

The Tamaqua Borough Council held its first Regular Council Meeting for the month of November on Wednesday, November 6, 2019 at 7:00 p.m. in the Council Chambers at the Tamaqua Municipal Building, 320 East Broad Street, Tamaqua, PA.

Present were Councilmembers Robert Amentler, Ronald Bowman, Thomas Cara, Brian Connely, Mary Linkevich and David Mace. Absent was Councilmember Ritchie Linkhorst. Officials present were Chief of Police Henry Woods, Borough Manager Kevin Steigerwalt, Solicitor Michael S. Greek, Borough Secretary/Treasurer Georgia Depos DeWire and Director of Community Development Ann Marie Calabrese. Mayor Nathan Gerace participated in the meeting via a cell phone call.

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

President Mace congratulated Solicitor Greek on his election win as the new Carbon County District Attorney and also the election of Councilmembers Connely, Bowman, Cara, Amentler and Linkevich.

The reading of the minutes of the Regular Council Meeting held on October 15, 2019 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 Timothy M. Ziegler, secretary of the Tamaqua Water Authority, recommending the reappointment of David "Chip" Christ to a five-year term on the Tamaqua Water Authority effective January 1, 2020. A recommendation was made to reappoint David "Chip" Christ to a five-year term on the Tamaqua Water Authority effective January 1, 2020. 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 Paul H. Fridirici, secretary of the Tamaqua Borough Authority, recommending the reappointment of Jack Kulp to a five-year term on the Tamaqua Borough Authority effective January 1, 2020. A recommendation was made to reappoint Jack Kulp to a five-year term on the Tamaqua Borough Authority effective January 1, 2020. 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 Cara, and unanimously approved.

Communication was received from Paul H. Fridirici, secretary of the Tamaqua Community Revitalization and Improvement Zone (CRIZ) Authority, recommending the reappointment of Jack Kulp to a five-year term on the CRIZ Authority effective January 1, 2020. A recommendation was made to reappoint Jack Kulp to a five-year term on the CRIZ Authority effective January 1, 2020. 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 Cara, and unanimously approved.

Communication was received from Greg Kurtz, Zoning Officer, recommending the reappointment of Dan Evans to a four-year term on the Tamaqua Planning Commission, effective January 1, 2020. A recommendation was made to reappoint Dan Evans to a four-year term on the Tamaqua Planning Commission, effective January 1, 2020. 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 Greg Kurtz, Code Enforcement Officer, recommending the reappointment of Tammy Swinburne to a three-year term on the Historic Architectural Review Commission (HARC). A recommendation was made to reappoint Tammy Swinburne to a three-year term on HARC effective January 1, 2020. 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 Cara, and unanimously approved.

Communication was received from Greg Kurtz, Code Enforcement Officer, recommending the reappointment of William Kennedy to a three-year term on the Historic Architectural Review Commission (HARC). A recommendation was made to reappoint William Kennedy to a three-year term on HARC effective January 1, 2020. 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 Greg Kurtz, Zoning Officer, recommending the reappointment of Richard Clemson to a five-year term on the Tamaqua Zoning/Hearing Board. A recommendation was made to reappoint Richard Clemson to a five-year term on the Tamaqua Zoning/Hearing Board effective January 1, 2020. 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 Cara, and unanimously approved.

Communication was received from Jeremy Sborz stating that he is resigning from his position as a part-time police officer with the Tamaqua Police Department. A recommendation was made to accept the resignation of Jeremy Sborz. 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 Bowman, and unanimously approved.

Communication was received from Eric S. Zizelmann, Jon M. Zizelmann and Christine Zizelmann of Zizelmann Gulla Funeral Home located at 500 East Broad Street, requesting council consider a truck restriction on Hazle Street. The Zizelmanns expressed their concerns about the following: large truck trailers have caused property and vehicle damage at the intersection of South Elizabeth and Hazle streets; the trucks are heading east on Hazle Street and attempting to make a left turn onto South Elizabeth Street to reach Broad Street; some of the trucks are car carriers that have made deliveries to Rottet Motors or large trailers that get misdirected or attempt to make local deliveries somewhere in the East End; incidents that occur may or may not be witnessed; the incidents incur damage such as tire tracks on the sidewalk, chipped edges on the curb, broken side view mirrors on cars and damage to borough signage; out of pocket costs incurred to replace sidewalks or fix damage to cars; the lack of prudence on the part of the truck drivers is resulting in dangerous situations; and instituting a ban of trucks over a certain length on Hazle Street.

A motion was made by Cara to restrict tractor trailer travel on Hazle Street. The motion died for lack of a second. A recommendation was made to advertise an ordinance to place a sign restricting tractor trailer travel on Hazle Street from Greenwood to Laurel streets. 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 Cara, seconded by Bowman, and unanimously approved.

Communication was received from Amy Heisler of 448 Hazle Street. President Mace stated that Ms. Heisler's letter addresses the same subject as the Zizelmann letter.

Manager Steigerwalt reported on the following: Public Works Director Jones issued a press release stating that the borough has stopped its weekly street sweeper cleaning; a vacancy exists on the Zoning Hearing Board; the Census Bureau is looking for census takers; Code Enforcement Officer Kurtz is looking into software for code enforcement and will be making a recommendation; a request from RGC Development seeking a conditional final approval regarding the Tamarack Square Project would be presented at the next council meeting; and he has prepared a draft copy of the 2020 budget for council's review that includes a \$165,000.00 deficit in the General Fund with no change to the current millage and no additional personnel.

Director of Community Development Calabrese reported on the following: the CRIZ property swap worksheet was sent to the state with seven properties removed from the zone and eighteen properties added to the zone; received the annual CRIZ funds in the amount of \$571,022.81; there will be a press release tomorrow; the Wheel Restaurant is planning to open in January; the Tamaqua Spirit of Christmas 2019 Event Schedule; Frank Fabrizio is paid by the Tamaqua Spirit of Christmas to decorate Depot Square Park; and the Tamaqua Chamber of Commerce will be holding a Member Appreciation Mixer on December 6<sup>th</sup> at the Tamaqua Station Restaurant.

Chief Woods requested an executive session prior to adjournment to discuss personnel matters.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to approve a Certificate of Appropriateness to install a sign at 20 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 Cara, seconded by Bowman, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to approve a Certificate of Appropriateness to install a fence and HVAC condensing unit in the rear of 1 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 Bowman, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to approve a Certificate of Appropriateness to paint a sign on the structure's front windows at 103 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 Cara, seconded by Bowman, and unanimously approved.

Under the Parking and Traffic Committee report, a motion was made by Cara and seconded by Bowman to install a Children at Play sign at Boyle and Lombard streets. After some discussion about children playing near a school zone, the motion and second were amended as follows: a motion was made by Cara and seconded by Bowman to install School Zone and Children at Play signs at Boyle and Lombard streets with the placement of the sign at the corner of Boyle Avenue at the north end of the block. After more discussion about this matter, the motion and second were amended again as follows: a recommendation was made to install School Zone and Children at Play

signs at the north end of Lombard Street and on Elm Street facing east at the intersection of Lombard and Elm streets. 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 the Parking and Traffic Committee report, a recommendation was made to deny a request from the Texas Chili-Dog for a 15 Minute Parking Only sign on 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 Cara, seconded by Bowman, and unanimously approved.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 70 Bowe Street. Councilman Bowman explained the reason behind the approval. 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 the Solar Project Committee report, Councilman Connely discussed the following: the Tamaqua Area Water Authority (TAWA) Chairman has the approval to sign the Power Service Agreement contingent upon the solicitor and engineer's comments being addressed; the Tamaqua Borough Authority (TBA) is governed by council; purchase options by the TBA and council; according to the solar group, as long as the equipment is ordered by December 31<sup>st</sup>, the borough would receive the Federal Tax Credits for 2019; the TAWA opted out of the purchase portion; and the TAWA is moving ahead with preplanning.

Under the Public Safety report, a recommendation was made to prepare and advertise an ordinance to adopt the 2015 edition of the International Fire Code. 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.

The meeting was opened to the floor.

Lynn York of 216 Hunter Street expressed his concerns about the following: regulations for the keeping of animals at a property; he believes a neighbor living at 214 Hunter Street may have six dogs and two cats; the neighbor's barking dogs are creating a noise issue and he feels like he is being harassed; calling the Police Department to complain about the barking dogs; and a neighbor has four vehicles but there are only two drivers in the household. There was some discussion about these matters.

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

Solicitor Greek reported that he is working on an ordinance for the Tamarack Square subdivision.

Solicitor Greek stated that he would assist with the transition for a new solicitor.

Under Unfinished Business, Councilman Cara noted that the projection screen is up in the council chambers.

Under New Business, Councilman Cara stated that he spoke with Code Enforcement Officer Kurtz about the process for condemning a rental property if the borough cannot find a property owner. Solicitor Greek stated that a property can be condemned only if it is unfit for human habitation. There was some discussion about this matter.

Under New Business, Councilman Cara asked about the status of the Burger King sidewalk. There was some discussion about the following: a PennDOT Highway Occupancy Permit; contacting Burger King; proposing a revised plan to Burger King; and providing an update for the next council meeting.

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 Bowman, seconded by Linkevich, and unanimously approved.

The council meeting was recessed at approximately 7:59 p.m. while council met in executive session.

The council meeting was reconvened at approximately 8:42 p.m.

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

A motion was made by Cara to give Christine Zamudio a raise. The motion died for lack of a second.

There being no further business, the meeting was adjourned at approximately 8:42 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