

The Tamaqua Borough Council held its first Regular Council Meeting for the month of July on Tuesday, July 1, 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, Kerry Lasky, David Mace and Justin Startzel. Officials present were Mayor Christian Morrison, Public Works Director Robert Jones, Solicitor Michael S. Greek and Borough Secretary/Treasurer Georgia Depos DeWire.

The meeting was called to order by President Gursky. The invocation was given by Councilman Cara followed by the Pledge of Allegiance led by Public Works Director Robert Jones. The roll was called with all councilmembers present.

The reading of the minutes of the last Regular Council Meeting held on June 17, 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 Eileen Barron of 317 Arlington Street stating that she is resigning her appointed position as Assistant Borough Treasurer immediately. A recommendation was made to accept her letter of resignation. 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 Donna J. Gerber, secretary of Preceptor Alpha Upsilon, thanking council for allowing the use of the playground and pavilion park at the Bungalow for their Easter Egg Hunt event.

Communication was received from Earl Edmondson stating that he is interested in the in-house job posting position of Chief Mechanic. A recommendation was made to appoint Earl Edmondson to the position of Chief Mechanic and to post an in-house job vacancy for Assistant Mechanic. 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 Startzel, and unanimously approved.

Communication was received from Antonio E. Rodrigue, II, chairman of the Tamaqua Planning Commission, stating that the Planning Commission has been reviewing the existing ordinances and recommended changes at its regular meetings. The Planning Commission continues to have serious issues with the inequity and conflict in applying the provisions of the ordinances to the Borough of Tamaqua. The Planning Commission is urging Council to give serious consideration to holding a special meeting including with Members of Council, Code Enforcement and Zoning Officer Joshua Esposito of Barry Isett, David Horst of Alfred Benesch, the borough's engineer, Solicitor Michael Greek and representatives of the Planning Commission present to discuss the details and examples of its concerns before taking further action on the proposed changes to these ordinances. Councilman Startzel recommended holding a special meeting with the Planning Commission. President Gursky stated that the Planning Commission already met with all parties. There was some discussion about this matter. A recommendation was made to refer the matter to the Neighborhoods, Downtown and Historic District Committee to set up a meeting with the Planning Commission. Council recognized Tim Stahl of 324 East Union Street who expressed

his concerns about who is on the roll call on Zoning and the minutes of the last meeting for the motion. 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 Startzel, seconded by Mace, and unanimously approved.

Under Communications, Councilman Cara discussed a letter and invitation that was received from Kim Johnson, president and CEO of the YMCA of Reading and Berks County as follows: the Pennsylvania State Alliance of YMCAs has designated the week of August 4-8, 2014 as YMCA Advocacy Week in Pennsylvania; the purpose is to celebrate the work of the Y in local communities across the Commonwealth; the YMCA of Reading and Berks County will be hosting a "Better Together" celebration at three of its branches; and an invitation to join the YMCA at any or all of its events on August 6th from 12:00 p.m. to 2:00 p.m. at the Sinking Springs Family YMCA, on August 7th from 10:30 a.m. to 12:30 p.m. at the Tamaqua YMCA, and August 8th from 12:00 p.m. to 2:00 p.m. at the Reading YMCA.

Under the Borough Manager's report, Public Works Director Jones reported on the Wabash Creek illegal sewer discharges as follows: gave an update on the five properties on Hunter Street that were found to be discharging into the Wabash Creek; a fourth property owner connected two weeks ago; a fifth owner has a contract lined up; and gave an update on properties that were filed with the Magistrate - one was dismissed because the owner had changed, three properties are vacant and the water is turned off, and there is a hearing for one property owner.

Under the Borough Manager's report, Public Works Director Jones reported on the COSTARS Gas Card Program as follows: an application was submitted and approved; the borough would save up to 15% on its yearly fuel bills; provides driver identification and pin number; provides the mileage of the vehicle; provides a comprehensive report; eliminates paper billing; and an online statement would be available to Manager Steigerwalt, Public Works Director Jones and Borough Secretary/Treasurer DeWire.

Under the Borough Manager's report, Councilman Cara expressed concerns that someone is discharging into the Panther Creek because it looks black at times. Public Works Director Jones stated that the Department of Environmental Protection (DEP) is aware of it. Councilman Startzel asked about a response from DEP about a surface mining permit project. A response was not received from DEP regarding the permit project. There was some discussion about these matters.

Under the Recreation and Youth Committee report, a recommendation was made to install playground warning signs on Washington Street for northbound and southbound traffic approaching the North and Middle Ward Playground. There was some discussion about the placement of the signs, the size of the signs, people enjoying the playground and that Ray Sell and the playground volunteers have the playground looking great and are doing a good job there. 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.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to add 67 Hunter Street, 130 Clay Street and 301 Pitt Street to the demolition project list. Council recognized Thomas Rockwell of 236 Mauch Chunk Street who stated that he owns twenty properties here in Tamaqua and he is interested in increasing the living

conditions here. There was some discussion about these matters including property demolitions, property owners and prioritizing demolitions in terms of danger. There was no one else from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Startzel, seconded by Mace, and unanimously approved.

The meeting was opened to the floor.

Thomas Rockwell of 236 Mauch Chunk Street stated that he received approximately \$350 in code enforcement fines on two buildings. Mr. Rockwell expressed his concerns about code enforcement issues as follows: the section on the violation ticket showing that he has ten days to take action on the violation has been crossed out; two violations came on June 23rd and he found them on June 25th and two others came on June 27th; he cut the grass at a property for which he received a violation notice and nine days after he cut the grass at that property, a borough work crew came to cut the grass at the same property; he owns twenty buildings in town and four have been targeted within the last month; and no warnings are given to a property owner prior to a violation being issued. President Gursky stated that Mr. Rockwell can challenge a violation and should notify the Code Enforcement Department if he chooses to challenge a violation. Mr. Rockwell also expressed his concerns about the following: that the fines will increase even if he challenges a violation; low income residents may not be able to afford the cost of a violation ticket; and tenants take the violation tickets and the landlord never knows about a violation. There was much discussion about these matters and giving tenants a list of common violations.

Tim Stahl of 324 East Union Street asked who the third party that is cutting the grass is and if the borough can give the crew the ability to fine a property owner. President Gursky stated that the work crew is assigned by the Borough Manager or Public Works Director and the crew has no ability to fine a property owner.

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

A recommendation was made to hold an executive session to discuss personnel and litigation issues. 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 7:47 p.m. while council met in executive session.

The council meeting was reconvened at approximately 8:58 p.m.

President Gursky stated that an executive session was held to discuss personnel matters and multiple litigation issues.

A recommendation was made to hire Amy Macalush for the Assistant Borough Secretary and Assistant Borough Treasurer positions at a rate of \$18.75 per hour and with a starting date to be determined later. 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 approved by a 5-2 vote with Councilmembers Lasky and Startzel opposed.

A recommendation was made to hire Shannon Boyer for the Utility Clerk position at a rate of \$13.50 per hour to start on July 28, 2014. 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.

There being no further business, the meeting was adjourned at approximately 9:00 p.m. on motion of Connely, seconded by Mace, to meet again at the call of the President.

ATTEST:

Georgia Depos DeWire, Borough Secretary/Treasurer