

The Tamaqua Borough Council held its first Regular Council Meeting for the month of May on Tuesday, May 17, 2016 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, Brian Connely, R. Daniel Evans, Micah Gursky and David Mace. Absent was Councilmember Kerry Lasky. Officials present were Chief of Police Richard Weaver, Borough Manager Kevin Steigerwalt, Solicitor Michael S. Greek, Borough Secretary/Treasurer Georgia Depos DeWire and Fire Chief Thomas Hartz. Absent was Mayor Christian Morrison.

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

The reading of the minutes of the last Regular Council Meeting held on April 19, 2016 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Connely, seconded by Cara, and unanimously approved.

Communication was received from David and Linda DeLay of 522 Arlington Street requesting to have "No Parking Between Signs" installed across the street from their garage at 522 Mountain Avenue. A recommendation was made to refer the matter to the Parking and Traffic Committee. 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 Rich Stianche of Dn'A Bikes LLC of 115 West Broad Street expressing an interest in serving on the Historical Architectural Review Commission (HARC). A recommendation was made to appoint Rich Stianche to the Historical Architectural Review Commission. 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.

Communication was received from Rose Mary Cannon, vice president of the Borough of Lansford and also Chair of the Parks and Recreation Committee, stating that on behalf of the Lansford Borough Council and Lansford pool patrons they would like to extend their sincere appreciation to the Tamaqua Borough Council for their kind offer to honor Lansford pool passes for this season.

Communication was received from Matthew Witkowski, president, and Wesley Konsavage, chief, of the Quakake Volunteer Fire Company, P.O. Box 2, 32 Heckman Street, Quakake, PA stating that the fire company will be celebrating its 75th Anniversary this year. The communication is requesting the assistance of the Tamaqua Fire Police for their truck parade to be held on July 23, 2016. A recommendation was made to authorize the Tamaqua Fire Police to assist with the Quakake Volunteer Fire Company truck parade. 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 unanimously approved.

Communication was received from William N. Mullen, project manager of ARRO Consulting Inc. of 1239 Centre Turnpike, Orwigsburg, PA requesting that a municipal governing body contact person contact him to arrange a joint hearing and adoption meeting for the revised ESRP documents.

Communication was received from Bob Schlorf, captain of the Tamaqua Fire Police, stating they would be holding a Duck Race at the Tamaqua Summerfest. The communication is requesting permission to close Elm Street from Pine Street to Schuylkill Avenue on June 19, 2016 between 1:00 p.m. and 4:00 p.m. 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 unanimously approved.

Communication was received from Bob Schlorf, captain of the Tamaqua Fire Police, asking council to send a letter to the Rush Township Board of Supervisors requesting the help of the Hometown Fire Police on June 19, 2016 from 1:00 p.m. to 4:00 p.m. on Elm Street. 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 Gursky, and unanimously approved.

Communication was received from Bob Schlorf, captain of the Tamaqua Fire Police, requesting permission to use the Tamaqua Borough Front End Loader on June 19, 2016 from 1:00 p.m. to 4:00 p.m. on Elm Street to dump the ducks over the Elm Street Bridge. 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 Connely, and unanimously approved.

Communication was received from Steve Daynorowicz, camporee chairman, stating that the Black Rock District Boy Scouts would like to hold a fall camporee at the Owl Creek Reservoir for the weekend of September 30 to October 2, 2016. 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 Connely, seconded by Evans, and unanimously approved.

Communication was received from Kathy Kunkel, secretary of the Tamaqua Civil Service Commission, requesting to update the borough's Civil Service Rules and Regulations. The changes would include updating the adoption date on the first page; and the names of commission, attorney and council members, found on page 2 of the manual. The commission members are Howard Miller, chairman; Janene Holter, vice chairman; and Kathy Kunkel, secretary. Mrs. Kunkel stated that the other changes would be to Section 4-Examination and Grading Procedure as follows: Section 4.1: General Examination Requirements for the Position of Police Officer-changing the percentage scale to reflect that the written and oral exams will each count for 50 percent of an applicant's final score; and Section 4.7: Physical Fitness Testing-changing the current endurance run requirement to adhere to MPOETC standards. Mrs. Kunkel stated that the changes were approved at the Tamaqua Civil Service Commission meeting on April 27, 2016.

The following resolution was presented for council's consideration:

RESOLUTION NO. 2016-5
THE FOREGOING RULES AND REGULATIONS, WHICH ARE IN
ACCORDANCE WITH POWERS GRANTED BY THE CIVIL SERVICE SECTION OF
THE BOROUGH CODE, SECTIONS 1171-1195, ENACTED BY THE GENERAL
ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA AND IN
ACCORDANCE WITH THE AUTHORITY GRANTED BY THE MUNICIPAL
GOVERNING BODY OF THE BOROUGH OF TAMAQUA, PENNSYLVANIA, ARE
HEREBY ADOPTED BY THE CIVIL SERVICE COMMISSION OF TAMAQUA
BOROUGH, PENNSYLVANIA ON APRIL 27, 2016.

A recommendation was made to adopt the foregoing resolution with the modification to add Councilwoman Kerry Lasky to the list of council members. 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 approved by a unanimous roll call vote.

Communication was received from Dale and Victoria Stahler of 217 Penn Street requesting restricted parking across from their garage and driveway on Race Street and included photographs related to this matter. A recommendation was made to refer the matter to the Parking and Traffic Committee. There was some discussion about this matter. Council recognized Tom Schlorf of 23 Orwigsburg Street asking what the motion is and stating that it is a safety concern and should be looked into. 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.

Communication was received from Michael J. Hobbs, bargaining representative for the Tamaqua Police Department, stating that on behalf of the Fraternal Order of Police Schuylkill-Carbon Pennsylvania Lodge No. 13, they are notifying the borough of their intention to commence bargaining pursuant to Act 111 of 1968, for the contract period beginning January 2017. President Mace assigned Micah Gursky and Brian Connely, along with himself, to a special committee of council to negotiate the Police Collective Bargaining Agreement commencing January 1, 2017.

Manager Steigerwalt reported on the bid opening results for the Refuse and Recyclable Materials Collection Contract as follows: the bid documents were unchanged from the last time the contract was out to bid in 2011; the contract extension language was the only change; four bids were received; the lowest bidder was County Waste of 2302 Shermans Mountain Road, Tremont PA. Manager Steigerwalt read the County Waste bids as follows: the bid amount for a one-year contract is \$483,516.00; the bid amount for a two-year contract is \$967,032.00; and the bid amount for a three-year contract is \$1,465,596.00. A recommendation was made to reject all bids and to rebid the contract. There was much discussion about the following: the bid responses; the lower bid amounts; the terms of the bids; the extension of the current contract; and trying to get lower bids. Council recognized Jonas Kreitzer of County Waste whose comments and questions included the following: he questioned why the bids were rejected when their three-year contract bid is \$237,271.00 less than the next lowest bid and almost \$200,000.00 lower than the borough's previous contract; he asked if the references provided were acceptable; he stated that the borough's current extension of the contract expires at the end of the month and questioned the timeframe for the rebidding process; their vehicles used for collection services were manufactured in the year 2016; and he stated that County Waste may not submit another bid. Manager Steigerwalt stated that the references for County Waste were good and all favorable. Manager Steigerwalt discussed the timeframe for the rebidding. Council recognized Fire Chief Hartz who stated that the equipment used by the current provider, Tamaqua Transfer and Recycling, is unsatisfactory and unsafe referencing an accident with one of their vehicles in Owl Creek. Fire Chief Hartz also stated that the fire department has also received several calls regarding Tamaqua Transfer's equipment leaving diesel trails around town. Council recognized Thomas Schlorf who stated that Tamaqua Transfer hires from the Tamaqua area. Mr. Kreitzer responded that his company is based in Schuylkill County and hires locally. There was more 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 Cara, seconded by Connely, and approved by a 4-2 roll call vote with Councilmembers Bowman and Evans opposed.

Manager Steigerwalt also reported on the 2016 Community Development Block Grant (CDBG) application. The application is due by November 18, 2016 and the first hearing would be scheduled for the second council meeting in June at 6:30 p.m. Manager Steigerwalt stated that Karen Parish, the CDBG consultant for Schuylkill County, would be available to discuss the CDBG application. Manager Steigerwalt also stated that the CDBG allocation for 2016 is \$108,468.00.

Under the Borough Manager's report, a recommendation was made to hire seasonal part-time employees for general maintenance work. The list of general maintenance applicants are as follows: returning employees-Bernie Gigli, Tyler Hollenbach, Ernie Shilko and Dylan Woods; new hires-Tyler Calkins, Ben Turrano, Daylon Barron, Brad Clemson and Christian Slane. There was some discussion about this matter, a tentative start date of May 31, 2016 and the wage rates. 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 gave an update on the Family Dollar store sidewalk issue as follows: the Enforcement Order issued by the Code Enforcement Department and date to comply of April 30, 2016 has lapsed; and a Non-Traffic Citation was issued and filed with the Magistrate's office. There was some discussion about this matter.

Manager Steigerwalt also reported that the pool season is approaching, pool pass applications are being processed and the pool is being prepared for opening day.

Under the Borough Manager's report, a recommendation was made to establish a rental rate for the sewer camera as \$225.00 per hour with one operator for one hour. There was much discussion about this matter and the addition of a rate for the use of a second operator. 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.

Under the Borough Manager's report, a Fee Schedule Resolution adding a rental rate for the sewer camera as \$225.00 per hour with one operator was presented for council's consideration:

**RESOLUTION NO. 2016-6
BOROUGH OF TAMAQUA
FEE SCHEDULE 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 Gursky, seconded by Cara, and approved by a unanimous roll call vote.

Chief Weaver reported that part-time Police Officer Bryce Lewis left for full-time employment elsewhere.

Chief Weaver also reported that Kovatch is offering a \$1,500.00 trade-in value for the police department's Ford Explorer towards a new vehicle. A recommendation was made to authorize Chief Weaver to negotiate with Kovatch for the Ford Explorer trade-in. 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.

Under the Building and Equipment Committee report, a recommendation was made to advertise for bids for the sale of used equipment. The equipment list is as follows: Blaw Knox C M 3000 paver, diesel engine, needs tracks; flexible steel sewer router model SCPS-1, Wisconsin

engine model AENLD; garden trailer, 5 feet long by 2 ½ feet wide; paint striping machine, Linear Dynamics model 160, serial number 1407, 5 hp Briggs and Stratton engine; and paint striping machine, unknown model, 5 hp Briggs and Stratton engine, does not spray. After some discussion the equipment list was amended to include portable dog pens. There was no one from the floor wishing to address council about this matter. The recommendation was made by Evans, seconded by Bowman, and unanimously approved.

Under the Public Safety Committee report, a recommendation was made to hire Tanner Noecker as a part-time police officer, effective immediately. 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 Cara, and unanimously approved.

Under the Public Safety Committee report, a recommendation was made to hire Jonathan Troyer as a part-time police officer, effective immediately. 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 Cara, and unanimously approved.

Under the Public Safety Committee report, a recommendation was made to send Christian DeAngelo a conditional offer of employment for a part-time police officer 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 Cara, and unanimously approved.

Under the Public Safety Committee report, a recommendation was made to send Matthew Green a conditional offer of employment for a part-time police officer 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 Cara, and unanimously approved.

Under the Parking and Traffic Committee report a recommendation was made to approve a handicapped parking space application for 203 Market Street, Apartment 1. 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 Cara, and unanimously approved.

Under the Parking and Traffic Committee report a recommendation was made to approve a handicapped parking space application for 339 Schuylkill Avenue. 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 Cara, and unanimously approved.

Under the Parking and Traffic Committee report a recommendation was made to approve a handicapped parking space application for 338 Clarke Street. 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 Cara, and unanimously approved.

Under the Parking and Traffic Committee report a recommendation was made to transfer a handicapped parking space sign at 321 West Spruce Street to 734 East Broad Street. 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 Evans, seconded by Cara, and unanimously approved.

Chairman Gursky of the Finance, Wage and Salary Committee reported that he had an ordinance amending the police pension ordinance by adding that members hired after January 1, 2013 would be entitled to receive a disability pension of 50% of the officer's salary at the time the

disability was incurred as negotiated in the 2013-2016 police contract relating to service related disability pension benefit to present for council's consideration:

ORDINANCE NO. 679

AN ORDINANCE AMENDING ORDINANCE NO. 613 WHICH AMENDED AND RESTATED ORDINANCE NO. 413 ENACTED NOVEMBER 1, 1983, AS AMENDED WHICH CREATED AND ESTABLISHED A FUND FOR THE CARE, MAINTENANCE AND RELIEF OF AGED, RETIRED AND DISABLED FULL-TIME POLICEMEN OF THE POLICE DEPARTMENT OF THE BOROUGH OF TAMAQUA; PROVIDING A PENSION FUND FOR SAID POLICEMEN; AND PROVIDING PAYMENT OF CERTAIN DUES, FEES, ASSESSMENTS, FINE TRANSFERS AND APPROPRIATIONS THERETO; REGULATING MEMBERSHIP THEREIN, CREATING A COMMISSION FOR THE MANAGEMENT THEREOF; PROVIDING THE AMOUNT, MODE AND MANNER OF PAYMENT TO THE BENEFICIARIES THEREOF, AND FOR THE CARE AND DISPOSITION OF SAID FUND; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

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

Under the Neighborhoods, Downtown and Historic District report, Councilman Gursky reported on the Tamaqua Community Revitalization and Improvement Zone (CRIZ) as follows: a business must file their fiscal year 2015 information with the Pennsylvania Department of Revenue by the June 15, 2016 deadline; thanked Christine Zamudio and Manager Steigerwalt for their work with the CRIZ project master list; and there are no approved projects in the zone.

Under the Recreation and Youth Committee report, a recommendation was made to hire part-time lifeguards for the 2016 pool season. President Mace read the list of 2016 pool lifeguard applicants as follows: Carly Kosciolek; Hannah Perla (returning); John Ritzko (returning); Robert Stidham; Christopher Miller (returning); and Chance Szabo (returning). 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 unanimously approved.

Under the Recreation and Youth Committee report, Councilman Evans reported that the Lansford pool began selling season pool passes last week. Manager Steigerwalt stated that Lansford patrons would be coming to the Tamaqua Borough Hall to obtain season passes once the pool opens. Manager Steigerwalt also reported that the rates given to the borough by Lansford were lower rates and the application they are using reflects the increased rates.

The meeting was opened to the floor.

Edith Trevorah of 316 North Columbia Street commended the Police Department for their work in a recent drug raid. Ms. Trevorah thanked the police for apprehending a drug dealer in her neighborhood.

Shai Gray of 225 Cedar Street complained about not getting a response from the code enforcement department about an issue she has with a property at 227 Cedar Street.

Tom Schlorf expressed his concerns about the following: replacement of the traffic light at Hunter and Spruce streets; the road condition of Stadium Hill; the Fire Chief's truck was at the Rabbit Run Derby and the two occupants were drinking alcoholic beverages; asked if the Parking and Traffic Committee has an update on his complaint about the placement of a handicapped sign creating a parking space that is 27 feet; and how many handicapped parking spaces are allowed in one block. There was some discussion about these matters. Mr. Schlorf commended the Police Department for their work in a recent drug raid.

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 Connely, seconded by Bowman, and unanimously approved.

Under Unfinished Business, a recommendation was made to approve a three-year franchise agreement with Service Electric Cablevision Inc. at the same rate, term and conditions as the last agreement. There was some discussion about this matter. The recommendation was so ordered on motion of Gursky, seconded by Cara, and unanimously approved.

Under Unfinished Business, Fire Chief Hartz expressed his concerns about marking intersections, damage done to Market Street during the last hydrant flushing and running the sweeper on streets after the hydrant flushing. There was some discussion about these matters.

A recommendation was made to pay all properly approved bills and claims against the borough. Councilman Cara discussed an unemployment bill and the Barry Isett and Associates bill. 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 New Business, Councilman Cara stated that SS. Peter and Paul's church may be requesting that the borough vacate the street between the church and the parking lot due to a possible expansion of the church. Solicitor Greek stated that the borough can vacate a street if it chooses but the usual way is to submit a petition signed by a majority of the property owners that are next to the street. Councilman Gursky recommended that SS. Peter and Paul Church make a formal request to council.

Under New Business, Councilman Evans gave an update on the streetlight conversion proposals. A recommendation was made to approve a feasibility assessment for a PPL streetlight acquisition coupled with an LED streetlight conversion in the Borough of Tamaqua from Entech Engineering Inc. of Reading, PA at a cost of \$2,450.00. 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 5-0-1 vote with President Mace abstaining.

Under New Business, Councilman Gursky announced that the Tamaqua Salvation Army 2016 Kidz Karnival would be held on August 2, 2016 and they are looking for Karnival sponsors.

A recommendation was made to hold an executive session to discuss real estate and 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 Bowman, and unanimously approved.

The council meeting was recessed at approximately 8:29 p.m. while council met in executive session.

The council meeting was reconvened at approximately 9:16 p.m.

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

A recommendation was made to purchase a property at 15 South Lehigh Street, tax parcel number 65-15-0020.000, from Harold C. Moseley for \$25,000.00. 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. It was noted that the money for the purchase should be taken from the New Revolving Fund.

A recommendation was made to hire Mary Linkevich as the Director of Community Development, which is a new full-time position, with job responsibilities to include grant administration and writer, City Revitalization and Improvement Zone (CRIZ) administration and marketing, website/webmaster, and recreation development at an annual salary of \$52,000.00 and to start employment effective with the first pay period in July. 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.

A recommendation was made to remove Patrolman Karl L. Harig II as a police officer pursuant to 8 Pa. C.S.A. § 1190(a)(4) for disobedience of orders and conduct unbecoming of an officer. 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.

There being no further business, the meeting was adjourned at approximately 9:22 p.m. on motion of Connely, seconded by Bowman, to meet again at the call of the President.

ATTEST:

Georgia Depos DeWire, Borough Secretary/Treasurer