

The Tamaqua Borough Council held its first Regular Council Meeting for the month of June on Tuesday, June 17, 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, R. Daniel Evans, Micah Gursky, Kerry Lasky, David Mace and Justin Startzel. Absent was Councilman Brian Connely. 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 Emily Palumbo from Delaware Valley. The roll was called with six councilmembers present and one absent.

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

President Gursky turned the meeting over to Chairman Mace of the Recreation and Youth Committee. Chairman Mace recognized 2014 PIAA Track and Field Champions Monika Shimko, Paige Demetriades and Tyler Hope. He presented Ms. Shimko and Ms. Demetriades with Certificates of Achievements. Councilman Mace stated that Tyler Hope was not in attendance and a Certificate of Achievement would be forwarded to him.

Councilman Mace also recognized the 2014 Tamaqua Area High School Blue Raiders Baseball Team; head coach Jeff Reading, assistant coach Caleb Calarco, and other members of the coaching staff for their season accomplishments in the PIAA District XI Class AAA Baseball Championship. The baseball team was not in attendance but Certificates of Achievements would be forwarded to them. The Tamaqua Area Blue Raiders 2014 team roster is as follows: Seniors Ian Nicholls, Adam Bates and Matt Roberts; Juniors Harold Moll, Nate MacDonald, Bo Rottet, Jake Humes, Connor Hartung, Tim Lehman, Brad Fedor and Brett Kosciolk; Sophomores Brady Akins, Russell Blaker, Owen Bates, Matt Minchhoff, Zachary Coleman; and Freshmen Daylon Barron and Eddie Titus.

Communication was received from Mark P. Sinn stating his intent to request his early retirement package from the Borough of Tamaqua and his last day of employment to be July 29, 2014. Mr. Sinn stated that he would by then have used all of his vacation, sick and personal time. A recommendation was made to accept the letter of retirement from Mark P. Sinn. 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 Leona M. Rega, Tamaqua Area Center and Safety Initiative Coordinator, stating that the Tamaqua Safety Initiative would again participate in the National Night Out Event on August 5, 2014 from 6:00 to 9:00 p.m. Ms. Rega also stated that the Tamaqua Salvation Army would be hosting an all-day Kidz Karnival at the North Railroad Street Parking Lot. Ms. Rega is requesting sidewalk use and help in slowing vehicle traffic for pedestrian crossing in the following areas: 100 block of Pine Street south to American Hose Fire Company (both sides); 19 Mauch Chunk Street north to American Hose Fire Company (both sides); triangle of Mauch Chunk and Pine streets intersection; and crossing of traffic from the North Railroad Street Parking Lot to the Tommy's Hoagie Shop. The communication also requested the posting of signs

along the road telling people to be careful of pedestrians before they reach the actual event area. 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 Mace, seconded by Cara, and unanimously approved.

Communication was received from Thomas Wood, secretary of American Hose Company No. 1, requesting permission to close Pine Street from Broad to Mauch Chunk streets for the annual fireman's festival from July 31st at 8:00 a.m. until August 3rd at 11:30 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 Mace, seconded by Startzel, and unanimously approved.

Communication was received from David P. Lesniak stating his decision to take advantage of the early retirement offer for the year 2014 from the Borough of Tamaqua. Mr. Lesniak stated that his retirement date is December 31, 2014. Mr. Lesniak also stated that his last day of work should have been January 29, 2014 and he knows and accepts that there is no compensation for lost accumulated time that has passed; therefore his last day of work is June 11, 2014. Mr. Lesniak also stated that he does think that he should be compensated for last year's vacation time which he was unable to use. A recommendation was made to accept the letter of retirement from David P. Lesniak. 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 Timothy M. Trently, division manager of Service Electric Cablevision, Inc. writing to review with the borough the rate adjustments and updated product information referenced in a letter which will be sent to customers in the coming week.

Communication was received from Black Rock District Boy Scouts stating that the Hawk Mountain Council would like to hold a camporee (camp out) at the Owl Creek Reservoir on September 26, 27 and 28, 2014. Council recognized event chairman Steve Daynorowicz, and his wife Laurie, who were members of the audience. Mr. and Mrs. Daynorowicz discussed the camporee event that would include scouts and leaders from throughout Schuylkill County and that the scouts would be completing a service project for the Owl Creek Reservoir Commission. Mr. and Mrs. Daynorowicz also stated that they are also members of the Owl Creek Reservoir Commission. 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 Mace, seconded by Startzel, and unanimously approved.

Under Communications, Councilman Cara asked about a communication and request submitted by Eastern Schuylkill Regional Planning (ESRP). Manager Steigerwalt had the communication. President Gursky read the communication submitted by Karl P. Smulligan, ESRP Chairman. The communication stated the following: that the members of ESRP are asking that the borough council approve the recommended changes to our joint zoning ordinances; these changes improve our zoning in many important areas, like allowing for green energy in all districts, creating a general industrial area for mining, improving the ability to have relief from some of the setback requirements for homeowners in both the R-4 and R-5 zoning districts; many more important improvements that allow us to be more compliant with the State's Municipal Planning Codes; and the ESRP appreciates the efforts of the four planning commissions that have reviewed these

changes, but we must now move forward so that we can finalize these changes. The communication also included an Outline of Revisions to Eastern Schuylkill Planning Zoning and Subdivision and Land Development Ordinance of 2009 by Eastern Schuylkill Regional Planning (a.k.a. Eastern Schuylkill Planning)-2011 and 2012. Council recognized Frank Kane of 134 Penn Street, who stated that he is a business owner, owns property and is a member of the Tamaqua Planning Commission. Mr. Kane explained variances, the way the code is written, minimum set backs, dense housing and a dense downtown and parking requirements for businesses. Mr. Kane stated that he recommends and agrees with the planning commission. Mr. Kane also stated that Code Enforcement Officer Josh Esposito is burdened with people needing help, and is requesting amending the code to ease the burden on people. There was some discussion about this matter. Solicitor Greek recommended sending a letter to ESP. A recommendation was made to send a letter to Eastern Schuylkill Regional Planning (a.k.a. Eastern Schuylkill Planning) in favor of moving forward with the changes to the ordinances. There was some discussion about high density areas. 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 Startzel, and unanimously approved.

Manager Steigerwalt reported that he had two resolutions to present in order to resubmit a grant application for the Multimodal Transportation Fund Grant to be used for bridge lighting and sidewalk improvements along State Route 309 in downtown Tamaqua. The following resolutions were presented for council's consideration:

**RESOLUTION NO. 2014-9
BOROUGH OF TAMAQUA
MULTIMODAL TRANSPORTATION FUND GRANT OF \$196,200
FROM THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION**

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.

**RESOLUTION NO. 2014-10
BOROUGH OF TAMAQUA
MULTIMODAL TRANSPORTATION FUND GRANT OF \$196,200
FROM THE COMMONWEALTH FINANCING AUTHORITY**

A recommendation was made to adopt the foregoing resolution. 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 Evans, and approved by a unanimous roll call vote.

Manager Steigerwalt reported on the 2014 CDBG Application, allocation and second hearing date.

Manager Steigerwalt discussed the vacancies created by retiring employees.

A recommendation was made to post an in-house job vacancy notice for Head Mechanic. 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.

A recommendation was made to advertise for a Water Treatment Plant Operator. There was some discussion about licensing and qualifications of candidates for the position. 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 Evans, and unanimously approved.

Chief Weaver is recommending that a Radar Speed Display sign on loan from All Traffic Solutions be returned to the company. Chief Weaver stated that the police department does not want to incur the expense of purchasing the sign now, because of other expenses that will be incurred due to forced upgrades for other items the department needs. A recommendation was made to refer the matter to the Building and Equipment Committee. 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.

President Gursky congratulated the Tamaqua Police Department and Schuylkill County District Attorney's Drug Task Force for their work in one of the largest drug busts. A recommendation was made to send letters and Certificates of Appreciation containing the borough seal to all parties involved with the recent police activity. 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.

Mayor Morrison noted that in 2006, Weaver, then a Corporal under former Police Chief Charles Hartung, was instrumental in starting a drug task force.

Under the Building and Equipment Committee report, a recommendation was made to accept a proposal from JW General Contracting of Tamaqua in the amount of \$5,658.00 to install new 30-year shingles on the magistrate building. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Lasky, seconded by Cara, and unanimously approved.

Under the Public Safety Committee report, a recommendation was made to approve proposals from MetroAlert of Wayne, PA and Dark Mountain Technologies of Tamaqua totaling \$15,635.90 for new computer equipment and software for the police department. 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 Joseph E. Motika of 210 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.

Chairman Evans of the Parking and Traffic Committee also reported on the following: wrapping up the handicapped renewal process; and he spoke to Tony Prudenti, owner the Stadium Hill Café, regarding his parking requests. Chairman Evans also had a question about an area on South Railroad Street in the area of the late Jim Major's property that is being used as a turnaround. Manager Steigerwalt stated that the area is a street until you get to the area of the Major property where the street stops and becomes private property.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for the construction of a ramp, façade changes and window installations at 119-123 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 Startzel, seconded by Mace, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for construction of an addition

and ramp at 117 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.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for the installation of a banner at 18 North Railroad 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 issue a Certificate of Appropriateness for the demolition of 13 South Lehigh Street and the siding of the adjacent building. 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 issue a Certificate of Appropriateness for the demolition of 252 West Cottage Avenue and the siding of the adjacent building. 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 Mace, and unanimously approved.

Under the Recreation and Youth Committee report, a recommendation was made to accept a proposal from Pioneer Pole Buildings Inc. of Schuylkill Haven in the amount of \$11,620.00 to build a storage building at the Lower Owl Creek Dam. 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.

Under the Recreation and Youth Committee report, a recommendation was made to accept a proposal from Storage Solutions By Snyder LLC of New Ringgold in the amount of \$1,985.00 to build a ticket booth at the Lower Owl Creek Dam. 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.

Chairman Mace of the Recreation and Youth Committee requested that Manager Steigerwalt solicit a bid or two for a pressure tank for the concession stand at the pool. Manager Steigerwalt will check with Public Works Director Jones about this matter.

The meeting was opened to the floor.

Gordon Balliet of Locust Street asked what does the borough plan to do with the former CVS Drug Store property. President Gursky stated that the borough does not own the property. Mr. Balliet expressed his concerns about the doors of the building being left open so he reported it to the police department. There was discussion about securing the building, grass cutting, and that the property is under litigation for serious structural problems. President Gursky asked that Mr. Balliet be given a copy of a report and contact information of the property owner.

Michelle Mehallic of 313 Orwigsburg Street expressed her concerns about a big dumpster located in front of the South Ward Playground since the winter, approximately three months, and

would like it removed. Mr. Balliet stated that Justin McCarroll is renovating a house on Penn Street and he is the person using the dumpster.

Herbert Curvey of 118 Clay Street expressed his concerns about the cat population, and complained about a neighbor's cats ruining his and others outdoor furniture. Mr. Curvey challenged council to pass a cat license ordinance. There was some discussion about this matter.

Andrew Leibenguth discussed the CVS property. Mr. Leibenguth also expressed his concerns about vehicles that begin traveling in the wrong direction on North Railroad Street at the Five Point Intersection. Chief Weaver stated that it happens mostly to out of state truck driver who are not reading the posted signs but rely on the GPS directions. There was some discussion about contacting PennDOT and GPS companies. Mr. Leibenguth would give a list of his recommendations to Manager Steigerwalt who would then forward them to PennDOT.

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

Mayor Morrison read a letter for the Dear Tamaqua Project from William Heffner of Orefield, PA. Mayor Morrison noted that several letters have been received for the Dear Tamaqua Project.

Mayor Morrison stated that the Parking and Traffic Committee may be the toughest committee, dealing with potholes, parking, speeding, and stop sign issues and commended the committee for their work on these issues. Mayor Morrison also recommended revisiting the Tamaqua Area School District issues before school goes back into session.

Mayor Morrison discussed a turning lane issue at the East Broad and Greenwood streets intersection and recommends that the Parking and Traffic Committee look into this matter.

Mayor Morrison stated that Summerfest was a big hit, and also thanked the volunteers.

Mayor Morrison promoted the Kidz Karnival event that would be held on August 5th along with the National Night Out Event. Mayor Morrison stated that he had tickets for sale for the Kidz Karnival and that people could consider sponsoring a child by purchasing a book of tickets for them.

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 Evans, and unanimously approved.

Under Unfinished Business, Councilman Mace asked about for a status report on the camera project. Chief Weaver gave an update on the project and stated that he had a new company review the project and provide a proposal. There was some discussion about the location of the cameras. Council recognized Kathy Kunkel, a member of the camera committee, who discussed the multiple phases of the 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 Cara, seconded by Mace, and unanimously approved.

Under New Business, Councilman Cara stated that a neighbor talked to him about the removal of a very large tree that the Rescue Squad was willing to remove. There was discussion about the removal, obtaining the property owners permission, liability issues, worker's comp liability issues on a private property and that it would not be a good idea.

Under New Business, a recommendation was made to hire Robin Rex for the Utility Clerk position at a rate of \$13.00 per hour to start in approximately three weeks. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Lasky, seconded by Cara, and unanimously approved.

Under New Business, President Gursky reported that a meeting was held with representatives of the United Auto Workers (UAW) Local 1612 to discuss approving an agreement with the ReDCo Group for summer workers. President Gursky stated that the UAW is not willing to approve the agreement and refused to sign off on the ReDCo program.

Under New Business, a motion was made by Lasky, seconded by Startzel, to hire Bobbijean Muffley for the Assistant Borough Secretary position. President Gursky asked for a starting date and pay rate. Councilwoman Lasky stated that she does not have a starting pay rate or date. Councilman Cara questioned Councilwoman Lasky on the motion. Councilwoman Lasky stated that she had made her position very clear when they spoke last week that she was not for the other candidate. Councilman Cara stated that three people on the interview committee were for a different candidate selected for the position and Councilwoman Lasky is in the minority on who was selected. Councilwoman Lasky stated that it comes down to the fiscal responsibility that this council has and the rate that is being offered to the individual that was favored is outrageous. Councilman Cara stated that council should discuss the matter in executive session.

A motion was made by Mace, and seconded by Evans, and unanimously approved to table the pending motion.

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 8:31 p.m. while council met in executive session.

The council meeting was reconvened at approximately 9:40 p.m.

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

A motion was made by Mace, seconded by Startzel, and unanimously approved to take the motion to hire Bobbijean Muffley for the Assistant Borough Secretary position off the table. Manager Steigerwalt stated that the starting rate would be \$13.50 per hour and the starting date would be in approximately two to three weeks. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Lasky, seconded by Startzel, and approved by a 4-2 vote with Councilmembers Cara and Gursky opposed.

There being no further business, the meeting was adjourned at approximately 9:45 p.m. on motion of Mace, seconded by Cara, to meet again at the call of the President.

ATTEST:

Georgia Depos DeWire, Borough Secretary/Treasurer