

The Tamaqua Borough Council held its first Regular Council Meeting for the month of January on Tuesday, January 20, 2015 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, David Mace and Justin Startzel. Officials present were Mayor Christian Morrison, Chief of Police Richard Weaver, Borough Manager Kevin Steigerwalt, Solicitor Michael S. Greek and Borough Secretary/Treasurer Georgia Depos DeWire.

The meeting was called to order by President Gursky. The invocation was given by Councilman Cara followed by the Pledge of Allegiance led by Boy Scout Nicholas Wall. The roll was called with all councilmembers present.

President Gursky welcomed members of Tamaqua Boy Scout Troop 777 who were attending the meeting as part of their Citizenship Pin project. The Boy Scouts of Troop 777 in attendance were Connor Hill, Colby Kistler, Zander Bauer, Derek DeAngelo, Craig Grabe, Arnold Payero and Jordan York. Also in attendance from the Scout Troop were Troop Leader Pete DeAngelo and Den Chief Nathan Steigerwalt.

The reading of the minutes of the last Regular Council Meeting held on December 2, 2014 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Mace, seconded by Cara, and unanimously approved.

Communication was received from James Gormley stating that he is resigning as a member of the Tamaqua Borough Board of Health effective immediately. A recommendation was made to accept his letter of resignation and to send a letter thanking him for his 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 Mace, seconded by Cara, and unanimously approved.

Communication was received from Shirley L. Becker, secretary of the Board of Health, stating that she was unable to submit an end of year report because she had not received a final report from the Code Enforcement Officer. She also stated that with the recent resignations of Randolph Gormley and James Gormley, the Board is unable to hold meetings due to a lack of a quorum. The Board is requesting that Council advertise these vacancies. Mrs. Becker also stated that the Board has received numerous complaints from bars and restaurants that they have not been given inspections and their licenses for 2015 and is asking council to look into this matter.

Communication was received from John Comisac expressing an interest in filling the vacant position on the Non-Uniformed Pension Committee. A recommendation was made to appoint John Comisac to serve as a member of the Non-Uniformed Pension Committee. 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 Startzel, and unanimously approved.

Communication was received from Rosemarie Noftz of 625 East Broad Street expressing an interest in serving on the Board of Health. A recommendation was made to appoint Rosemarie Noftz to serve on the Board of Health to fill the unexpired term of Randolph Gormley and the term would expire 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 Mace, seconded by Startzel, and unanimously approved.

Communication was received from Kathy Kunkel, secretary of the Tamaqua Civil Service Commission, requesting the reappointment of Herbert Curvey to a six-year term expiring December 31, 2020. A recommendation was made to reappoint Herbert Curvey to serve on the Civil Service Commission to a six-year term expiring December 31, 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 Mace, and unanimously approved.

Under Communications, President Gursky read a letter from Denise Smulligan-Johnson. Ms. Smulligan stated that she is the oldest daughter of deceased Councilman Kenneth Smulligan and recently read a Times News newspaper article published on October 24, 2014 where councilmembers suggested naming the new East Broad Street Bridge after her father and deceased Councilman John Trudich. Ms. Smulligan stated that she has read about things her Dad accomplished and wanted to accomplish; and how her Dad loved to talk endlessly about the town, the Save Our Station (SOS), council and his plans. Ms. Smulligan thanked councilmembers for this suggestion, for being his friend and for all of their hard work and dedication.

Manager Steigerwalt reported on the 2015 Street Materials bid results. Manager Steigerwalt stated that there were a total of three bidders and that he provided council with a bid results worksheet and a comparison of material hauling cost calculations for pickup of materials at the plant or quarry. The hauling costs were calculated using the PennDOT recommended method. Manager Steigerwalt stated that due to the difference in mileage and travel time to each plant or quarry, the lowest per ton bid is not always the lowest price. Manager Steigerwalt's recommendations for contract awards are as follows:

100 tons Superpave Base Coarse (pickup)	Lehigh Asphalt, Tamaqua, PA	\$ 5,426.00
750 tons Anti-skid Material AS3 (delivery)	Lehigh Asphalt, Tamaqua, PA	\$ 10,687.50
500 tons 2A stone (pickup)	R.E. Pierson, Middleport, PA	\$ 3,250.00
750 tons Anti-skid Material AS3 (pickup)	R.E. Pierson, Middleport, PA	\$ 7,500.00
200 tons #57 stone (pickup)	R.E. Pierson, Middleport, PA	\$ 1,600.00
200 tons #57 stone (delivery)	R.E. Pierson, Middleport, PA	\$ 2,660.00
100 tons #8 stone (pickup)	R.E. Pierson, Middleport, PA	\$ 1,000.00
100 tons #8 stone (delivery)	R.E. Pierson, Middleport, PA	\$ 1,530.00
400 tons Superpave Wearing Coarse (pickup)	Pottsville Materials, Pottsville, PA	\$ 23,800.00
400 tons Superpave Wearing Coarse (delivery)	Pottsville Materials, Pottsville, PA	\$ 27,300.00
30 tons Superpave Any Wearing Coarse(pickup)	Pottsville Materials, Pottsville, PA	\$ 1,785.00
100 tons Superpave Base Coarse (delivery)	Pottsville Materials, Pottsville, PA	\$ 5,975.00
100 tons PaDOT Approved Cold Patch (pickup)	Pottsville Materials, Pottsville, PA	\$ 11,500.00
100 gallons PG 64-22 (pickup)	Pottsville Materials, Pottsville, PA	\$ 450.00

A recommendation was made to award Lehigh Asphalt & Paving, P.O. Box 549, Tamaqua, PA the 2015 Street Materials contract awards as follows: 100 tons Superpave Base Coarse (pickup) in the amount of \$5,426.00; and 750 tons Anti-skid Material AS3 (delivery) in the amount of \$10,687.50. 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 Startzel, and unanimously approved.

A recommendation was made to award R.E. Pierson Construction, 730 Mountain Road, Middleport, PA 17953 the 2015 Street Materials contract awards as follows: 500 tons 2A stone (pickup) in the amount of \$3,250.00; 750 tons Anti-skid Material AS3 (pickup) in the amount of \$7,500.00; 200 tons #57 stone (pickup) in the amount of \$1,600.00; 200 tons #57 stone (delivery) \$2,660.00; 100 tons #8 stone (pickup) in the amount of \$1,000.00; and 100 tons #8 stone (delivery)

in the amount of \$1,530.00. 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 Startzel, and unanimously approved.

A recommendation was made to award Pottsville Materials #2 East Darkwater Road, P.O. Box 1185, Pottsville, PA 17901 the 2015 Street Materials contract awards as follows: 400 tons Superpave Wearing Coarse (pickup) in the amount of \$23,800.00; 400 tons Superpave Wearing Coarse (delivery) in the amount of \$27,300.00; 30 tons Superpave Any Wearing Coarse (pickup) in the amount of \$1,785.00; 100 tons Superpave Base Coarse (delivery) in the amount of \$5,975.00; 100 tons PaDOT Approved Cold Patch (pickup) in the amount of \$11,500.00; and 100 gallons PG 64-22 (pickup) in the amount of \$450.00. 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 Startzel, and unanimously approved.

Manager Steigerwalt discussed a resolution approving a price adjustment for bituminous materials for 2015. A recommendation was made to adopt a resolution approving a price adjustment for bituminous materials for 2015. The following resolution was presented for council’s consideration:

**RESOLUTION NO. 2015-1  
PRICE ADJUSTMENT OF BITUMINOUS MATERIALS  
FOR SMALL QUANTITIES**

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 Cara, and approved by a unanimous roll call vote.

Manager Steigerwalt discussed a five-year Winter Traffic Services Agreement between the Borough of Tamaqua and the Commonwealth of Pennsylvania, acting through the Department of Transportation PennDOT for winter maintenance of the state roads in portions of the borough as follows: the agreement number 3900036646 began in 2012; errors were recently found with the mileage calculations, essentially with Routes 209 and 309; the mileage calculation was adjusted for winter services; and the change would increase the winter services payment approximately \$7,500 over the next three years. The following resolution was presented for council’s consideration:

**RESOLUTION 2015-2  
DEPARTMENT OF TRANSPORTATION  
WINTER TRAFFIC SERVICES SUPPLEMENTAL AGREEMENT**

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 Trudich, and approved by a unanimous roll call vote.

Manager Steigerwalt reported that he provided council with a list showing all the vacancies and related terms. There was some discussion about this matter.

Under the Borough Manager’s report there was some discussion about contract items in the UAW Collective Bargaining Agreement. President Gursky stated that a meeting should be scheduled to meet with the UAW representatives to discuss these items.

Chief Weaver presented a policy and procedures for officers’ use of body-worn cameras to be added to the Police Standard Operation Procedures and Policy Manual for council’s consideration. A recommendation was made to refer the matter to the Solicitor for review. 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 Mace, seconded by Startzel, and unanimously approved.

Chief Weaver asked about Mutual Aid Agreements with Coaldale Borough, Rush Township and Schuylkill Township. Solicitor Greek would look into this matter.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for Guido Lopresto of 115 Lombard 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 Frank Morris Sr. of 218 Pitt 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 David G. Herring of 156 Orwigsburg 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.

Chairman Evans of the Parking and Traffic Committee also reported that he received an envelope with a variety of letters from residents requiring medical treatment that are requesting snow removal.

Under the Parking and Traffic Committee report, Councilman Mace expressed concerns about the former right-turn lane that was removed at the intersection of Greenwood and East Broad streets and vehicles are still using it as a right-turn lane. There was much discussion about this matter. President Gursky referred the matter to the Parking and Traffic Committee.

Under Parking and Traffic Committee report, a recommendation was made to contact PennDOT to obtain the proposed recommendations for signage for the Five Points. 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 Startzel, and unanimously approved.

Under the Finance, Wage and Salary Committee report, a recommendation was made to retain Justin C. McCarroll as a full-time Mechanic/Street Maintenance Worker effective immediately. 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 the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to approve the opening of a separate bank account for the Tamaqua Historical Society Museum Project entitled "RACP TACP Project Grant". There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Startzel, seconded by Mace, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to approve a proposal from Alfred Benesch and Company in the amount of \$54,000 for engineering and inspection for the Center Street Streetscape Project. 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 Startzel, seconded by Evans, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to approve a Certificate of Appropriateness for the addition of a 180 square foot deck at the rear of 243 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 Startzel, seconded by Mace, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to approve a Certificate of Appropriateness for changes to an existing sign at 249 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 Startzel, seconded by Cara, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation to approve a Certificate of Appropriateness for replacement of an entry door and fascia at the Water Department Garage located at 120 South Greenwood Street. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Startzel, seconded by Mace, and unanimously approved.

Chairman Mace of the Recreation and Youth Committee introduced and welcomed John Mirarchi, the new Executive Director for the Eastern Schuylkill Recreation Commission. Chairman Mace stated that Mr. Mirarchi's first event was Breakfast with Santa. Chairman Mace turned the meeting over to Mr. Mirarchi.

Mr. Mirarchi reported on the following: he is getting used to everything; he created a new website, Facebook page and Twitter account; he would like to start a winter adult basketball league in the near future; youth programs; fundraisers; and recreational trips.

Chairman Connely of the Public Safety Committee commended the Tamaqua Police Department and Drug Task Force on the recent drug arrests.

Chairman Connely of the Public Safety Committee reported on the following: radio systems; grant from the commissioners for \$5 million came through; approximately half of the Fire Department radios would be provided through the grant; and he is not sure if the borough would be reimbursed for those radios purchased or if we would get additional radios.

Chairman Connely of the Public Safety Committee also reported on the following: the final number of hours was 25,170 for 2014 as reported by the Tamaqua Fire Department; the total amount of fire damage for the borough was \$65,000 for 2014; and thanked all first responders and volunteers for their contributions over the years. Councilman Mace stated that these groups also need volunteers.

Under the Public Safety Committee report, a recommendation was made to send thank you letters to the Schuylkill County Commissioners, Schuylkill County Fire Association, Fire Chiefs and Communications Center. 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.

Chairman Connely of the Public Safety Committee reported that the borough did not receive a response to a request under the Pennsylvania Right-to-Know Law requesting a copy of the

original request for proposal for the county radio and communications center contract. A recommendation was made to send a letter to the Schuylkill County Commissioners and Emergency Management Coordinator for the non-response of the Right-to-Know request. There was no one from the floor wishing to address council about this matter. The recommended was so ordered on motion of Connelly, seconded by Mace, and unanimously approved.

Chairman Cara of the Finance, Wage and Salary Committee discussed a spreadsheet prepared by Secretary/Treasurer DeWire detailing the Minimal Municipal Obligations (MMO) and borough contributions beginning in 2005 to the present for the Police and Non-Uniformed Pension Plans. There was some discussion about the following: the Police Pension Plan; the Non-Uniformed Pension Plan; the MMO contributions made by the borough; the employees have been good and have agreed to some changes to the pension plan; and the distress levels. Chairman Cara read an email from Ronald Bittner, Vice President, and Senior Pension Consultant of Univest Municipal Pension Services. In Mr. Bittner's email, he explained the following: that the Tamaqua Police Pension Plan was underfunded and the Non-Uniformed Pension Plan was overfunded, as of January 1, 2013, the last measurement date for the plans; underfunded means that the assets of the plan are less than the accrued liabilities of the plan and overfunded is just the opposite; every municipality receives a Distress Score every two years after the Act 205 Reports are submitted to the state; Tamaqua's score has remained the same at Level 1 for the past three valuations which means that the combined funded ratio of both pension plans was between 70% and 90%; while the Police Plan is underfunded and the borough is at Distressed Level 1 by these measurers, that does not mean that the borough has neglected its funding obligations; and if the borough wants to improve the funded ratio for the Police Plan and move it closer to an overfunded status and possibly achieve a Level 0 distress score, the borough would have to deposit more than the MMO amounts each year.

Mayor Morrison reported on the following: the pension committees meet quarterly and the next regular pension meeting is scheduled for Thursday, February 5<sup>th</sup>; Larry Wittig joined the Police Pension Committee; and employees helped to find committee members.

Mayor Morrison also commended the Police Department on the recent drug arrests.

The meeting was opened to the floor.

Boy Scout Connor Hill of Schuylkill Avenue asked questions about the pension plan, and where the borough is on a scale of 1-10. Councilmembers explained that the borough is approximately an 8 on the scale and the expenses are well funded.

Boy Scout Nicholas Wall of 1379 Valley Road asked what the census of Tamaqua and Walker Township is. The last census for Tamaqua lists the population at 7,107.

Boy Scout Connor Hill asked why the school has a dress code. President Gursky stated that question must be addressed to the school board.

Boy Scout Derek DeAngelo asked how you get a seat on council. Councilman Startzel explained the process of the petition and then election. President Gursky stated that a candidate must be 18 years of age and must live in the borough.

Councilman Startzel asked if we still have a Junior Borough Council position. President Gursky said that we do.

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 Mace, seconded by Cara, and unanimously approved.

Under Unfinished Business, President Gursky stated that General Code has performed an initial review of the borough's legislation for publishing the new Code of the Borough of Tamaqua for the Codification Project. There was some discussion about the Codification Project.

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 Mace, seconded by Lasky, and unanimously approved.

Under New Business, Councilman Mace reported that the Website Committee met and the process is starting. Councilman Mace stated that the committee approached last year's summer help for assistance and Scott Zelonis is interested in assisting with the project.

Under New Business, President Gursky reported on the Tamaqua City Revitalization and Improvement Zone (CRIZ). President Gursky announced that the Tamaqua Chamber of Commerce would be hosting a breakfast seminar to learn more about the CRIZ designation on February 3, 2015 at 8:00 a.m. at the Tamaqua Salvation Army.

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 Startzel, and unanimously approved.

The council meeting was recessed at approximately 8:20 p.m. while council met in executive session.

The council meeting was reconvened at approximately 8:46 p.m.

A recommendation was made to authorize Chief Weaver to offer a conditional offer of employment to Pete Sandor. 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 Startzel, and unanimously approved.

There being no further business, the meeting was adjourned at approximately 8:47 p.m. on motion of Connely, seconded by Mace, to meet again at the call of the President.

ATTEST:

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Georgia Depos DeWire, Borough Secretary/Treasurer