

The Tamaqua Borough Council held its first Regular Council Meeting for the month of October on Tuesday, October 21, 2014 at 7:00 p.m. in the Council Chambers at the Tamaqua Municipal Building, 320 East Broad Street, Tamaqua, PA.

Present were Councilmembers Brian Connely, R. Daniel Evans, Micah Gursky, Kerry Lasky, David Mace and Justin Startzel. Absent was Councilman Thomas Cara. 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 Mace followed by the Pledge of Allegiance led by Councilwoman Lasky. The roll was called with six councilmembers present and one absent.

The reading of the minutes of the last Regular Council Meeting held on September 16, 2014 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Mace, seconded by Connely, and unanimously approved.

Under Special Business, President Gursky turned the meeting over to Mayor Morrison. Mayor Morrison presented a Certificate of Achievement to Rachael Paisley for the completion of her Girl Scout Gold Award. Ms. Paisley was recognized for holding a Pink Light Walk event, in 2013 and 2014, to raise awareness of breast cancer and to show support for survivors.

Communication was received from Jeffrey N. DeAngelo, E.I.T. and Greg A. Stewart, P.E. stating that on behalf of the West Penn Township Supervisors, Alfred Benesch and Company is in the process of updating the Township Comprehensive Plan. As part of updating the Comprehensive Plan, it is required that they notify the County, contiguous municipalities, and local school district and allow a 45 day period to review the document and offer comments by November 6, 2014.

Communication was received from Janet M. Sabo, auditor from the Bureau of Municipal Pension Audits, notifying the borough that an audit of the Tamaqua Borough Pension Plans would be performed for the period of January 1, 2011 to December 31, 2013. The objective of the audits will be to determine if the pension plans were administered in compliance with applicable state laws, regulations, contracts, administrative procedures, and local ordinances and policies.

Communication was received from Michael S. Greek on behalf of the Eastern Schuylkill Recreation Commission stating that the commission is having difficulty covering the cost of the insurance for their activities on each of the municipalities' properties. Rather than requiring ESRC to incur this cost, and since each municipality owns the property, a rider could be obtained by the municipality to cover participant and spectator coverage. Solicitor Greek stated that the rider and coverage is more for spectators and participant coverage. There was some discussion about this matter. President Gursky referred the matter to the Recreation and Youth Committee and Manager Steigerwalt.

Communication was received from F. Patrick Davison, secretary of the Tamaqua Area Water Authority, recommending the appointment of David Christ to a five-year term effective January 1, 2015. A recommendation was made to reappoint David Christ to a five-year term effective January 1, 2015 to serve on the Tamaqua Area Water Authority. 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 Mace, and unanimously approved.

Communication was received from Randolph L. Gormley stating that he is resigning as a member of the Tamaqua Borough Board of Health effective October 20, 2014. Councilman Connely recommended sending a letter to Mr. Gormley thanking him for his years of service.

Communication was received from Laurie Daukshus stating that she is a teacher at St. Jerome Regional School and that her sixth grade class is working on a science project designing rockets out of two liter bottles. Ms. Daukshus is requesting permission to use the Bungalow Park to launch their rockets on October 29th between 10:00 a.m. and 12 Noon. 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 Mace, seconded by Startzel, and unanimously approved.

Communication was received from Paul H. Fridirici, secretary of the Tamaqua Borough Authority, recommending the reappointment of John "Jack" Kulp to a five-year term effective January 1, 2015. A recommendation was made to reappoint John "Jack" Kulp to a five-year term effective January 1, 2015 to serve on the Tamaqua Borough Authority. 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.

Manager Steigerwalt reported on the 2014 Community Development Block Grant (CDBG) Application and a Fair Housing Resolution.

Manager Steigerwalt reported that he had a resolution implementing and promoting a Fair Housing Program to present for council's consideration:

**RESOLUTION 2014-15
FAIR HOUSING 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 Mace, seconded by Connely, and approved by a unanimous roll call vote.

Manager Steigerwalt reported that he had a resolution authorizing the filing of an application for the Community Development Block Grant Program for fiscal year 2014 to present for council's consideration:

**RESOLUTION 2014-16
OF THE BOROUGH OF TAMAQUA AUTHORIZING THE
FILING OF AN APPLICATION TO THE COMMONWEALTH**

A recommendation was made to adopt the foregoing resolution. The amount of funding is \$106,521.00. 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 approved by a unanimous roll call vote.

Manager Steigerwalt also reported on the bid results for the sale of a property at 311 Orwigsburg Street and that the only bidder, DAVMAR LLC, is already the owner of a property at 309 Orwigsburg Street. There was some discussion about a dispute regarding damage to the property at 309 Orwigsburg Street which occurred from the demolition of the property at 311 Orwigsburg Street. A recommendation was made to accept a bid in the amount of \$3,165.75 from DAVMAR LLC for 311 Orwigsburg Street, Parcel #65-19-0041.000. 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 also reported that three bids were received for the demolition of a property at 67 Hunter Street and one bid was received for the demolition of a property at 252 Cottage Avenue. Manager Steigerwalt reported that the lowest bidder for the demolition of the property at 67 Hunter Street was SDL Construction LLC of Orwigsburg, PA, at a cost of \$15,630.00. The only bid for the demolition of 252 Cottage Avenue was received by Shea Industries of Clarks Summit, PA, in the amount of \$49,222.00. There was some discussion about these matters.

A recommendation was made to award the contract for the demolition of 67 Hunter Street to the lowest bidder, SDL Construction LLC of 325 Eisenhower Drive, Orwigsburg, PA, at a cost of \$15,630.00. 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.

A recommendation was made to reject the bid for the demolition of 252 Cottage Avenue by Shea Industries of Clarks Summit, PA, in the amount of \$49,222.00. 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 Connely, seconded by Mace, and approved by a 5-1 vote with Councilman Gursky opposed.

Manager Steigerwalt also reported on a structural assessment summary of a property at 13 South Lehigh Street performed by Barry Isett & Associates, Inc. (BIA). BIA provided the borough with a summary of conclusions and estimated costs associated with the demolition or renovation of the property. There was some discussion about this matter.

Manager Steigerwalt also reported on the 2014-2015 Heating Oil Contract bid opening results. Manager Steigerwalt reported that two bids were received for approximately 37,100 gallons of No. 2 Heating Oil to be delivered to various Borough facilities and volunteer fire companies, when necessary, during the period of November 1, 2014 to September 30, 2015. The borough accepted proposals for a fixed price and/or floating price per gallon of No. 2 Heating Oil. It was noted that the floating price bid was not completed properly by Fegley Oil Company.

A recommendation was made to award the contract for No. 2 Heating Oil to Superior Plus Energy Services, Inc. of 224 Valley Creek Boulevard, Suite 320, Exton, PA, at a floating price of \$0.179 per gallon. 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 Mace, and unanimously approved.

Manager Steigerwalt also reported that the Borough's Standard and Poor's Bond Rating remains an A rating.

Chief Weaver reported on the following: the MetroAlert Technology system is up and running; the purchase of the two Motorola mobile two-way radios and six Motorola portable two-way radios; and thanked council for giving the Police Department the tools needed for doing their job more effectively.

Chairman Evans of the Parking and Traffic Committee reported that he had an ordinance prohibiting parking on Race Street between Coal and Lehigh streets to present for council's consideration:

**AMENDED ORDINANCE NO. 674
BOROUGH OF TAMAQUA**

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF TAMAQUA,
SCHUYLKILL COUNTY, PENNSYLVANIA, AMENDING CHAPTER XVII, PART 1,
TRAFFIC AND PARKING REGULATIONS, SECTION 33, PARKING PROHIBITED IN
CERTAIN LOCATIONS.**

A recommendation was made to adopt the foregoing ordinance. 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 Startzel, and approved by a unanimous roll call vote.

Chairman Evans also reported on the completion of the Broad Street Bridge Project. Councilman Evans stated that the borough is pleased with the results of the project and the contractor completed the project on time and on budget. Councilman Mace commended Manager Steigerwalt and Public Works Director Jones for their work on this project and for a job well done. Councilman Connely asked what the protocol is for naming a bridge. Councilman Connely stated that the project was “near and dear” to both deceased Councilmembers Smulligan and Trudich and it would be a fitting tribute to both men. Manager Steigerwalt would look into this matter.

Under the Parking and Traffic Committee report, Manager Steigerwalt stated that several parking and traffic changes were already changed back to the original conditions after the completion of the Broad Street Bridge Project. Manager Steigerwalt stated that four items remain on the change list. A recommendation was made to change back to original conditions as of October 21, 2014 the following parking and traffic changes for the Broad Street Bridge Project as follows: prohibit parking on both sides of Cedar Street between Center and Greenwood streets; prohibit trucks over 40 feet in length from traveling on Cedar Street; prohibit parking on the east side of Greenwood Street between Cedar and Broad streets, no parking lines must be removed; prohibit parking on Sundays on the north side of Mauch Chunk Street between Pine Street and Schuylkill Avenue; eliminate one parking space on the west side of Pine Street at the intersection of Pine and Mauch Chunk streets; eliminate all parallel parking spaces on East Broad Street between Pine Street and the bridge closure and create approximately 16 perpendicular parking spaces on the north side of East Broad Street; and eliminate all parallel parking spaces on East Broad Street between Greenwood Street and the bridge closure and create approximately 10 perpendicular parking spaces on the south side of East Broad Street. Council recognized Dan Poncavage, a citizen of Tamaqua, who expressed his concerns about public safety issues with the guiderails on the side of the bridge not meeting borough standards and international building code standards. Mr. Poncavage stated that the bars being placed horizontally are too wide and a child may get their head stuck between them. Manager Steigerwalt would look into 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 Mace, seconded by Connely, and unanimously approved.

Under the Parking and Traffic Committee report, a recommendation was made to refer the four remaining changes to the Parking and Traffic Committee for consideration and recommendation as follows: move the stop bar and traffic loop, as needed, on Cedar Street at the intersection of Cedar and Center streets; eliminate two parking spaces on the east side of Greenwood Street from Mauch Chunk Street south to the first driveway; eliminate one parking

space on the west side of Greenwood Street at the southwest corner of Greenwood and Mauch Chunk streets; and eliminate one parking space on the south side of Mauch Chunk Street at the southwest corner of Greenwood and Mauch Chunk streets. There was no one from the floor wishing to address council about this matter. The recommendation so ordered on motion of Mace, seconded by Startzel, and unanimously approved.

Chairman Startzel of the Neighborhoods, Downtown and Historic District reported on the parcel(s) sold during the Schuylkill County Tax Claim Bureau held on September 24, 2014. Chairman Startzel read the list of properties sold at the sale as follows: 104 Pitt Street; 335 Rowe Street; 13 Market Street; 310 East Broad Street; 256 Cottage Avenue; 214 Race Street; and 750 East Broad Street. President Gursky stated that the properties that were not sold were placed on a repository sale list and those properties are as follows: 421 West Broad Street; 266 Van Gelder Street; 160 West Spruce Street; and 63 ½ Bowe Street.

Under the Neighborhoods, Downtown and Historic District report, a recommendation was made to issue a Certificate of Appropriateness for the demolition of a garage located on Rowe Street behind the Hunan House which is located on West Broad Street. The demolition of the garage allows for Labor and Industry handicapped parking. 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 Mace, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District report, Manager Steigerwalt stated that council's approval or denial is needed for the properties sold during the judicial sale. Manager Steigerwalt stated that no information was found for Goldstein Couriers, LLC and S&H Investment Group.

Under the Neighborhoods, Downtown and Historic District report, a recommendation was made to reject the Schuylkill County Tax Claim Bureau's judicial sale for properties at 335 Rowe Street, tax parcel #65-11-0303.000 to S&H Investment Group, and 256 Cottage Avenue, tax parcel #65-15-0046.000 to Goldstein Couriers, LLC. 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.

Under the Neighborhoods, Downtown and Historic District report, a recommendation was made to approve the Schuylkill County Tax Claim Bureau's judicial sale for the following properties; 104 Pitt Street, tax parcel #65-11-0132.000 to Real Properties Management, Associates; 13 Market Street, tax parcel #65-13-0124.000, to Justin Honey; 310 East Broad Street, tax parcel #65-13-0250.005, to Joseph Reppert; 214 Race Street, tax parcel #65-15-0220.000, to Larry Frederick; and 750 East Broad Street, tax parcel #65-29-0027.002, to Glenn and Janice Ramirez. 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.

Chairman Connely of the Public Safety Committee reported that October is Fire Prevention month and he thanked the Fire Departments and volunteers for their participation in Fire Prevention Week programs.

Mayor Morrison reported on the following: a successful Tamaqua Heritage Day Festival; the Owl Creek Reservoir Commission would be holding hay rides this Saturday and Sunday; the

Halloween Parade would be held on Tuesday, October 28th; and Halloween Trick or Treat Night would be held on Friday, October 31st.

Councilman Startzel asked Mayor Morrison to change the date of Trick or Treat Night because the Tamaqua versus Marian football game is the same night and many families and children would be missing this event. After some discussion, Mayor Morrison stated that the date would not be changed.

The meeting was opened to the floor.

Tony Rodrigue of 28 South Railroad Street stated that he agrees with Mr. Poncavage regarding the public safety issues with the guiderails on the side of the bridge. Mr. Rodrigue also stated that at the Historical Architectural Review Commission (HARC) meeting, Dan Schroeder also commented on the fact that the railing was too far apart.

Mr. Rodrigue also expressed his concerns about kids rolling boulders into the Wabash Creek. Mr. Rodrigue has photographs of this area and asked if the borough can remove the boulders. Mr. Rodrigue's concern is that the creek would become blocked, causing flooding on West Broad Street. President Gursky asked Mr. Rodrigue to send his photos to Manager Steigerwalt who would in turn send them to the Department of Environmental Protection. There was some discussion about this matter.

Andy Leibenguth of 429 Rear Mauch Chunk Street stated that the Tamaqua American Legion Post 173 would be holding the annual Tamaqua Veterans Day Parade on November 8, 2014 beginning at 10:00 a.m.

Dan Poncavage, of Tamaqua, expressed his concerns about and opposition to the Eastern Schuylkill Regional Planning Proposed Zoning Ordinance and Subdivision Ordinance. Mr. Poncavage also expressed his concerns about the following: woodland preservation; mining; and the ordinance is very confusing, complex, flawed and has clerical errors. Mr. Poncavage implores the borough to not take any action. President Gursky stated that it is an important process and document and appreciates Mr. Poncavage's input.

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

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.

Under Unfinished Business, Manager Steigerwalt reported that the 2014 insurance policy was renewed on October 1, 2014.

Under Unfinished Business, Manager Steigerwalt gave an update of the Floodplain Ordinance as follows: a draft ordinance was sent to council; the ordinance was revised and prepared by Josh Esposito of Barry Isset and Associates, Inc.; and the deadline to adopt this ordinance is November 18, 2014.

Under Unfinished Business, a recommendation was made to advertise the Floodplain Ordinance for adoption at the Borough Council Meeting on November 18, 2014. Solicitor Greek stated that the revised ordinance was given to Leslie Rhoads of DCED for review. Council recognized Tony Rodrigue who gave his rubber stamp to the ordinance. Mr. Rodrigue asked if the ordinance includes a Floodplain Map. Manager Steigerwalt stated that the Floodplain Map is unchanged from the prior map. 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.

Under Unfinished Business, Manager Steigerwalt reported on the Multimodal Transportation Grant. Manager Steigerwalt stated that the borough was successful in obtaining a Multimodal Transportation Fund Grant in the amount of \$196,200 to be used for a Streetscape Project. The Streetscape Project includes the area of the Center Street Bridge and the first block of Center Street to Spruce Street. The project would include lighting on the bridge and sidewalk enhancements. A recommendation was made to authorize the appropriate officials to execute a Multimodal Transportation Fund Grant Contract between the Borough of Tamaqua and the Commonwealth of Pennsylvania, acting through the Commonwealth Financing Authority. Council recognized Dan Poncavage who asked about the intermodal aspects of the project and local match. 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 Mace, seconded by Startzel, and unanimously approved.

Under Unfinished Business, President Gursky stated that a City Revitalization and Improvement Zone (CRIZ) application was submitted last December. President Gursky recommended that a CRIZ Authority be established before the end of this year. President Gursky reviewed the City Revitalization Investment Zones (CRIZ) program. Council recognized Dan Poncavage who discussed that approximately 1,300 acres were designated for woodland preservation.

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 Connely, seconded by Mace, and unanimously approved.

Under New Business, Councilman Mace discussed a request from Andrew Leibenguth, parade coordinator of Tamaqua American Legion Post 173, to hold the annual Tamaqua Veterans Day Parade on November 8, 2014 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 Mace, seconded by Startzel, and unanimously approved.

Under New Business, Councilman Connely stated that the United Way Fund Drive is underway and he encouraged participation.

Under New Business, Councilman Connely stated that an estimate was obtained for the purchase of a hydraulic hose and fittings machine and supplies in order to try and get ahead of the snow season. A recommendation was made to purchase a hydraulic hose and fittings machine and supplies from Tamaqua Auto Parts at a cost of \$4,695.60 from funds designated from the Equipment Fund. 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 Connely, seconded by Mace, 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 Mace, seconded by Evans, and unanimously approved.

The council meeting was recessed at approximately 8:40 p.m. while council met in executive session.

The council meeting was reconvened at approximately 9:15 p.m.

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

A recommendation was made to increase the hourly rate of Edith Moyer by 25 cents per hour effective the next pay period. 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 allow Chief Weaver to disburse the old radios to the Tamaqua Fire Police and/or the Lansford Borough, as necessary, and as long as supplies last. 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 Mace, and unanimously approved.

There being no further business, the meeting was adjourned at approximately 9:17 p.m. on motion of Mace, seconded by Startzel, to meet again at the call of the President.

ATTEST:

Georgia Depos DeWire, Borough Secretary/Treasurer