

The Tamaqua Borough Council held its first Regular Council Meeting for the month of July on Tuesday, July 7, 2020 at 7:02 p.m. through the Zoom video conference system. It was noted that there were some issues accessing the Zoom meeting. The public was able to participate in the council meeting using a computer, tablet or smart phone with an internet connection using the link <https://us02web.zoom.us/j/87420903205> and by entering Meeting ID 831 5362 8685, password 448928. Individuals who did not have internet access were able to participate by telephone by dialing 1-929-436-2866 and entering Meeting ID 874 2090 3205 # and password 448928.

Present were Councilmembers Robert Amentler, Ronald Bowman, Thomas Cara, Brian Connely, Mary Linkevich, Ritchie Linkhorst and David Mace. Officials present were Mayor Nathan Gerace, Chief of Police Henry Woods, Borough Manager Kevin Steigerwalt, Public Works Director Robert Jones, Solicitor Anthony Odorizzi, Borough Secretary/Treasurer Georgia Depos DeWire, Director of Community Development Ann Marie Calabrese and Zoning/Code Enforcement Officer Gregory Kurtz Jr.

The meeting was called to order by President Mace. The invocation was given by Councilman Cara. President Mace stated that since the borough is using a video conferencing platform, the Pledge of Allegiance was waived. The roll was called with all councilmembers present.

The reading of the minutes of the Regular Council Meeting held on June 16, 2020 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Bowman, seconded by Amentler, and unanimously approved.

Communication was received from Corey L. Smolar of Hiller's Hideaway of 514 East Union Street, requesting permission to close the 500 block of East Union Street from 8:00 a.m. to 9:00 p.m. on September 26th for a Bike Run Benefit for Marcello Rivera. A recommendation was made to grant the request. There was some discussion about local traffic access to the area. 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.

Communication was received from Daryl Lauderman, Union Township Supervisor, requesting the assistance of the Fire Police with the 66th Annual Schuylkill County Volunteer Firefighters Convention Parade at 1:00 p.m. on August 22, 2020. A recommendation was made to authorize the Fire Police, if available, to assist the Ringtown Valley Fire and Rescue Company for the event. 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.

Under the Borough Manager's report, Public Works Director Jones reported that he had an ordinance authorizing a General Obligation Note in the amount not to exceed \$1,469,000 for refinancing of the borough's outstanding debt to present for council's consideration:

ORDINANCE NO. 717

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF TAMAQUA, SCHUYLKILL COUNTY, PENNSYLVANIA, SETTING FORTH ITS INTENT TO ISSUE ITS GENERAL OBLIGATION NOTE, SERIES OF 2020 IN THE PRINCIPAL AMOUNT NOT TO EXCEED ONE MILLION FOUR HUNDRED SIXTY-NINE THOUSAND DOLLARS (\$1,469,000) 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 INTERESTS OF THE BOROUGH; DETERMINING THAT SUCH 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 CONSISTS OF ANY OR ALL OF THE FOLLOWING: (1) CURRENTLY REFUNDING THE BOROUGH'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES OF 2012; AND (2) PAYING THE COSTS AND EXPENSES OF ISSUING THE NOTE; SETTING FORTH THE REASONABLE ESTIMATED USEFUL LIVES OF THE CAPITAL PROJECTS TO BE REFINANCED BY THE NOTE; ACCEPTING A PROPOSAL FOR THE PURCHASE OF SUCH NOTE AT PRIVATE SALE BY NEGOTIATION; PROVIDING THAT SUCH NOTE, WHEN ISSUED, SHALL CONSTITUTE A GENERAL OBLIGATION OF THE BOROUGH; FIXING THE DENOMINATION, DATED DATE, INTEREST PAYMENT DATES, INTEREST RATE, REDEMPTION PROVISIONS AND PLACE OF PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH NOTE; AUTHORIZING SPECIFIED OFFICERS OF THE BOROUGH TO CONTRACT WITH THE PAYING AGENT FOR ITS SERVICES IN CONNECTION WITH THE NOTE; SETTING FORTH THE SUBSTANTIAL FORM OF THE NOTE EVIDENCING THE DEBT; AUTHORIZING EXECUTION AND ATTESTATION OF SUCH NOTE; PROVIDING COVENANTS RELATED TO DEBT SERVICE APPLICABLE TO SUCH 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 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 NOTE WHEN DUE; SETTING FORTH REGISTRATION AND TRANSFER PROVISIONS WITH RESPECT TO SUCH 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 AND THE REFUNDING OF THE BOROUGH'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES OF 2012; 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 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 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 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 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 NOTE AS A "QUALIFIED TAX-EXEMPT OBLIGATION" UNDER SECTION 265(b) OF THE CODE; 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. 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 approved by a unanimous roll call vote.

Under the Borough Manager's report, Public Works Director Jones also reported on the following: the Street Department has completed the patching and crack sealing work along Owl Creek Road in preparation for the Oil and Chip Project; the Oil and Chip Project is scheduled to begin on July 20th and take approximately two to three days to complete; and the Market Street garages should be demolished by the end of the week.

Director of Community Development Calabrese reported on the following: the promotion of a Tamaqua Dines Out program; the Department of Community and Economic Development

(DCED) extended the deadline to apply for the Community Development Block Grant (CDBG) COVID-19 funds through the end of August; the County will publish a second hearing notice on or about August 3rd for an August 12th public hearing and August 19th approval by the Board of Commissioners; and the County will issue a separate application for the COVID County Relief Grant.

Chief Woods reported on the following: the July 4th holiday was eventful and the department received many calls; another part-time officer is leaving the department; and he asked council to consider hiring Officer Seip as a full-time officer from the Civil Service list. The Public Safety Committee would look into the hiring of Officer Seip.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 15 Clay 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.

Chairman Linkhorst of the Parking and Traffic Committee reported that a handicapped parking space application for 401 Hazle Street was being denied because there are already two handicapped parking spots in the 400 block of Hazle Street. A letter would be sent to the applicant.

Chairman Linkhorst of the Parking and Traffic Committee reported that he is receiving many complaints of people parking at corners. There was some discussion about this matter. Chief Woods would look into this matter.

Under the Parking and Traffic Committee report, Councilman Cara expressed his concerns about parking issues in the area of Columbia and East Broad streets at the East End Fire Company as follows: angle parking; having the Street Department paint lines for parallel parking; and having the Police Department ticket the area until the lines are painted.

Under the Recreation and Youth Committee report, a recommendation was made to hire Anthony Coccio, Ember Starr and Lucas Schickram as part-time lifeguards for the 2020 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 Neighborhoods, Downtown and Historic District report, a recommendation was made to issue a Certificate of Appropriateness to install a sign at 801 East Broad Street. The sign would be externally illuminated. 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 the Neighborhoods, Downtown and Historic District report, a recommendation was made to issue a Certificate of Appropriateness to replace window trim and windows at 204 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 Cara, seconded by Bowman, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District report, a recommendation was made to issue a Certificate of Appropriateness to install a fence and replace an existing swimming pool at 248 Cedar Street. 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 the Neighborhoods, Downtown and Historic District report, a recommendation was made to issue a Certificate of Appropriateness to replace the existing three story deck and siding at 319 Hazle Street. 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 the Neighborhoods, Downtown and Historic District report, a recommendation was made to issue a Certificate of Appropriateness to install a retaining wall and stairs at 531 Arlington Street. 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 the Neighborhoods, Downtown and Historic District report, a recommendation was made to issue a Certificate of Appropriateness to replace windows /doors and restore façade at 35-37 West Broad Street; to issue a Certificate of Appropriateness to install a store front, replace windows and demolish wood additions at 112 West Broad Street; and to issue a Certificate of Appropriateness to replace windows at 116 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 Cara, seconded by Bowman, and unanimously approved.

Mayor Gerace stated that he has 2020 Census promotional items from the Census Bureau available for distribution if anyone from council or the public has an event. Mayor Gerace stated that he would also be delivering these items.

The meeting was opened to the floor.

Francine Garenty-Kluck of 407 North Lehigh Street asked if there were any updates regarding an undeveloped “paper” road/lot located east of the 400 block of North Lehigh Street. President Mace stated that there has been some investigation regarding it and Solicitor Odorizzi would be addressing it under his report.

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

Solicitor Odorizzi requested an executive session prior to adjournment to discuss real estate matters regarding the Lehigh Street matter. President Mace explained the process to Ms. Garenty-Kluck.

Solicitor Odorizzi gave an update on the Tamaqua Area Chamber of Commerce lease. He stated that he is waiting for an insurance certificate binder. The binder must name the borough as an additional insured and lessor.

Under Unfinished Business, Councilman Connely discussed a referendum for the ballot related to the pool. There was some discussion about the following: an advisory type of referendum, not a tax or budget type of referendum; the timeline for placing a referendum question on the ballot; this upcoming election is going to be active; Solicitor Odorizzi can help with the referendum; and using a ballot referendum similar to the one used for the Owl Creek Project.

Under New Business, Councilman Linkhorst recommended looking into buying a drone for the Zoning/Code Enforcement Department. He stated that it would be a useful tool to look at properties the department is not able access or for general use in other areas of the borough. There was some discussion about the cost of a drone and a license to operate it. A recommendation was made to have the Building and Equipment Committee look into purchasing a drone. 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 Bowman, and unanimously approved.

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 Bowman, seconded by Linkhorst, and unanimously approved.

The council meeting was recessed at approximately 7:41 p.m. while council met in executive session.

The council meeting was reconvened at approximately 8:08 p.m.

President Mace announced that an executive session was held to discuss legal, personnel and real estate matters.

Solicitor Odorizzi reported on an undeveloped “paper” road/lot located east of the 400 block of North Lehigh Street, beginning at a point north of Hamilton Street and continuing north, parallel to North Lehigh Street. Solicitor Odorizzi stated that having reviewed the deeds for the properties, and seeing that each references Hamilton Street (north of Jerome Street) as a boundary line, it is the Borough’s position that this portion of Hamilton Street remains with the Borough; and, at this time, the Borough does not wish to have it developed by neighboring property owners. Accordingly, Mr. Calkins is directed to cease any clearing or developing of this portion of Hamilton Street. Mr. Calkins is the property owner of 411 North Lehigh Street.

There being no further business, the meeting was adjourned at approximately 8:11 p.m. on motion of Bowman, seconded by Linkevich, to meet again at the call of the President.

ATTEST:

Georgia Depos DeWire, Borough Secretary/Treasurer