANIA.**

A recommendation was made to adopt the foregoing ordinance. Council recognized Tim Stahl who asked about the ordinance. There was some discussion about the ordinance. 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 Startzel, and approved by a unanimous roll call vote.

A recommendation was made to accept the letters of retirement from John W. Steele, Karen M. Davison, Donna White and David W. Christ. 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 Cara, and unanimously approved.

Manager Steigerwalt reported on the following: the Refuse and Recyclable Materials Collection Contract; the additional snow removal schedule; and an update from DEP regarding the Brew Street project. There was some discussion about these matters.

Chief Weaver stated that vehicle number 180 needs a transmission rebuilt at a cost of approximately \$1,200.00. A recommendation was made to have the transmission rebuilt for vehicle number 180 by Recla's Transmission at a cost of approximately \$1,200.00. 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 Startzel, and unanimously approved.

Chief Weaver requested approval for Officer Anthony Stanell and Officer Thomas Rodgers to attend the Pennsylvania Narcotic Officers' Association Annual Training Conference and Business Meeting in Harrisburg from March 26, 2014 to March 28, 2014 at a cost of \$608.00. The cost includes a conference registration fee and a lodging package plan. 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 Evans, and unanimously approved.

Under the Recreation and Youth Committee report, a recommendation was made to approve the season and daily pass fees for the H.D. Buehler Memorial Pool for the 2014 season. 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 Connely, and unanimously approved.

The pool rates for 2014 are as follows:

	<u>SEASON PASS</u>
TAMAQUA AREA SCHOOL DISTRICT RESIDENTS	\$ 10.00 per person
OUTSIDE OF TAMAQUA SCHOOL DISTRICT	\$ 100.00 per person
	<u>DAILY PASS</u>
TAMAQUA AREA SCHOOL DISTRICT RESIDENTS	
Monday thru Friday (6 years and older)	\$ 5.00 per person
Saturday and Sunday (6 years and older)	\$ 6.00 per person
Pre-school (under 6 years old)	\$ 1.00 per person

OUTSIDE OF TAMAQUA SCHOOL DISTRICT

Monday thru Friday (6 years and older)	\$ 15.00 per person
Saturday and Sunday (6 years and older)	\$ 20.00 per person
Pre-school (under 6 years old)	\$ 1.00 per person

Under the Recreation and Youth Committee report, a recommendation was made to open the pool the day after school ends. 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.

Under the Recreation and Youth Committee report, a recommendation was made to hire Adrian Bumbulsky as pool manager and Chelsea Jones as assistant pool manager for the 2014 season at the pay rates of \$15.00 and \$12.50 per hour, respectively. 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.

Under the Recreation and Youth Committee report, a recommendation was made to advertise for part-time lifeguards and pool clerks for the 2014 season. 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 Cara, and unanimously approved.

Under the Recreation and Youth Committee report, a recommendation was made to change the pool occupancy limit to 500 patrons provided an adequate number of lifeguards are available. 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 Cara, and unanimously approved.

Under the Recreation and Youth Committee, Councilman Startzel reported that he had a Fee Schedule Resolution changing the rental fee for the Bungalow Park Pavilion to \$50.00 and deleting the rental fees for the Tamaqua Community Center to present for council’s consideration:

**RESOLUTION NO. 2014-4  
BOROUGH OF TAMAQUA  
FEE SCHEDULE RESOLUTION**

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 Startzel, seconded by Cara, and approved by a unanimous roll call vote.

Under the Recreation and Youth Committee report, a recommendation was made to have Solicitor Greek prepare a one-year lease agreement for the pool concession stand. 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 Startzel, seconded by Cara, and unanimously approved.

Under the Public Safety Committee report, a recommendation was made to approve one Fire Chief to attend the conference and obtain hands-on training at the Fire Department Instructor Conference (FDIC) in Indianapolis, Indiana from April 7-12, 2014. Chairman Connely explained that the FDIC Firefighter Conference is a one week conference that provides training on a national level. Chairman Connely stated that there is money in the budget for two fire chiefs to attend conferences and training. 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 Evans, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to install three evenly spaced, 32 inch x 48 inch windows on the first floor northern exterior block wall and the windows shall be of the same material and style as the replacement windows on the front of the property, double hung low-e glass and screens at 20 East 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 Startzel, seconded by Cara, and approved by a 4-0-1 vote with Councilman Gursky abstaining.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to install a projecting sign for a business at 41 West Broad Street as follows: to seek approval from Tamaqua Area Community Partnership (TACP) as required in a written agreement with the property owner regarding changes to the exterior of the property; sign shall hang on the proposed scroll style bracket; sign dimensions and design shall be in accordance with either design shown on drawing by art sign works; and the sign cannot be of the lighted type, internally or externally illuminated and a separate application shall be submitted for such 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 Cara, and unanimously approved.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for Juan "John" Guerrero of 297 High Street within 50 feet of 297 High 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 the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for Lee W. Calkins of 313 Orwigsburg 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.

Chairman Evans of the Parking and Traffic Committee also reported that the next committee meeting is scheduled for March 11, 2014 at 7:00 p.m.

The meeting was opened to the floor.

Timothy M. Stahl of 324 East Union Street stated that he had additional concerns about the enforcement of Ordinance No. 545 (Residential Rental Inspection Ordinance). Mr. Stahl's concerns included, but were not limited to, the following: availability of code enforcement for Saturday hours; the inspection cost of \$25.00 is a burden; discriminating against and singling out renters and landlords; a landlord must submit a list of renters and persons occupying his rental property to the borough; no other business comes under this type of scrutiny and inspection; it is a violation of his tenants Fourth Amendment rights; recommended inspecting every business and all properties; penalties for violation; his properties are up to code and has never had police at his rental units; he is free to take the borough to court; and if the borough wants to inspect his place he suggest the borough gets a warrant. President Gursky's responses to Mr. Stahl's issues included, but were not limited to, the following: there is a business relationship between a landlord and a renter; there have been issues and unsafe conditions with residential rental properties; the good landlords are up to code; and the ordinance is right for the borough. Fire Chief Hartz stated that the borough is being

proactive rather than reactive and it helps to know the names and how many people are living in the house in the event of a fire. There was much discussion about these matters.

Karen Davison of 30 South Street commented on some of the highlights of her 35 years as a borough employee as follows: since 1999 employees have contributed almost \$11,000 to the Schuylkill United Way through donations, pledges and bake/soup sales; benefits were held for two employees and an employee's spouse with serious health conditions; and every Friday the office staff pays \$2.00 to dress down and wear jeans and approximately \$1,850 was donated to charitable organizations such as the Carbon-Tamaqua Cancer Society Telethon, the Tamaqua Salvation Army Angel Tree program for children, the St. Joseph's Center, and to victims of tragedies or illnesses; the women in the office also individually sponsor children for the Angel Tree program; Water Authority employees, on rounds checking tanks, alerted police and helped police apprehend two individuals stealing copper from a cell phone tower; the Borough Manager and his son put up the wooden Christmas ornaments every year in the bitter cold; several employees are involved with the Tamaqua American Legion preparing breakfasts, dinners, etc. all while helping our Veterans; and many employees are volunteer firemen and active in the various fire departments putting in countless hours fighting fires, putting their lives on the line to help others and participating in fundraising events. Mrs. Davison stated that it had been an enjoyable 35-year run.

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

Mayor Morrison congratulated and thanked the retiring borough employees.

Under New Business, Manager Steigerwalt stated that vacancies are being created by the retirements. President Gursky referred the matter to the Finance, Wage and Salary Committee.

There being no further business, the meeting was adjourned at approximately 7:50 p.m. on motion of Connely, seconded by Startzel, to meet again at the call of the President.

ATTEST:

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Georgia Depos DeWire, Borough Secretary/Treasurer