

The Tamaqua Borough Council held its first Regular Council Meeting for the month of November on Tuesday, November 18, 2014 at 7:00 p.m. in the Council Chambers at the Tamaqua Municipal Building, 320 East Broad Street, Tamaqua, Pa.

Present were Councilmembers Thomas Cara, Brian Connely, R. Daniel Evans, Micah Gursky, Kerry Lasky, and David Mace. Absent was Councilman Justin Startzel. Officials present were Mayor Christian Morrison, Chief of Police Richard Weaver, Borough Manager Kevin Steigerwalt, Assistant Borough Secretary/Treasurer Amy Macalush, and Fire Chief Thomas Hartz. Solicitor Michael S. Greek arrived later in the meeting.

The meeting was called to order by President Gursky. The invocation was given by Councilman Cara followed by the Pledge of Allegiance led by Councilwoman Lasky. Prior to the invocation, Councilman Cara requested a moment of silence in memory of two men that passed away recently; Alan Kerr, former tax collector, and Tony Rodrigue, member of HARC and Tamaqua Planning Commission. The roll was called with six council members present and one absent.

The reading of the minutes of the Regular Council Meeting held on October 21, 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.

President Gursky announced that before proceeding with the meeting agenda, an executive session would be held in order to discuss legal matters with Attorney Donald L. Carmelite. President Gursky apologized to public for the inconvenience.

The council meeting was recessed at approximately 7:05 p.m. while council met in executive session.

The council meeting was reconvened at approximately 7:35 p.m.

President Gursky announced that an executive session was held to discuss pending litigation.

Communication was received from Matthew Meyers, Zoning Officer, recommending the reappointment of Richard Clemson to a five-year term on the Tamaqua Hearing Board, effective January 1, 2015. A recommendation was made to reappoint Richard Clemson to a five-year term on the Tamaqua Hearing Board. 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 Cara, and unanimously approved.

Communication was received from Matthew Meyers, Zoning Officer, recommending the reappointment of Dale Freudenberger to a three-year term on the Historic Architectural Review Commission, effective January 1, 2015. A recommendation was made to reappoint Dale Freudenberger to a three-year term on the Historic 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 Connely, seconded by Evans, and unanimously approved.

Communication was received from Matthew Meyers, Zoning Officer, recommending the reappointment of Andrew Kane to a four-year term on the Tamaqua Planning Commission, effective January 1, 2015. A recommendation was made to reappoint Andrew Kane to a four-year term on the Tamaqua Planning Commission. 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 Mace, and unanimously approved.

Communication was received from Linda Yulanavage, executive director/main street manager of the Tamaqua Area Chamber of Commerce, stating that the annual Santa Claus Parade is planned for December 5, 2014 at 6:00 p.m. The parade will assemble at the Borough Garage on East Broad Street and travel west on Broad to Depot Square. The sleigh will then proceed to the Tamaqua Community Art Center on Pine Street

where they will greet the children. The communication also requested police and fire police assistance during the parade. A recommendation was made to grant the requests. 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.

Communication was received from Linda J. Yulanavage, executive director of the Tamaqua Area Chamber of Commerce, requesting permission to close East Broad Street from Pine Street to Greenwood Street during the 17th Annual New Year's Eve Ball Drop at the ABC Tamaqua Hi-Rise. The event would be held between the hours of 10 p.m. on December 31, 2014 to 1 a.m. on January 1, 2015. The communication also requested that the street should be posted no parking and closed between the hours of 10 p.m. to 1 a.m. The communication also requested police presence for this event. A recommendation was made to grant the requests. 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 Cara, and unanimously approved.

Communication was received from Edward Eltringham stating his intent to retire from the Borough of Tamaqua Sewage Treatment Plant as of February 27, 2015. A recommendation was made to accept the letter of retirement from Edward Eltringham. 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 Cara, and unanimously approved.

Communication was received from President Brad Gotshall and Secretary Mary Labert of the Schuylkill County Boroughs Association requesting that council consider passing the following resolution opposing House Bill 2408 and House Bill 1671. If adopted, House Bill 2408 would place additional mandates on executive sessions, and House Bill 2408 would mandate additional public notices regarding meeting agendas.

RESOLUTION 2014-17

**A RESOLUTION OF THE BOROUGH OF TAMAQUA
SCHUYLKILL COUNTY, PENNSYLVANIA, REGARDING THE OPPOSITION OF HOUSE BILL
1671 AND HOUSE BILL 2408**

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 there are vacancies on the Historical Architectural Review Commission, Planning Commission, Board of Appeals and Board of Health.

Manager Steigerwalt reported on the revised Floodplain Ordinance, which every municipality is required to review as per FEMA. A draft ordinance was prepared, reviewed by Solicitor Michael Greek and approved by DCED. Manager Steigerwalt stated that there were no changes to the new Floodplain Map. The following ordinance was presented for council's consideration:

**ORDINANCE NO. 675
BOROUGH OF TAMAQUA**

**AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES AND
CORPORATIONS TO OBTAIN A PERMIT FOR ANY CONSTRUCTION OR DEVELOPMENT;
PROVIDING FOR THE ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN MINIMUM
REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE
BOROUGH OF TAMAQUA WHICH ARE SUBJECT TO FLOODING; AND ESTABLISHING
PENALTIES FOR ANY PERSONS WHO FAIL, OR REFUSE TO COMPLY WITH, THE
REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE.**

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

Council recognized Daniel Poncavage of 235 High Street, who asked if an officer would be in charge of the Ordinance. President Gursky stated that the Borough's Code Enforcement/Zoning Officer will continue to administer and enforce the Ordinance. Mr. Poncavage stated that there have been changes to the floodplain areas over the years. Mr. Poncavage mentioned that dams were built and a bridge replacement. There was some discussion about this matter.

Manager Steigerwalt announced that the street sweeper has stopped for the season and will start up again in the Spring.

Manager Steigerwalt noted that there are several new employees coming off their probationary period in November: Amy Macalush, Mark Leiby, Aaron Coggiano and Shannon Boyer. A motion was made by Connely, seconded by Mace to retain the employment of Amy Macalush, Mark Leiby, Aaron Coggiano and Shannon Boyer. Councilman Cara asked if Aaron Coggiano had obtained his CDL license. Manager Steigerwalt stated that Aaron did not yet receive the license. After a brief discussion, the motion and second was amended as follows: A recommendation was made to retain the employment of the above mentioned employees with the exception of Aaron Coggiano. 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 extend the probationary period for 30 days for Aaron Coggiano. 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 reported on the job vacancy at the water treatment plant. Applications have been received for the trainee position and the list of potential candidates will be forwarded to the Finance Committee for scheduling of interviews. Councilman Connely questioned the status of the two additional job openings, one for the street department and one for the water department. Manager Steigerwalt stated that the primary focus has been on filling the vacancy at the water treatment plant.

Chief Weaver reported that Tamaqua Police have been cleared of any inappropriate actions in the case of a man who died shortly after being shot by a police taser. Chief Weaver stated the case is now considered closed as per Schuylkill County District Attorney Christine Holman.

Chief Weaver requested Council's permission to proceed with the purchase of a license plate reader, computers and cameras for police vehicles, which were previously approved by Council on December 17, 2013. The purchase would be paid for using a John E. Morgan Foundation Grant plus a \$10,000.00 contribution from the borough.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for Cyrus Haldeman of 212 Penn 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 Mace, and unanimously approved.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for Ardina A. Sands of 231 Cedar 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 Mace, and unanimously approved.

Under the Recreation and Youth Committee Report, Chairman Mace provided an update on the hiring of the ESRC Executive Director position recently vacated by Jason Boris. Chairman Mace stated that an advertisement was placed in the Times News and Pottsville Republican Newspapers, and ten applications were received. Chairman Mace stated that a first round of interviews had taken place, and three of the candidates were returning for a second interview with the Board. Chairman Mace pointed out that two previous grant applications submitted by Jason Boris to the Commonwealth Financing Authority, on behalf of Walker Township and Coaldale Borough, were denied. Chairman Mace stated that the denial was rather unusual and that going forward, ESRC will have to re-evaluate their approach on grants.

Mayor Morrison stated he attended the Citizens Fire Company's 125th Anniversary banquet on Saturday, November 15th and presented a Certificate of Appreciation award to the Citizens Fire Company in recognition of their service to the people of Tamaqua. Mayor Morrison expressed his appreciation on the longevity of the Citizens Fire Co. and their dedication to the community.

The meeting was opened to the floor.

With no one 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 Cara, and unanimously approved.

Under Unfinished Business, Manager Steigerwalt presented for council's consideration an agreement with Schuylkill County for the administration of the 2014 CDBG Program. Manager Steigerwalt stated that he and Dan Schroeder met with Gary Bender, county director of community development, and Karen Parish, county CDBG consultant, to discuss the administration of the program. Manager Steigerwalt stated that in 2015, the county will be required to administer this program, and both he and Dan think it would be a good idea for the borough to partner with the county now to get a head start on the transition. Dan Schroeder, Community Development Officer for the borough, stated that he feels it would be in the best interest of the borough to partner with the county now, not only because of the 2015 requirement, but also because Bill Delgesso, current consultant for the borough, is looking to retire in the very near future, and the borough would then need to hire another consultant. There was some discussion about this matter. Councilman Connely expressed his concern with trusting the county for consulting. A recommendation was made to approve the Cooperation Agreement with Schuylkill County for 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 Mace, and approved by a 5-0-1 vote with Councilman Connely opposed.

Under Unfinished Business, President Gursky announced that the borough would be re-applying to the state as a Community Revitalization and Improvement Zone (CRIZ). President Gursky stated that the borough had applied for the program last year and agreed to be the pilot zone, but was denied. President Gursky explained that, under this program, any increase in state tax revenue raised within the zone, can come back to the borough. President Gursky stated that a requirement of the application is to appoint a CRIZ authority to oversee the program. The following ordinance was presented for council's consideration:

**BOROUGH OF TAMAQUA
ORDINANCE NO. 676**

AN ORDINANCE OF THE BOROUGH OF TAMAQUA, SCHUYLKILL COUNTY, PENNSYLVANIA, SIGNIFYING THE INTENT OF THE BOROUGH TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE PENNSYLVANIA MUNICIPALITIES ACT, AS AMENDED AND SUPPLEMENTED, TO BE KNOWN AS THE “TAMAQUA COMMUNITY REVITALIZATION AND IMPROVEMENT ZONE CONTRACTING AUTHORITY”; SETTING FORTH THE FORM OF THE ARTICLES OF INCORPORATION; APPOINTING THE FIRST MEMBERS OF THE BOARD TO THE AUTHORITY AND FIXING THEIR TERM OF OFFICE; DESIGNATING THE PURPOSES FOR SAID AUTHORITY; AUTHORIZING THE EXECUTION AND FILING OF THE ARTICLES OF INCORPORATION; AUTHORIZING THE TAKING OF ALL SUCH ACTION AS MAY BE NECESSARY OR APPROPRIATE TO ORGANIZE SAID AUTHORITY, INCLUDING THE PUBLICATION OF REQUIRED PUBLIC NOTICE; AND CONTAINING CLAUSES FOR SEVERABILITY, REPEAL, AND EFFECTIVE DATE.

A recommendation was made to adopt the foregoing ordinance creating the Tamaqua Community Revitalization and Improvement Zone Contracting Authority (CRIZ). 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 Cara, and approved by a unanimous roll call vote.

Solicitor Michael Greek arrived at approximately 8:15 p.m.

Council recognized Daniel Poncavage of 235 High Street, who asked for an explanation of the benefits of this program. President Gursky explained that the program would be used as a financial tool to help provide new growth and promote economic development. President Gursky stated that the downtown area of Tamaqua, the Jamesway Shopping Plaza and businesses carrying a liquor license are all properties within the zone and are all eligible for tax income coming back to the community. Mr. Poncavage stated that it might be worthwhile to take a look at the map again as there may have been some changes. Mr. Poncavage feels that the businesses without a liquor license may feel slighted. Mr. Poncavage suggested that the application be fine-tuned and open to all citizens. There was some discussion about this matter. A recommendation was made to appoint the following to the Tamaqua Community Revitalization and Improvement Zone Contracting Authority: Brian Connely, Paul Fridirici, Richard Hadesty Sr., Phil Houm and Jack Kulp. 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 Cara, and approved by a 5-0-1 vote with Councilman Connely abstaining from the vote.

A recommendation was made to adopt a resolution authorizing the submission of an application to the Commonwealth designating 126.65 acres as a Community Reinvestment Improvement Zone. The following resolution was presented for council’s consideration:

**RESOLUTION NO. 2014-18
RESOLUTION OF THE BOROUGH OF TAMAQUA
AUTHORIZING THE FILING OF AN APPLICATION
TO THE COMMONWEALTH OF PENNSYLVANIA**

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 Evans, and approved by a unanimous roll call vote.

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 Lasky, and unanimously approved.

Under New Business, a recommendation was made to purchase a license plate reader, computers and cameras for police vehicles as requested earlier in the meeting by Chief of Police Richard Weaver. 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, a motion was made by Connely, seconded by Mace, to tentatively adopt and advertise the draft 2015 budget. After some discussion regarding a potential increase in millage and the advertising of the draft budget and tax ordinance, the motion was rescinded. A recommendation was made by Connely to tentatively adopt and advertise the draft 2015 Budget with a 1 mill increase, but the motion failed due to a lack of a second. Manager Steigerwalt provided a brief summary of the draft 2015 budget, stating that changes in employee contracts were taken into consideration and also that the appropriations remain the same. Councilman Cara commented on the deficit that Tamaqua faces every year stating that we continue to borrow funds from other funds to pay the bills. Manager Steigerwalt mentioned that the bulk of real estate taxes is not received until April, and that borough council must satisfy the annual pension obligations. Councilman Connely explained that cuts were made and that savings were realized where they could. Councilman Connely stated that recent contract negotiations with the UAW and police resulted in some savings, but that the borough must keep up with operations, which means replacing equipment, etc. Mayor Morrison commented that nobody wants to raise taxes, but a lot of changes have been made including the hiring of new employees, new equipment purchases and contracts. Councilman Connely stated that if the borough is not willing to cut costs, then it will need to accept cuts in services. President Gursky stated that some services were cut, including the sale of the Community Center, the layoff of a police officer, and the new employee contract includes a transition from a defined benefit to a defined contribution pension plan. There was much discussion about this matter. A motion was made by Cara to tentatively adopt and advertise the draft 2015 budget, but the motion failed due to a lack of a second. President Gursky commented that the borough did a good job to save money, but agreed with Councilman Connely that something more needs to be done. A recommendation was made to tentatively adopt and advertise the draft 2015 budget with a 1 mill increase. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered by Connely, seconded by Mace and approved by a 5-1 vote with Councilman Cara opposed. Mayor Morrison pointed out that even with a 1 mill increase, the borough is still coming up short. Council recognized Pat Dougherty of 330 Market Street, who wanted to know what the plans were in regards to the collection of outstanding taxes. Mrs. Dougherty asked why is it fair for those who pay their taxes to offset those who don't pay and get a free ride. Mrs. Dougherty expressed concern for the senior citizens of the community stating that an increase in taxes would place a hardship on them, as most of them are on tight budgets. Mrs. Dougherty asked Council to be more proactive in researching ways to offset the deficit. There was some discussion regarding real estate taxes and delinquencies.

Under New Business, Councilman Gursky reported on the 2nd Annual Schuylkill County Municipal Elected Officials and Fire Chiefs Summit which he attended on November 12th in Pine Grove, where plans for a new burning building and firefighting training facility near Frackville were unveiled.

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 Connely, 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 9:12 p.m.

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

Councilwoman Lasky mentioned that she was changing her vote to No on the motion to tentatively adopt and advertise the draft 2015 Budget with a 1 mill tax increase. Councilwoman Lasky explained that the change of her vote was due to a misunderstanding on the motion.

There being no further business, the meeting was adjourned at approximately 9:15 p.m. on motion of Mace, seconded by Cara, to meet again at the call of the President.

ATTEST:

Amy Macalush, Assistant Borough Secretary/Treasurer