

The Tamaqua Borough Council held its first Regular Council Meeting for the month of September on Tuesday, September 15, 2020 at 7:00 p.m. through the Zoom video conference system. The public was able to participate in the council meeting using a computer, tablet or smart phone with an internet connection using the link <https://us02web.zoom.us/j/87345351213> and by entering Meeting ID 873 4535 1213. Individuals who did not have internet access were able to participate by telephone by dialing 1-929-436-2866 and entering Meeting ID 873 4535 1213#.

Present were Councilmembers Robert Amentler, Ronald Bowman, Brian Connely, Mary Linkevich, Ritchie Linkhorst and David Mace. Absent was Councilmember Thomas Cara. Officials present were Mayor Nathan Gerace, Chief of Police Henry Woods, Borough Manager Kevin Steigerwalt, Public Works Director Robert Jones, Solicitor Anthony Odorizzi, Borough Secretary/Treasurer Georgia Depos DeWire and Director of Community Development Ann Marie Calabrese.

The meeting was called to order by President Mace. President Mace stated that the invocation and Pledge of Allegiance would be waived. The roll was called with six councilmembers present and one absent.

The reading of the minutes of the Regular Council Meeting held on August 18, 2020 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Bowman, seconded by Amentler, and unanimously approved.

Under Special Business, President Mace turned the meeting over to Fire Chief James Connely. Chief Connely stated that volunteer firefighters Thomas Nelson, William Morana and John Arner were being recognized tonight for their life saving efforts during a fire that occurred on August 12<sup>th</sup> at 320-322 West Broad Street in Tamaqua. The men rescued four adults and one child who were trapped on a balcony. Thomas Nelson was available to receive the award; however, William Morana and John Arner were on a fire call at the time.

Communication was received from Secretary/Treasurer Georgia DeWire informing borough council that the 2021 Minimum Municipal Obligation (MMO) for the Police Employees Pension Plan is \$278,330, the MMO for the Non-Uniformed Employees Pension Plan is \$162,306, and the MMO for the Non-Uniformed Defined Contribution Component Plan is \$26,000. Secretary/Treasurer DeWire stated that the borough would require state aid and/or borough contributions in the year 2021 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 2021 to meet the funding requirements for all pension plans would be approximately \$466,636.

A recommendation was made to approve the certification for the Police Employees Pension Plan calculating the 2021 MMO as \$278,330, the certification for the Non-Uniformed Employees Pension Plan calculating the 2021 MMO as \$162,306 and the certification of the Non-Uniformed Defined Contribution Component Plan as \$26,000. 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 Linkhorst, and unanimously approved.

Communication was received from David J. Meredith, parade chairperson/Post Adjutant 0173 for the Tamaqua American Legion C.H. Berry Post Number 173, informing council that due to restrictions from the Centers for Disease Control and Prevention (CDC) and the Pennsylvania Department of Health, the Veterans Day Parade is cancelled for this year, which would have been

held on November 7<sup>th</sup> at 10:00 a.m. The American Legion Honor Guard will be presenting A Military Rifle Salute and Taps at the two monuments in Tamaqua at 11:00 a.m.

Manager Steigerwalt reported that he had a resolution extending the Mayor's Declaration of Disaster Emergency of March 20, 2020 for a seventh thirty (30) day additional period to terminate on October 24, 2020 to present for council's consideration:

**RESOLUTION NO. 2020-14**

**A RESOLUTION OF THE BOROUGH OF TAMAQUA, SCHUYLKILL COUNTY, PENNSYLVANIA, PURSUANT TO SECTIONS 10A06 OF THE PENNSYLVANIA BOROUGH CODE, AND SECTION 7501 OF THE PENNSYLVANIA EMERGENCY MANAGEMENT SERVICES CODE, EXTENDING THE MAYOR OF TAMAQUA'S DECLARATION OF DISASTER EMERGENCY OF MARCH 20, 2020 FOR AN ADDITIONAL PERIOD OF THIRTY (30) DAYS.**

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

Manager Steigerwalt reported that he had a resolution approving the budget for the Community Development Block Grant Program (CDBG) for fiscal year 2020 to present for council's consideration:

**RESOLUTION NO. 2020-15**

**APPROVING BUDGET FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2020.**

A recommendation was made to adopt the foregoing resolution. The detailed the budget as follows: demolition \$30,721; administration \$22,479; and street improvements \$71,684; and the total amount of the grant is \$124,884. Manager Steigerwalt stated that the resolution also approves the three-year Community Development Plan. 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 approved by a unanimous roll call vote.

Manager Steigerwalt reported on a Schuylkill County Tax Claim Bureau Repository Sale for a property located on Hutchinson Drive, tax parcel number 65-06-0001.007 and a property located at 156 Spruce Street, tax parcel number 65-16-0033.000. Manager Steigerwalt stated that there are no issues with the bidders.

A recommendation was made to approve the Schuylkill County Tax Claim Bureau Repository Sale of a property on Hutchinson Drive, tax parcel number 65-06-0001.007, to Brian and Anne Connely. 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 Linkhorst, and approved by a 5-0-1 vote with Councilman Connely abstaining.

A recommendation was made to approve the Schuylkill County Tax Claim Bureau Repository Sale of a property at 156 Spruce Street, tax parcel number 65-16-0033.000, to Prithvi Pablani. 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 Amentler, and unanimously approved.

Manager Steigerwalt reported on the 2020-2021 insurance policy renewal with The Seltzer Group. Manager Steigerwalt stated that he does not have the pricing yet and the policy renews on October 1, 2020. A recommendation was made to refer the insurance policy renewal to the Borough Manager 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 Bowman, seconded by Linkevich, and unanimously approved.

Manager Steigerwalt also reported on the following: the Owl Creek Oil and Chip Project; the Street Resurfacing Project; and a bid opening for the heating oil contract.

Director of Community Development Calabrese reported on the following: a ribbon cutting for the Wheel Restaurant; a Citizens Advisory Committee (CAC) update; Solicitor Odorizzi prepared new CAC by-laws and documents; a loan closing would be held on Thursday for a roof replacement; the sidewalk program; two restaurants are participating in the Tamaqua Dines Out Program; and removing the program expiration date from the Tamaqua Dines Out application. A recommendation was made to completely remove an expiration date from the Tamaqua Dines Out Application retroactive to August 31, 2020. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Linkevich, seconded by Connely, and unanimously approved.

Under the Public Safety Committee report, a recommendation was made to purchase an Autel EVO II Pro 8K drone bundle at a cost of approximately \$2,300.00. There was some discussion about the following: the purchase of the drone; licensing requirements; regulations; additional research; a recommendation to appoint a single person, if not two, from various departments to qualify to use the drone; and the drone is not a toy and is meant to be used for business purposes for the benefit of 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 Bowman, and unanimously approved.

Chairman Connely of the Public Safety Committee discussed a fire tax designating approximately two to two and one-half mills that would take the place of the borough's annual appropriation to each of the fire companies. There was much discussion about the following: the fire companies are struggling with the current climate; the tax would take the place of the annual allocation; people who know that they are already being taxed for a fire service may not donate to the annual fund drive; concerns that a tax increase puts a burden on individuals in town, especially those with fixed incomes and incomes of \$45,000.00 or less; concerns that the borough's general fund balance would be affected and may put the borough in a position where it would not be able to raise taxes; the borough had a fire tax once before, where a separate fund was created, and managing the account became cumbersome; preparing a preliminary budget for 2021 with different fire tax millage and the effect to the borough's budget; and looking for feedback.

Chairman Connely of the Public Safety Committee requested an executive session prior to adjournment to discuss personnel matters.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 432 Arlington Street. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Linkhorst, seconded by Amentler, and unanimously approved.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 244 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 Linkhorst, seconded by Linkevich, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to install an emergency backup generator on a concrete slab and enclose it in a fence at 1 West Broad Street. The Historical Architectural Review Commission (HARC) board recommended the fence be a beige granite color as depicted in the application. 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 Amentler, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to install a new store front service counter with a sliding window in the front of the building and new stairs/guard in the rear of the building at 14 West Broad Street. The HARC board recommends that the stairs be constructed of pressure-treated lumber and that the service window size be the same as the existing window. 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 Amentler, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to replace signs at 100 East Broad Street. 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 Linkhorst, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a motion was made by Bowman to issue a Certificate of Appropriateness to demolish the structure and change the use to off-street parking at 248-250 Mauch Chunk Street. Manager Steigerwalt stated that the HARC board determined that additional information is required to determine if the proposed demolition is appropriate. The HARC board also requested estimates for the demolition and rehabilitation of the structure. The motion was rescinded.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to install a door to replace the existing front first floor windows and to replace all windows on the structure and the existing front entry door in kind at 409 East Broad Street. The HARC board determined that the arch above the proposed door must be maintained and that the proposed windows must be double hung with a smaller single pane window above. 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 Amentler, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to install a ramp at 432 Arlington Street. 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 Linkhorst, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to install a deck and replace stairs at 523 Arlington Street. 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 Amentler, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to install a shed at 18 South Lehigh Street. 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 Linkhorst, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to install a LED sign at 555 East Broad Street. Manager Steigerwalt noted that the HARC board recommended to council that a Certificate of Appropriateness be denied for the proposed sign because it is internally illuminated. There was much discussion about the following: the sign is not a flashing sign; the sign would be used for public service announcements or events; the sign is for the East End Fire Company; a sign was looked into years ago; and the ordinance was changed a few years back and an exception was made for certain internally lit signs such as for neon bar signs. There was no one from the floor wishing to address council about this matter. President Mace called for a roll call vote. During the roll call vote, Councilmembers Bowman and Connely voted yes, but Councilmember Linkevich asked for clarification of the motion before her vote. President Mace stated that a yes vote approves the Certificate of Appropriateness, and a no vote disallows it. After some discussion, Councilmembers Connely and Bowman amended their yes vote to a no vote. The recommendation was so ordered on motion of Bowman, seconded by Amentler, and the motion failed by a 2-4 roll call vote with Councilmembers Amentler, Bowman, Connely and Mace opposed.

Mayor Gerace reported that in the next week and one-half he will be announcing Trick or Treat night on his Facebook page. Councilmember Linkevich directed a question to the Mayor that she assumes that there will be a Trick or Treat night because that seems to be the question. There was some discussion about this matter. Mayor Gerace stated that he is trying to figure out the best and safest way to go about it and is still in conversations on figuring the best way of doing it.

The meeting was opened to the floor.

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

Solicitor Odorizzi reported the he and Manager Steigerwalt attended a Board of Assessment appeals regarding the piece of property on South Railroad Street that is the turnaround up behind the old Anchor Deep building and they were successful in getting the exemption. The property is now tax exempt.

Solicitor Odorizzi also reported on the Tamarack subdivision. He believes the developer dropped off security in the amount of approximately \$250,000.00 this afternoon so we can move forward on the development agreement and the other agreements for the subdivision. He would like to review the documents one more time since it has been so long since we provided them to the developer and he wants to make sure that nothing has changed since then. The developer is not using a traditional bond but is using cash. The funds would be held by the borough in a separate account. A recommendation was made to open a new account for the Tamarack Subdivision funds. 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 Linkhorst, and unanimously approved. There was also some discussion about the signing of four agreements; a land development plan that might need a signature and the cost estimate.

Solicitor Odorizzi also reported on the purchase of the Berwick House building by Bank on Broad. It is part of a bigger purchase for a couple of properties. They will not have the funds to pay off the Berwick House note that the borough holds on this property when they close. There was some discussion about this matter. The closing will be held at the end of September. At closing, they will give us a note, there will be a deed from Berwick House into the Bank on Broad, and immediately behind that the borough's mortgage would be recorded right after the Pennsylvania Housing Financing Agency (PHFA) mortgage, and although the borough would not be have been satisfied yet for the \$85,000.00, the borough will still be secured. A recommendation was made to approve the substitution of the Berwick House Note by the Bank on Broad Note, and to permit Borough Council President Mace to sign all documents necessary upon satisfaction of the Borough's Solicitor that the Borough will remain secured. 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 Linkhorst, 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 Bowman, seconded by Amentler, 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 Bowman, seconded by Linkevich, and unanimously approved.

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 Connely, seconded by Amentler, and unanimously approved.

The council meeting was recessed at approximately 8:07 p.m. while council met in executive session.

The council meeting was reconvened at approximately 8:20 p.m.

President Mace announced that an executive session was held to discuss personnel matters.

A recommendation was made to internally post for the advertising of the pending vacancy of the Chief of Police position. 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.

There being no further business, the meeting was adjourned at approximately 8:21 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