

The Tamaqua Borough Council held its second Regular Council Meeting for the month of September on Tuesday, September 19, 2017 at 7:00 p.m. in the Council Chambers at the Tamaqua Municipal Building, 320 East Broad Street, Tamaqua, PA.

Present were Councilmembers Ronald Bowman, Thomas Cara, R. Daniel Evans, Micah Gursky, Kerry Lasky and David Mace. Absent was Councilmember Brian Connely. Officials present were Mayor Christian Morrison, Chief of Police Richard Weaver, Borough Manager Kevin Steigerwalt, Solicitor Michael S. Greek and Borough Secretary/Treasurer Georgia Depos DeWire.

The meeting was called to order by President Mace. The invocation was given by Councilman Cara followed by the Pledge of Allegiance led by Councilman Bowman. The roll was called with six councilmembers present and one absent.

The reading of the minutes of the Regular Council Meeting held on September 5, 2017 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Cara, seconded by Bowman, and unanimously approved.

Communication was received from David J. Meredith, acting parade chairperson/Post Adjutant 0173 for the Tamaqua American Legion Post 173, requesting permission to hold the annual Tamaqua Veterans Day Parade on November 11, 2017 beginning at 10:00 a.m. 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 Bowman, seconded by Lasky, and unanimously approved.

Communication was received from Secretary/Treasurer Georgia DeWire informing borough council that the 2018 Minimum Municipal Obligation (MMO) for the Police Employees Pension Plan is \$283,944, the MMO for the Non-Uniformed Employees Pension Plan is \$79,830, and the MMO for the Non-Uniformed Defined Contribution Component Plan is \$20,000. Secretary/Treasurer DeWire stated that the borough would require state aid and/or borough contributions in the year 2018 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 2018 to meet the funding requirements for all pension plans would be approximately \$383,774. A recommendation was made to approve the certification for the Police Employees Pension Plan calculating the 2018 MMO as \$283,944, to approve the certification for the Non-Uniformed Employees Pension Plan calculating the 2018 MMO as \$79,830, and to approve the certification of the Non-Uniformed Defined Contribution Component Plan as \$20,000. 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 Bowman, and unanimously approved.

Communication was received from Dave Pucklavage, president, stating that the American Hose Company No. 1 is making preparations to demolish a structure located at 18 Pine Street and have submitted the required Zoning Permit Application. Mr. Pucklavage stated that the American Hose Company is requesting that Tamaqua Borough Council consider granting a waiver of all applicable fees associated with this project. 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 Bowman, and unanimously approved.

Manager Steigerwalt reported that bids were advertised for the demolition of 216 Penn Street for the third time. Manager Steigerwalt stated that he received two bids, one from Davis Cement Contractors of Mahanoy City, PA in the amount of \$24,999.00 and one from SDL Construction LLC of Orwigsburg, PA in the amount of \$40,000.00. A recommendation was made to award the bid for the demolition of 216 Penn Street to Davis Cement Contractors of Mahanoy City, PA in the amount of \$24,999.00. There was some discussion that fiscal year 2014 Community Development Block Grant funds would be used for the demolition and the cost is under budget. 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 Bowman, and unanimously approved.

Manager Steigerwalt also reported on the 2017-2018 insurance policy renewal with The Seltzer Group. Manager Steigerwalt stated that the total premium increased approximately \$1,000.00 from last renewal. The total premium for the 2017-2018 insurance policy renewal is \$147,776.00. A recommendation was made to approve the borough's 2017-2018 insurance policy renewal in the amount of \$147,776.00 with The Seltzer Group. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Gursky, seconded by Evans, and unanimously approved.

Manager Steigerwalt reported that he had a resolution adopting the required Community Development Block Grant (CDBG) plans and policies to present for council's consideration:

**RESOLUTION 2017-19
CDBG PLANS AND POLICIES
A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF TAMAQUA
ADOPTING REQUIRED CDBG PLANS AND POLICIES**

A recommendation was made to adopt the foregoing resolution. Manager Steigerwalt stated that the plans and policies developed by the County of Schuylkill are as follows: Citizen Participation Plan; Language Access Plan; Minority Business and Women Business Enterprise Plan; Procurement Policy; Residential Anti-Displacement and Relocation Assistance Plan; Section 3 Plan; Section 504 Plan; Drug Free Workplace Policy; and the Excessive Force Policy. 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 Lasky, and approved by a unanimous roll call vote.

Manager Steigerwalt stated that he had a Cooperation Agreement between the County of Schuylkill and the Borough of Tamaqua for the County to administer the Community Development Block Grant Program (CDBG). A recommendation was made to approve a Cooperation Agreement between the County of Schuylkill and the Borough of Tamaqua for the administration of the CDBG program. 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 Gursky, and unanimously approved.

Manager Steigerwalt reported that he had a resolution adopting Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) to present for council's consideration:

**RESOLUTION 2017-20
SECTION 504 TRANSITION PLAN
AS REQUIRED UNDER 24 CFR PART 8**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF TAMAQUA
ADOPTING SECTION 504 TRANSITION PLAN**

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

Under the Borough Manager's report, Councilman Cara asked about the Keller Dam Project under the CDBG grant program. Manager Steigerwalt stated that the Tamaqua Area Water Authority (TAWA) would be providing water service and the TAWA would incur the cost.

Manager Steigerwalt reported that he had a resolution approving the budget for the Community Development Block Grant Program for Fiscal Year 2017 in the amount of \$107,048.00 to present for council's consideration:

**RESOLUTION 2017-21
APPROVING BUDGET FOR CDBG PROGRAM FOR FY 2017**

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

Manager Steigerwalt also reported that an RFP (Request For Proposals) for Street Light engineering services went out and the due date is October 6, 2017.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 35 Pine Street. 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 Lasky, and unanimously approved.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 320 West Broad Street. 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 Lasky, and unanimously approved.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 336 Clark Street. 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 Lasky, and unanimously approved.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 212 Penn Street. It was noted that this application is a transfer of ownership. 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 Lasky, and unanimously approved.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 219 Pine Street. 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 Lasky, and unanimously approved.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 318 Arlington Street. 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 Lasky, and unanimously approved.

Under the Parking and Traffic Committee report, Councilman Evans discussed the handicapped applications as follows: providing the Mayor with a follow-up; as of January 2017, there were 61 renewals but only 53 were renewed; on average there are approximately 50 to 75 handicapped applications; the borough is managing the process; it is a fair policy; Christine Zamudio does a good job managing the handicapped application and renewal process for the committee; local population statistics; there are a large number of local citizens over the age of 65; 40 percent of the local population is getting older; information in the renewal process; and trying to manage the process effectively. Mayor Morrison stated that there are no ownership rights to any of the handicapped parking spaces and that a vehicle parked in the space must have a handicapped placard or license.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to allow the Tamaqua Remembers Committee to post information about the Memorial Day 150th Anniversary events on the Borough's website if the committee drafts the content. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Gursky, seconded by Bowman, 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 sign on the front of the building facing East Broad Street at 115 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 Gursky, seconded by Cara, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to demolish a dwelling at 18 Pine Street. Councilman Gursky stated that the property is a contributing building and that the Historical Architectural Review Commission Meeting Minutes of September 11, 2017 are incorrect in stating that the property has no Historical significance. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Gursky, seconded by Cara, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to demolish a dwelling at 307 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 Gursky, seconded by Cara, and unanimously approved.

Mayor Morrison announced that Trick or Treat night would be held on October 31, 2017 from 6-8 p.m.

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

The meeting was opened to the floor.

Karri Garber, Billy Garber and Carol Ann Garber of 200 Pine Street expressed their concerns about the following: handicapped accessibility and the condition of sidewalks at various

properties in the borough; these issues were already brought to council's attention and also discussed with code enforcement; have been waiting three years for results; the condition of a sidewalk at a property at the corner of Elm and Pine streets and near a property at 221 East Broad Street; bushes and weeds covering sidewalks; a tree is growing a tree out of its base in the area of 323-327 Pine Street; have photographs of the various properties; drug activity in the area of the liquor store and Tommy's Italian Specialty Shop was reported to the police on numerous occasions but the police had not responded to these calls; and a police officer told them to call the Communications Center to report the activity. Chief Weaver stated that they could call the Schuylkill County Drug Tip Line and he would look into their concerns.

Josh Schaeffer, president of On The Grind Association, stated that his nonprofit organization is interested in renovating, maintaining and managing the Willing Skate Park. His organization builds skate parks, renovates skate parks, writes grants, organizes fundraisers, also works with the Make-A-Wish Foundation, and is currently working on a project in Shoemakersville. Mr. Schaeffer presented council with a design to renovate the skate park. He stated that he is originally from the area and had skated in the Willing Skate Park. Councilman Evans stated that the Recreation and Youth Committee received an information package from On the Grind in June and extended an invitation to them to attend a council meeting to look at their vision plan. Councilman Gursky thanked them for coming to the meeting and explained a Maintenance and Use Agreement that is used with playground associations. Mr. Schaeffer stated that his organization can provide the borough with copies of their 501(c) (3) and IRS 990 Forms. A recommendation was made to send a letter to On The Grind expressing an interest in entering into a Maintenance and Use Agreement. Council recognized Josh Schaeffer who asked if sponsor signs could be placed at the park. President Mace stated that he does not see that it would be an issue. Mr. Schaeffer stated that examples of fundraisers may be a brick drive, a bench drive or a tree drive. Councilman Gursky stated that council would need to see specifics first. There was no one else from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Gursky, seconded by Bowman, and unanimously approved.

Joseph Salla of 204 Owl Creek Road expressed his concerns about the following: he has been taking care of the entrance to Owl Creek and found a syringe which a police officer on patrol would not pick up; he put up a new flag but the light on the flagpole needs repair; someone dismantled part of a drainage ditch; requested two ordinances be prepared, one for mandatory recycling and also a compost area; and Owl Creek needs storm drains. Manager Steigerwalt stated that the borough does have a compost area and single stream recycling. There was some discussion about these matters.

Agnes Versailles of 204 Owl Creek Road expressed her concerns about the following: drainage pipe issues; neighbor issues; borough property right-of-way; speeding and truck traffic on Owl Creek Road. There was some discussion about these matters.

Mr. Salla also expressed concerns about the following: Tamaqua Transfer and tractor trailers are not obeying the 5-ton limit for trucks on Owl Creek Road; why the new houses in Owl Creek do not have a sidewalk; shooting; burn barrels; security cameras; the pump station near his house may be in need of repair; and a telephone call from the Tamaqua Police Department in May stating that he was parked on a paper street. There was some discussion about these matters.

Ms. Garber also expressed her concerns about curb ramps along West Broad Street where the red blocks are sinking. There was some discussion about this matter.

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

Solicitor Greek requested an executive session prior to adjournment to discuss legal matters.

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 Cara, seconded by Bowman, and unanimously approved.

Under Unfinished Business, Councilman Evans reported that he had a PPL Street Light System Purchase and Sale Agreement and resolution to present for council's consideration:

RESOLUTION 2017-22
PPL STREET LIGHT SYSTEM PURCHASE AND SALE AGREEMENT

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 Evans, seconded by Gursky, and approved by a unanimous roll call vote.

Under Unfinished Business, Councilman Evans discussed the following: safety issues on North Railroad Street and the approval to move forward with PennDOT; line painting by PennDOT; signage; and street maintenance of Mauch Chunk Street. There was some discussion about these matters.

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 Gursky, and unanimously approved.

Under New Business, Councilman Gursky discussed the Schuylkill Firefighters' Association Emergency Services Training Center Campaign. The estimated project cost is \$2.4 million with funding coming from local, private, municipal, county, local fire companies, local match and other pledges. Councilman Gursky asked council to consider making a municipal pledge of \$5,000.00 per year for four years with funds designated from the Building and Equipment Fund. There was some discussion about the emergency services training center, the campaign and pledge. A recommendation was made to refer the pledge consideration to the Building and Equipment Committee. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Gursky, seconded by Bowman, and unanimously approved.

Under New Business, Manager Steigerwalt stated that the lease for the Magisterial Judge's Office expires on December 31, 2017 and the County would like to commence with renegotiating the lease.

Under New Business, Mayor Morrison reported that the Schuylkill County Boroughs' Association would be holding its fall dinner on October 19, 2017 at the Trinity Church's Founder's Hall in Tamaqua.

Under New Business, Council recognized Joseph Salla who asked what ever happened with the \$485,000 that the borough borrowed to enter into a contract with Municipal Energy Managers (MEM) to purchase the street lights. Solicitor Greek stated that MEM filed bankruptcy.

A recommendation was made to hold an executive session to discuss real estate, personnel and legal matters. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Lasky, seconded by Bowman, and unanimously approved.

The council meeting was recessed at approximately 8:55 p.m. while council met in executive session.

The council meeting was reconvened at approximately 9:32 p.m.

President Mace announced that an executive session was held to discuss real estate, personnel and legal matters.

There being no further business, the meeting was adjourned at approximately 9:32 p.m. on motion of Bowman, seconded by Cara, to meet again at the call of the President.

ATTEST:

Georgia Depos DeWire, Borough Secretary/Treasurer