

The Tamaqua Borough Council held its first Regular Council Meeting for the month of January on Tuesday, January 17, 2017 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, R. Daniel Evans, Micah Gursky and David Mace. Absent were Councilmembers Brian Connely and Kerry Lasky. 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 Director of Community Development Mary Linkevich.

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

The reading of the minutes of the last Regular Council Meeting held on December 20, 2016 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 Hans Shinton of 119 Lafayette Street expressing an interest in serving on the Board of Health. A recommendation was made to appoint Hans Sinton to serve on the Board of Health. 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 Shirley L. Becker stating that she is resigning from the Board of Health. A recommendation was made to accept the resignation of Shirley L. Becker from the Board of Health and to send a letter thanking her for her 48 years of service. 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 S. Durbin Wagner and Yolanda G. Wagner, on behalf of the owners of the Sidetrack Tap Room of 315 North Railroad Street, requesting a special parking area in front of the building to be used as take-out parking and to load/unload deliveries only. 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 Gursky, seconded by Bowman, and unanimously approved.

Communication was received from Annette Weyant of 62 Mahanoy Street expressing her concerns about parking issues on Mahanoy Street. 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 Bowman, seconded by Gursky, and unanimously approved.

Manager Steigerwalt reported on the following: the streetlight at Broad and Swatara streets has been installed; Christmas trees must be free of decorations and lights and are being collected until the end of January; and an advertisement was prepared for the sale of used equipment on the Municibid Online Government Auction website and the auction will open January 30, 2017 and close February 16, 2017.

Manager Steigerwalt requested an executive session prior to adjournment to discuss real estate issues.

Director of Community Development Linkevich reported that the streetlight purchase project is moving faster than she had hoped and that the make ready work would begin next week. There was some discussion about this matter.

Director of Community Development Linkevich also reported that the ice skating project was on hold until next winter. The best place for ice skating would be Dutch Hill but work would need to be done first, sometime this spring.

Director of Community Development Linkevich also reported that the Community Development Block Grant (CDBG) items are moving along and the bathhouse decision will hopefully come this week. President Mace asked about the status of the CDBG loans. Ms. Linkevich stated the status of the loans is the same.

Mayor Morrison stated that he had a conversation with Scott Herring of Hellertown, PA who is the chairman of the 250th Anniversary of Anthracite Coal event planned in 2018. Mr. Herring would like to place a promotional sign for the event in the south side area of Tamaqua.

The meeting was opened to the floor.

Michelle Mehallic of 411 North Lehigh Street asked when council would be hiring police officers. President Mace stated that council is trying to resolve final details on the new police contract and a meeting is being scheduled. Ms. Mehallic stated that we need more than one cop and that she would be attending the next council meeting.

Tammy Sienkiewicz of 215 Bowe Street discussed a flyer that was distributed for a National Day of Remembrance "Forever in Our Hearts" ecumenical service that would be held at Bethany Evangelical Congregational Church on January 29, 2017 at 7 p.m. The event is being held as a time for communities to honor those lost to addiction and offer support to their families. The event is sponsored by the Tamaqua Ministerial Association in conjunction with Safer Streets for Tamaqua's Little Feet and the Tamaqua Area Faith Fellowship Network/Step-Up Tamaqua. Mrs. Sienkiewicz requested greater support and participation from the community and councilmembers. There was some discussion about this matter.

John Sienkiewicz of 215 Bowe Street thanked the community for supporting the "Giving Tree" project which provides winter necessities such as hats, gloves, scarves and mittens. Mr. Sienkiewicz stated that approximately 3,000 items have been distributed between the three "Giving Trees".

Lenore Rutman of 100 Orwigsburg Street expressed her concerns about the following: she complained about the condition of properties on Hunter Street owned by George Geissinger; she asked if there is an ordinance covering commercial vehicles that are parked on the street; and that a flatbed truck was left running approximately one hour last night and the fumes from the truck went into her home. Ms. Rutman did try talking with Mr. Geissinger. She also stated that Mr. Geissinger belongs to the Tamaqua Animal Rescue organization and he brings rescued dogs to his home. She also expressed her concerns about the number of dogs kept on his property and a noise ordinance for barking dogs. Ms. Rutman also stated that one of Mr. Geissinger's dogs bit her son and she asked for options to receive payment for the medical bills she incurred. Chief Weaver recommended that Ms. Rutman file a civil action with the Magistrate regarding reimbursement for any medical bills. These matters would be referred to code enforcement and the police department.

Ms. Rutman also asked about obtaining a handicapped parking space. Manager Steigerwalt will forward a handicapped parking application to her.

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 Gursky, 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 Gursky, and unanimously approved.

Under New Business, Councilman Evans had an ordinance authorizing an \$800,000 General Obligation Note for acquisition and improvements to the borough street lighting system to present for council's consideration:

**ORDINANCE NO. 691
BOROUGH OF TAMAQUA
SCHUYLKILL COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE BOROUGH OF TAMAQUA, SCHUYLKILL COUNTY, PENNSYLVANIA, SETTING FORTH ITS INTENT TO ISSUE ITS GENERAL OBLIGATION NOTE, SERIES OF 2017, IN THE PRINCIPAL AMOUNT OF EIGHT HUNDRED THOUSAND DOLLARS (\$800,000) PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, 53 PA.C.S. CHAPTERS 80-82, AS AMENDED, REENACTED AND SUPPLEMENTED, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT (THE "ACT"); FINDING THAT A PRIVATE SALE BY NEGOTIATION IS IN THE BEST FINANCIAL INTEREST OF THE BOROUGH; DETERMINING THAT SUCH 2017 NOTE SHALL EVIDENCE NONELECTORAL DEBT OF THE BOROUGH; SPECIFYING THAT SUCH INDEBTEDNESS IS TO BE INCURRED TO PROVIDE FUNDS TO FINANCE A PROJECT OF THE BOROUGH WHICH COLLECTIVELY CONSISTS OF, ANY OR ALL OF THE FOLLOWING: (1) DESIGNING, ACQUIRING, CONSTRUCTING, RENOVATING AND IMPROVING THE MUNICIPAL STREET LIGHTING SYSTEM OF THE BOROUGH; (2) DESIGNING, ACQUIRING, CONSTRUCTING, INSTALLING, FURNISHING AND EQUIPPING OF ALTERATIONS, RENOVATIONS, ADDITIONS AND IMPROVEMENTS TO EXISTING FACILITIES OF THE BOROUGH; (3) PURCHASING CAPITAL EQUIPMENT FOR USE BY THE BOROUGH; (4) ADDITIONAL CAPITAL PROJECTS OF THE BOROUGH TO THE EXTENT APPROVED BY THE COUNCIL OF THE BOROUGH; AND (5) PAYING THE COSTS AND EXPENSES OF ISSUING THE 2017 NOTE; SETTING FORTH THE REASONABLE ESTIMATED USEFUL LIVES OF THE PROJECTS TO BE FINANCED BY THE 2017 NOTE; ACCEPTING A PROPOSAL FOR THE PURCHASE OF SUCH 2017 NOTE AT PRIVATE SALE BY NEGOTIATION; PROVIDING THAT SUCH 2017 NOTE, WHEN ISSUED, SHALL CONSTITUTE A GENERAL OBLIGATION OF THE BOROUGH; FIXING THE DENOMINATION, DATED DATE, INTEREST PAYMENT DATES, INTEREST RATES, REDEMPTION PROVISIONS AND PLACE OF PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH 2017 NOTE; AUTHORIZING SPECIFIED OFFICERS OF THE BOROUGH TO CONTRACT WITH THE PAYING AGENT FOR ITS SERVICES IN CONNECTION WITH THE 2017 NOTE; SETTING FORTH THE SUBSTANTIAL FORM OF THE 2017 NOTE EVIDENCING THE DEBT; AUTHORIZING EXECUTION AND ATTESTATION OF SUCH 2017 NOTE; PROVIDING COVENANTS RELATED TO DEBT SERVICE APPLICABLE TO SUCH 2017 NOTE TO THE EXTENT REQUIRED BY THE ACT AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE BOROUGH IN SUPPORT THEREOF; CREATING A SINKING FUND IN CONNECTION WITH SUCH 2017 NOTE, TO THE EXTENT REQUIRED BY THE ACT; DESIGNATING THE PAYING AGENT TO BE THE SINKING FUND DEPOSITARY; PROVIDING A COVENANT TO INSURE PROMPT AND FULL PAYMENT FOR SUCH 2017 NOTE WHEN DUE; SETTING FORTH REGISTRATION AND TRANSFER PROVISIONS WITH RESPECT TO SUCH 2017 NOTE; AUTHORIZING THE EXECUTION OF ONE OR MORE INVESTMENT AGREEMENTS BY SPECIFIED OFFICERS OF THE BOROUGH (IF APPLICABLE) AND THE PURCHASE OF CERTAIN U.S. TREASURY OBLIGATIONS OR ANY OTHER SECURITIES OR INVESTMENTS IN CONNECTION WITH THE PROJECT;

AUTHORIZING AND DIRECTING SPECIFIED OFFICERS OF THE BOROUGH TO DO, TO TAKE AND TO PERFORM CERTAIN SPECIFIED, REQUIRED, NECESSARY OR APPROPRIATE ACTS TO EFFECT THE ISSUANCE OF THE 2017 NOTE, INCLUDING, WITHOUT LIMITATION, THE PREPARATION OF A DEBT STATEMENT AND BORROWING BASE CERTIFICATE, AND THE FILING OF SPECIFIED DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, ALL AS REQUIRED BY THE ACT; DECLARING THAT THE DEBT TO BE EVIDENCED BY SUCH 2017 NOTE, TOGETHER WITH ALL OTHER INDEBTEDNESS OF THE BOROUGH, WILL NOT BE IN EXCESS OF ANY APPLICABLE LIMITATION IMPOSED BY THE ACT; AUTHORIZING PROPER OFFICERS OF THE BOROUGH TO DELIVER THE 2017 NOTE UPON THE APPROVAL OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; SETTING FORTH CERTAIN COVENANTS PRECLUDING THE BOROUGH FROM TAKING ACTIONS WHICH WOULD CAUSE THE 2017 NOTE TO BECOME AN “ARBITRAGE BOND” OR A “PRIVATE ACTIVITY BOND” AS THOSE TERMS ARE USED IN THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE “CODE”), AND APPLICABLE REGULATIONS PROMULGATED THEREUNDER; DESIGNATING THE 2017 NOTE AS A “QUALIFIED TAX-EXEMPT OBLIGATION” UNDER SECTION 265(b) OF THE CODE; AUTHORIZING AND DIRECTING THE PREPARATION, EXECUTION AND DELIVERY OF ALL OTHER REQUIRED DOCUMENTS AND THE TAKING OF ALL OTHER REQUIRED ACTION; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INsofar AS THE SAME SHALL BE INCONSISTENT HERewith.

A recommendation was made to adopt the foregoing ordinance. Council recognized Brian Koscelansky of Stevens and Lee, the borough’s bond counsel, who explained the process and stated that closing would be on March 1, 2017. 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 Gursky, and approved by a unanimous roll call vote.

A recommendation was made to hold an executive session to discuss real estate matters. 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.

The council meeting was recessed at approximately 7:32 p.m. while council met in executive session.

The council meeting was reconvened at approximately 8:34 p.m.

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

There being no further business, the meeting was adjourned at approximately 8:34 p.m. on motion of Bowman, seconded by Cara, to meet again at the call of the President.

ATTEST:

Georgia Depos DeWire, Borough Secretary/Treasurer