

The Tamaqua Borough Council held its first Regular Council Meeting for the month of June on Tuesday, June 18, 2019 at 7:00 p.m. in the Council Chambers at the Tamaqua Municipal Building, 320 East Broad Street, Tamaqua, PA.

Present were Councilmembers Robert Amentler, Ronald Bowman, Thomas Cara, Mary Linkevich, Ritchie Linkhorst and David Mace. Absent was Councilman Brian Connely. Officials present were Mayor Nathan Gerace, Borough Manager Kevin Steigerwalt, Public Works Director Robert Jones, Solicitor Michael S. Greek and Borough Secretary/Treasurer Georgia Depos DeWire.

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 Amentler. The roll was called with six councilmembers present and one absent.

The reading of the minutes of the Regular Council Meeting held on May 22, 2019 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.

Under Special Business, President Mace recognized the 2019 PIAA District XI Varsity Track and Field Champions. President Mace presented Certificates of Achievement to: Barron Stauffenberg in recognition of winning a Gold Medal in the Boys' Long Jump; Derian Stianche in recognition of winning a Gold Medal in the Boys' 800 Meter Run; Emily Titus in recognition of winning a Gold Medal in the Girls' Shot Put; and Brianna Dumond, Frances Kabana, Sarah Maue and Grace Stegemerten in winning the Girls' 4x800 Meter Relay.

Under Special Business, a recommendation was made to rescind a one-year contract awarded to Tamaqua Transfer and Recycling for the Refuse and Recyclable Materials Collection and to award a three-year contract to Tamaqua Transfer and Recycling for the Refuse and Recyclable Materials Collection. President Mace reviewed the bid results, bidders and contract prices as reported at the council meeting of May 22<sup>nd</sup>. Councilman Bowman clarified his reasons for his decision to vote to award a one-year contract. Councilman Bowman stated that he does not care who owns or is a partner in the company but he is doing what is best for the community. Councilman Bowman also stated that he did not appreciate being contacted by friends for the purpose of trying to sway his decision. 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 Linkevich, and approved by a 5-1 vote with Councilman Bowman opposed.

Communication was received from Shane O'Neill of 131 West Union Street stating that he is a Life Scout with Tamaqua Troop 777 and he is currently working on his Eagle Scout project. His two-part project is located at the Owl Creek Reservoir. The first part of the project will be to place buoys in front of the spillways on both the upper and lower dams. The second part of the project will be to put a billboard at both boating accesses to give a central location for both the Fish Commission and Owl Creek to display their messages. The Owl Creek Reservoir Commission gave him the okay to go ahead with this project. He was also approved by the Eagle Committee at the last Round Table meeting for this project and is asking council for their final approval. A recommendation was made to approve the Eagle Scout project. 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 Bowman, and unanimously approved.

Communication was received from Beth Fritzing-Jones, team liaison, stating that the Little League baseball season ended over the weekend with the Championship Games. The coaching staff and families want to reward the players with a swim picnic and are requesting that council consider waiving the fees for the Bungalow pavilion and pool for the celebration planned for June 30<sup>th</sup> starting at 1 p.m. A recommendation was made to approve the request and to coordinate the event with the Pool Manager and staff. 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 Linkhorst, and unanimously approved.

Communication was received from Savas G. Logothetides, owner of Sava Restaurants Limited Liability Company of 1316 West Market Street, Pottsville, PA requesting the proposed transfer of an intermunicipal liquor license owned by JCPB LLC, Crimson House of 118 North Centre Street, Pottsville PA to Sava Restaurants Limited Liability Company, Wheel Restaurant of 123 East Broad Street, Tamaqua PA. Solicitor Greek stated that a public notice, public hearing and a resolution would be needed. A recommendation was made to advertise a public hearing and to prepare a resolution for the transfer of a restaurant liquor license into the borough for the Wheel Restaurant located at 123 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 Linkevich, seconded by Bowman, and unanimously approved. Solicitor Greek stated that the advertising costs would be paid by Sava Restaurants Limited Liability Company, Wheel Restaurant.

Manager Steigerwalt reported that a public auction sale for a property at 241 Lafayette Street would be held on July 11, 2019 at 1:00 p.m. and the bidding would begin at \$4,000.00.

Manager Steigerwalt also reported that Justin McCarroll was appointed to the position of Chief Mechanic at the last meeting and he will be completing his 30-day trial period on June 21<sup>st</sup>. A recommendation was made to approve the permanent transfer of Justin McCarroll to the Chief Mechanic position on June 21<sup>st</sup> provided there are no issues. 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.

Manager Steigerwalt also reported that there were no in-house applicants interested in filling a job vacancy for the Assistant Mechanic/Street Maintenance Worker Position in the Street Department. A recommendation was made to advertise in the newspaper for a full-time Assistant Mechanic/Street Maintenance Worker Position in the Street Department. 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.

Manager Steigerwalt also reported on the following: the final draft of the Code of Ordinances was received and must be approved by ordinance; the bathroom renovation project in the borough building is underway; and gave an update on the South Railroad Street project and its subdivision will be going in front of the county tomorrow. There was some discussion about the broken air conditioning system in parts of the borough building.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 536 East Union Street. 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.

Under the Parking and Traffic Committee report, a recommendation was made to approve an agreement with Santander Bank to lease eight parking spaces at Rear 330 East Broad Street for \$150.00 per month. 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.

Under the Parking and Traffic Committee report, a recommendation was made to advertise an ordinance amending the street excavation permit ordinance. 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 Linkhorst, seconded by Cara, and unanimously approved.

Under the Finance, Wage and Salary Committee report, a recommendation was made to advertise an ordinance granting a non-exclusive cable television franchise to Service Electric Cablevision Inc. with a five-year term and five percent franchise fee. 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 Recreation and Youth Committee report, a recommendation was made to hire Sierra Szabo as a part-time lifeguard per the lifeguard pay rate scale for the 2019 pool season. 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 Linkhorst, and unanimously approved.

Under the Building and Equipment Committee report, a recommendation was made to purchase a 2,000 PSI steam pressure washer at a cost of \$3,019.00 from NAPA for the Street Department garage with funds designated from the Equipment Fund. 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.

Mayor Gerace stated that he visited the White House last week. Mayor Gerace asked what the status is of the ordinance addressing fireworks. Solicitor Greek stated that the ordinance is ready to be advertised.

The meeting was opened to the floor.

Michelle Mehallic of 411 North Lehigh Street asked about the location of the subdivision on South Railroad Street. She stated that a garage is located there and her family owns a part of the lot. Miss Mehallic expressed her concerns that the area would be made into a road. Councilman Linkhorst stated that the purpose of the project is to provide emergency vehicles access to the area.

Miss Mehallic also expressed her concerns about drug activity in the South Ward. She stated that she saw lots of drug activity when she was working the polls on Election Day and something needs to be done.

South Ward Fire Chief Mark Bower stated that drug activity is seen taking place from the fire station as well. There was some discussion about this matter.

Kathy Nunemacher of 322 Mahanoy Street expressed her concerns about safety issues at the bottom of Lehigh Street and requested that a street light be placed there. There was some discussion about the following: the standards for traffic signals have changed; according to PennDOT there is not enough traffic in the area; PennDOT governs the intersection; and a request would be made to PennDOT to look into the matter.

South Ward Fire Chief Mark Bower asked when the street paving project would be starting on Spruce Street as the Fireman's Convention is coming to town in August. Public Works Director Jones stated that the only information provided by PennDOT is that the project would be finished by August 23<sup>rd</sup>, and that PennDOT is aware of the convention and the school schedule. Kathy Nunemacher asked if Stadium Hill will also be paved. Public Works Director Jones stated that it would be paved curb to curb.

Thomas Schlorf of 223 Orwigsburg Street asked if the borough has an ordinance on cats. There was some discussion about the following: the borough has a feral cat ordinance; contacting animal rescue; and catching, spaying/neutering and releasing the cats back to the area where they were found.

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

Solicitor Greek asked council to review the ordinance for a street opening permit and to provide their recommendations before it is advertised.

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.

Under Unfinished Business, a recommendation was made to advertise an ordinance establishing rules and regulations for public displays of fireworks. Council recognized Thomas Schlorf who asked how long before the ordinance would be adopted. Solicitor Greek stated that the current Pennsylvania law is still valid even if the ordinance is not adopted by July 4<sup>th</sup>. There was some discussion about this matter. There was no one else 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.

Under New Business, Councilman Cara reported that he had an ordinance adopting the Eastern Schuylkill Regional Planning Zoning Ordinance, as advertised, to present for council's consideration:

#### **ORDINANCE NO. 705**

#### **THE EASTERN SCHUYLKILL REGIONAL PLANNING JOINT ZONING ORDINANCE**

A recommendation was made to adopt the foregoing ordinance. 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 Cara, seconded by Bowman, and approved by a unanimous roll call vote.

Under New Business, a recommendation was made to advertise an exotic animal ordinance with revisions made by the Borough Solicitor. 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 New Business, Councilman Cara reported that he had an ordinance adopting the Eastern Schuylkill Regional Planning Subdivision and Land Development Ordinance as developed by Eastern Schuylkill Regional Planning to present for council's consideration:

**ORDINANCE NO. 706**  
**THE EASTERN SCHUYLKILL REGIONAL PLANNING JOINT SUBDIVISION AND**  
**LAND DEVELOPMENT 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 Cara, seconded by Bowman, and approved by a unanimous roll call vote.

Under New Business, Councilman Cara presented a proposal for the consolidation of the Water Garage and Borough Garage into one unit. Councilman Cara is looking for comments from council. President Mace stated that additional work needs to be done regarding this matter.

Under New Business, there was some discussion about repairs to the air conditioning units in the municipal building, especially for Police Department.

Under New Business, President Mace discussed the Solar Array Opportunity. There was some discussion about the following: the borough was approached by a sub-committee from the Tamaqua Area School District (TASD) regarding this opportunity; the opportunity was presented by Solar Renewable Energy LLC; the borough has an opportunity to piggyback on the project with joint participation from the TASD and West Penn Township; Federal Tax Credits; the overall cost of the project; most expenditures would be incurred by the school district; a five-year lease with an option to buy at year six; and a special ad-hoc committee was created consisting of President Mace and Councilmembers Linkhorst and Linkevich.

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 Cara, and unanimously approved.

The council meeting was recessed at approximately 8:12 p.m. while council met in executive session.

The council meeting was reconvened at approximately 8:31 p.m.

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

There being no further business, the meeting was adjourned at approximately 8:31 p.m. on motion of Bowman, seconded by Linkevich, to meet again at the call of the President.

ATTEST:

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Georgia Depos DeWire, Borough Secretary/Treasurer