

The Tamaqua Borough Council held its first Regular Council Meeting for the month of October on Tuesday, October 20, 2020 at 7:00 p.m. in the Council Chambers at the Tamaqua Municipal Building, 320 East Broad Street, Tamaqua, PA and 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/81942492600> and by entering Meeting ID 819 4249 2600. Individuals who did not have internet access were able to participate by telephone by dialing 1-929-436-2866 and entering Meeting ID 819 4249 2600 #.

Present were Councilmembers Robert Amentler, Ronald Bowman, Thomas Cara, Brian Connely, Mary Linkevich, Ritchie Linkhorst and David Mace. Officials present were Mayor Nathan Gerace, Chief of Police Henry Woods, Corporal Michael Hobbs, Borough Manager Kevin Steigerwalt, Public Works Director Robert Jones, Solicitor Anthony Odorizzi, Assistant Borough Secretary/Treasurer Amy Macalush, Director of Community Development Ann Marie Calabrese and Zoning/Code Enforcement Officer Gregory Kurtz Jr.

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 all council members present.

President Mace announced that an executive session was held at 6:00 p.m. prior to the meeting to discuss personnel matters.

The reading of the minutes of the Regular Council Meeting held on September 15, 2020 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Bowman, seconded by Linkevich, and unanimously approved.

Communication was received from Secretary/Treasurer Georgia Depos DeWire asking council to consider a motion to open an escrow account for fire loss insurance proceeds to be received from Foremost Insurance Group for the property at 320-322 West Broad Street. A recommendation was made to open a new account for the fire insurance proceeds for the property at 320-322 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 Connely, seconded by Bowman, and unanimously approved.

Communication was received from Rich Stianche of DnA Bikes stating that due to the current pandemic and increase in business work hours, he is resigning as a member of the Citizens Advisory Commission (CAC). A recommendation was made to accept the resignation of Rich Stianche from the CAC. 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.

Communication was received from Jody Kellner of Tink's Antiques requesting the closure of South Railroad Street from the alley to the end of their building for their open air market on December 5th from 4:00 p.m to 8:00 p.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 Cara, seconded by Bowman, and unanimously approved.

Communication was received from Scott Linkhorst, Borough Code Official, requesting that his part-time hours be reduced to 32 hours a week alternating with a week off in between with the understanding that his pay will be reduced to \$600.00/month and an additional part-time code official would be hired. A recommendation was made to approve the reduction of part-time hours

for Scott Linkhorst. 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.

Communication was received from Meranda Hess on behalf of Girl Scout Troop #33013 stating that they are currently working on their Bronze Award and would like to place a larger shed /storage unit at the community garden as the current storage unit they've been using is overflowing with tools and supplies. The communication stated that they are looking at placing a semi-permanent 4'x 6'shed or Rubbermaid-style unit at the back of the property near the water pump, but want to confirm the Borough's preference prior to making their final decision. There was some discussion regarding the property and a variance. A recommendation was made to permit Manager Steigerwalt and Public Works Director Jones to work with Girl Scout Troop #33013 and to make recommendations and advise what is needed for installation of a shed. 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.

Communication was received from Joseph Bonner, Treasurer, and Ginny Woodward, Director, of the Tamaqua Area Adult Day Care Center (TAADCC) requesting reimbursement of a \$500.00 deposit fee for a variance to erect a sign outside the new day care center. The communication stated that the sign is required per County/State regulations and that the variance was unanimously approved by the Zoning Board. 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 Linkevich, and unanimously approved.

Manager Steigerwalt reported that he had a resolution extending the Mayor's Declaration of Disaster Emergency of March 20, 2020 for an eighth thirty (30) day additional period to terminate on November 23, 2020 to present for council's consideration:

**RESOLUTION NO. 2020-16**  
**A RESOLUTION OF THE BOROUGH OF TAMAQUA, SCHUYLKILL COUNTY, PENNSYLVANIA, PURSUANT TO SECTIONS 10AO6 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 Amentler, 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. Manager Steigerwalt stated that the budget was approved at the last meeting but it should not have been approved until after the County had their second hearing:

**RESOLUTION NO. 2020-17**  
**APPROVING BUDGET FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2020**

A recommendation was made to adopt the foregoing resolution. The details of the budget are 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 Bowman, seconded by Linkevich, and approved by a unanimous roll call vote.

Manager Steigerwalt reported on the 2020-2021 insurance policy renewal with The Seltzer Group and a summary of the insurance premiums compared to last year was provided for council. Manager Steigerwalt stated that all of the insurances renew on October 1<sup>st</sup>, which includes Property, Auto, General Liability, Public Officials Liability, Police Liability, Pollution Liability and Worker's Compensation, and the annual total is \$306,232, which is a slight increase from last year's renewal total of \$301,952.

Manager Steigerwalt reported on the Heating Oil Contract bid opening results from October 19, 2020 as follows: two bids were received for the No. 2 Heating Oil to be delivered to various borough facilities and volunteer fire companies; the lowest bidder for the fixed price at \$1.5206 per gallon was Papco of Aston, PA; the lowest bidder for the floating price at \$0.105 per gallon was Fegley Oil Company of Tamaqua, PA.; Papco's bid is less than last year's contract fixed price of \$2.1958 per gallon; and Manager Steigerwalt is recommending awarding the contract to Papco. A recommendation was made to award the contract for No. 2 Heating Oil to Papco of 2 New Road, Suite 311, Aston, PA at the fixed price of \$1.5206 per gallon. 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.

Manager Steigerwalt also reported on a Schuylkill County Tax Claim Bureau Repository Sale for a property located at 146 Penn Street, tax parcel number 65-16-79. Manager Steigerwalt stated that there are no issues with the bidder. A recommendation was made to approve the Schuylkill County Tax Claim Bureau Repository Sale of a property at 146 Penn Street, tax parcel number 65-16-79, to Anderson Best. 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.

Manager Steigerwalt also reported on a letter received from Barry Isett & Associates, Inc. regarding variances and waivers requested by the applicant Moyer Investments, LLC for the installation of new self-storage buildings at 3 West Rose Street. Manager Steigerwalt stated that the requested variances and waivers, along with conditional preliminary/final approval for the project was granted by the Zoning Hearing Board and Planning Commission, and can now be considered for conditional approval by Borough Council. A motion was made by Connely and seconded by Linkevich to approve the requested variances and waivers as recommended by the Zoning Hearing Board and Planning Commission. Manager Steigerwalt stated that Borough Council only needs to approve the nine requested Subdivision and Land Development Ordinance (SALDO) waivers and to grant conditional approval of the project. The following Subdivision and Land Development Ordinance (SALDO) waivers have been requested for the project:

- 1) SALDO SECTION 405.A – A waiver is requested to allow the plans to be presented as a preliminary/final plan in lieu of having to make separate preliminary and final plan submissions.
- 2) SALDO SECTION 502.A – A waiver is requested to allow the plan to be prepared at a scale of 1" = 30' for the land development plans and 1" = 70' for the overall boundary tract.

- 3) SALDO SECTION 502.D.6 – A waiver is requested to show less information in the key map in the area to the north of the site.
- 4) SALDO SECTION 502.D.11 – A waiver is requested from showing all steep slope areas on the site, noting that there are no steep slope areas within the area of development.
- 5) SALDO SECTION 502.H.3.c – A waiver is requested from providing a traffic impact study.
- 6) SALDO SECTION 503.C.4 – A waiver is requested from installing new property corner markers at all property corners, noting the location of some property corners in remote, wooded areas where no development is proposed at this time.
- 7) SALDO SECTION 608.D.2 – A waiver is requested from the requirement that for stormwater basin design, the post-development 10-year peak discharge shall not exceed the pre-development 2-year peak discharge.
- 8) SALDO SECTION 608.D.3 – A waiver is requested from the requirement that for calculating runoff, the prior to construction condition shall be considered as only wooded, or meadow, including any areas currently covered by impervious surfaces.
- 9) SALDO SECTION 608.F.2.b – A waiver is requested to reduce the minimum pipe diameter from 18 inches to 15 inches for the storm piping upslope of the detention basin.

The motion and second were amended as follows: a recommendation was made to approve the nine requested Subdivision and Land Development Ordinance (SALDO) waivers and grant conditional approval of the project as recommended by the Planning Commission. 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 unanimously approved.

Council recognized Joe Pinkey, engineer for McTish, Kunkel & Associates, and the firm working with Moyers Investment, LLC on the project, who asked if the land development agreement and security deposit would include storm water and erosion and sediment or would they have to expand on that. Zoning/Code Enforcement Officer Kurtz stated that he believes it would be for the site improvement itself, but that would have to be worked out with Dan Wilusz of Barry Isett & Associates, engineers for the Borough.

Manager Steigerwalt reported on the advertisement for Requests for Proposals (RFP's) for cleaning services for the borough buildings. Manager Steigerwalt stated that notices were sent to a dozen companies and only one response was received from EMC Cleaning Service Inc. of Hazleton in excess of \$3,000 per month, which was thought to be rather pricey. Manager Steigerwalt recommended that Council reject the bid and rebid the RFP's. A recommendation was made to reject the bid submitted and to re-bid for RFP's for cleaning service for the borough buildings. 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.

Manager Steigerwalt reported that he had a Winter Maintenance Agreement from Schuylkill County for winter maintenance services at County Bridge 134 on Cedar Street and County Bridge 136 on Greenwood Street at a cost of \$50.00 per hour. A recommendation was made to approve the annual Winter Maintenance Agreement presented by Schuylkill County to maintain County Bridge 134 on Cedar Street and County Bridge 136 on Greenwood Street at a cost of \$50.00 per hour. 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.

Manager Steigerwalt also reported that Mauch Chunk Trust agreed to lower the fixed interest rate from 3.5% to 3% on the 2014 Water Revenue Bond. Manager Steigerwalt stated that savings will be sizeable for a 9.4 million dollar bond.

Director of Community Development Calabrese reported on the following: an invitation to donate or participate in the Wreaths across America program scheduled for Saturday, December 19<sup>th</sup> at 12:00 p.m. at Sky-View Memorial Park and organized by Eric and Christine Zizelmann and Paul and Liz Corinchock; the Tamaqua Area Chamber of Commerce Scarecrow contest is going on now; there are 11 scarecrows throughout the area and you can vote for your favorite by liking the scarecrow picture on the Tamaqua Chamber Facebook page, emailing the chamber at [chamber@tamaqua.net](mailto:chamber@tamaqua.net), or by scanning the sign attached to the scarecrow from your smart phone; and notification was received from the state regarding CRIZ funding: Bethlehem will receive \$547,339.61, Lancaster will receive \$8,426,609.67 and Tamaqua will receive \$513,038.34.

Chief Woods thanked Council for their support and for selecting him as Chief of Police. Chief Woods stated that since he was hired as a full-time officer in 1990, he has witnessed many remarkable events and incredible acts of kindness and has done everything from issuing parking tickets to prosecuting for a homicide. Chief Woods stated that he has many memories, some sad, some aggravating, some hilarious, and that he was very fortunate to have Council believe in him and the department. Chief Woods also thanked Mayor Gerace, the police department, family, friends and neighbors for their support and offered to assist in the future in any way that he can.

Under the Public Safety Committee Report, Chairman Connely thanked Chief Woods, on behalf of the Borough, all residents and officers, for his years of service and for what he did to continue the department's progress over a short period time as Chief. Chairman Connely stated that the pending vacancy of the Chief of Police position was posted internally and that the committee interviewed five highly qualified candidates, most coming from within the department, and they were all great, and the committee is now ready to make a recommendation for a new Chief. A recommendation was made to appoint Corporal Michael Hobbs as the next Chief of Police for the Tamaqua Police Department at a salary of \$76,000 per year effective November 1, 2020. 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. President Mace congratulated Corporal Hobbs on the appointment as Chief of Police. Corporal Hobbs thanked Council for selecting him as Chief and stated that he looks forward to working with everyone.

Under the Public Safety Committee Report, Corporal Hobbs presented Chief Woods with his retirement badge. President Mace, on behalf of Borough Council, presented Chief Woods with a plaque in honor of his dedicated service to the Borough of Tamaqua.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for the installation of a concrete patio with a roof at 627 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 Bowman, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for the installation of a sign at 101 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 Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for the replacement of signs at 401 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 issue a Certificate of Appropriateness for the replacement of guard rails and posts on a porch and the installation of a concrete retaining wall and installation of a guard on the top of the retaining wall at 216 Cottage Avenue. 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 337 Schuylkill Avenue. 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 Cara, and unanimously approved.

Mayor Gerace announced that Trick or Treat will be held on Saturday, October 31<sup>st</sup> from 5:00 p.m. to 7:00 p.m. Mayor Gerace also announced that the four fire companies and Police Department will host a safe trick or treat from 5:00 p.m. to 7:00 p.m. on October 31<sup>st</sup> at each of their respective locations for those who prefer not to go door to door.

The meeting was opened to the floor.

Savas Logothetides, owner/operator of the Wheel Restaurant, expressed his concern with having to revert back to a take-out and delivery only model due to the spikes in Covid-19 cases and the actions of our Governor. Mr. Logothetides asked if Council would consider a program that he created for Pottsville for curbside service allocations of parking for restaurants. Mr. Logothetides explained that restaurants could apply for two parking spots in front of their restaurant that would be specific to curbside pickup and with signs marked "Curbside Parking Only". Mr. Logothetides stated that parking is always a situation and is very limited and that this program would only be used if restaurants would be forced to go to just take-out and delivery only models. Mr. Logothetides stated that if there is interest, he would be more than happy to share the program with Council. President Mace stated that Council would be interested in taking a look at the program he developed for Pottsville for potential consideration for Tamaqua. President Mace asked Mr. Logothetides to drop off a copy of the program to Manager Steigerwalt, who could then distribute to the Parking and Traffic Committee for consideration. A recommendation was made for the Parking and Traffic Committee to consider pandemic related parking modifications and for review of the plan. 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. Councilman Connely asked if the program was only for restaurants or for all essential businesses that are open during the pandemic. Mr. Logothetides stated that all essential businesses could apply for spots. There was some discussion regarding the application and potential questions.

James Metsopoulos asked Council if they would consider other options in order to facilitate a sale or change of ownership for condemned properties that have been sitting for a long period of

time. Mr. Metsopoulos stated that he spoke with Zoning/Code Enforcement Officer Kurtz and was told that once a property is condemned it basically sits until the owner comes back and takes possession or if it becomes a hazard it can be demolished. Mr. Metsopoulos asked Council if they have ever considered conservatorship or other options to sell or rehab the property to bring up value of the community and encourage people to move in. President Mace asked if the properties of interest are owned by the Borough or other entities. Mr. Metsopoulos stated that the properties he looked at are owned by other entities. President Mace stated that the process followed for those type of properties is controlled by the County and is not a function of a municipality. President Mace also stated that he's not sure how conservatorships would work, but recommended that Mr. Metsopoulos contact the Schuylkill County Tax Claim Bureau for advice on how to speed up the process of ownership transfer of condemned properties that are owned privately.

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

Solicitor Odorizzi reported on the Boyer's Food Market Project as follows: there are three projects going on: a CRIZ related project, a sewer main project, and a traditional improvements project; he is working with Zoning/Code Enforcement Officer Kurtz and the folks from Barry Isett & Associates to make sure the Borough is protected in an improvements agreement secured by a letter of credit; and when the improvements agreement is final, he will need a signature from President Mace. President Mace asked Solicitor Odorizzi to state what that agreement is for. Solicitor Odorizzi stated that the agreement is for land development improvements at Boyer's Food Market. A recommendation was made to authorize President Mace, as executor for the Borough, to sign the improvement agreement for land development improvements at Boyer's Food Market. 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. Zoning/Code Enforcement Officer Kurtz asked if the plans could be included for signature as well. The motion and second were amended as follows: a recommendation was made to authorize President Mace, as executor for the Borough, to sign the improvements agreement for land development improvements at Boyer's Food Market as well as any plans related to that project. 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 Cara, seconded by Bowman, 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 Cara, seconded by Bowman, 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 Bowman, seconded by Amentler, and unanimously approved.

The council meeting was recessed at approximately 8:08 p.m. while council met in executive session.

The council meeting was reconvened at approximately 8:45 p.m.

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

A recommendation was made to approve a \$4,000 donation to the Tamaqua Fire Police for the purchase of a new vehicle from Rottet Motors. 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.

There being no further business, the meeting was adjourned at approximately 8:46 p.m. on motion of Bowman, seconded by Linkevich, to meet again at the call of the President.

ATTEST:

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Amy Macalush, Assistant Borough Secretary/Treasurer