

The Tamaqua Borough Council held its first Regular Council Meeting for the month of December on Tuesday, December 15, 2020 at 7:00 p.m. through the Zoom video conference system. 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/84853677853> and by entering Meeting ID 848 5367 7853. Individuals who did not have internet access were able to participate by telephone by dialing 1-929-436-2866 and entering Meeting ID 848 5367 7853#.

Present were Councilmembers Robert Amentler, Ronald Bowman, Thomas Cara, Brian Connely, Mary Linkevich, Ritchie Linkhorst and David Mace. Officials present were Mayor Nathan Gerace, 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. Chief of Police Michael Hobbs arrived later in the meeting.

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 November 17, 2020 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Bowman, seconded by Linkevich, and unanimously approved.

Communication was received from Thomas Cara stating that he is submitting his letter of resignation as a Tamaqua Borough Councilman effective Wednesday, January 20, 2021. A recommendation was made to accept the letter of resignation from Thomas Cara. Councilmembers thanked Mr. Cara for his leadership, mentorship and years of service as a Borough Councilman. 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 Linkevich, and unanimously approved.

Communication was received from Pamela J. McCullion stating that she does not wish to be reappointed for another term as Secretary of the Planning Commission as well as a voting member of the same for the 2021-2022 term. A recommendation was made to accept the letter of resignation from Pamela J. McCullion. 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 Connely, and unanimously approved.

Communication was received from Nate MacDonald, executive director, stating that the Eastern Schuylkill Recreation Commission (ESRC) is recommending the reappointment of John Handler to a three-year term on the ESRC. A recommendation was made to appoint John Handler to a three-year term on the ESRC. There no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Bowman, seconded by Linkevich, and unanimously approved.

Secretary/Treasurer DeWire stated that three letters of interest were received to fill the vacancy in January for Councilman Cara. President Mace stated that there are also vacancies on the Civil Service Commission and Planning Commission. Secretary/Treasurer DeWire stated that the three letter of interest to fill the vacancy of Councilman Cara are from John Sakusky, Jay Hollenbach Jr. and Kathy Kunkel. A motion was made by Bowman to appoint Kathy Kunkel of 420 West Spruce Street as a member of the Borough Council to fill the unexpired term of Thomas

Cara. President Mace stated that the vacancy will not be effective until January and council will wait to fill the vacancy until council actually has a vacancy. The motion died for lack of a second.

Communication was received from Charles T. Rodgers of 209 Orwigsburg Street expressing an interest in filling the soon to be vacancy position on the Civil Service Commission Board. A recommendation was made to appoint Charles T. Rodgers to fill the vacancy on the Civil Service Commission Board. 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 Connely, and unanimously approved.

Under Communications, Secretary/Treasurer DeWire presented a schedule of regular meetings of Council, Boards, Commissions, Authorities and special committees for 2021 that has been prepared for advertisement and noted that any meeting that would be held through the Zoom platform would be advertised separately. A recommendation was made to advertise the schedule of regular meetings of Council, Boards, Commissions, Authorities and special committees for 2021. 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 Connely, and unanimously approved.

Manager Steigerwalt reported that he had a resolution extending the Mayor’s Declaration of Disaster Emergency of March 20, 2020 for a tenth thirty (30) day additional period to terminate on January 22, 2021 to present for council’s consideration:

RESOLUTION NO. 2020-20
A RESOLUTION OF THE BOROUGH OF TAMAQUA, SCHUYLKILL COUNTY, PENNSYLVANIA, PURSUANT TO SECTIONS 10A06 OF THE PENNSYLVANIA BOROUGH CODE, AND SECTION 7501 OF THE PENNSYLVANIA EMERGENCY MANAGEMENT SERVICES CODE, EXTENDING THE MAYOR OF TAMAQUA’S DECLARATION OF DISASTER EMERGENCY OF MARCH 20, 2020 FOR AN ADDITIONAL PERIOD OF THIRTY (30) DAYS.

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 Bowman, seconded by Linkevich, and approved by a unanimous roll call vote.

Chief of Police Hobbs arrived at approximately 7:14 p.m.

Manager Steigerwalt reported on the 2021 Street Materials bid results. Manager Steigerwalt stated that there were a total of four bidders and that he provided council with a bid results worksheet. Manager Steigerwalt discussed 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:

400 tons Superpave Warm/Hot Mix Wearing Coarse (pickup)	Lehigh Asphalt, Tamaqua, PA	\$ 22,400.00
400 tons Superpave Warm/Hot Mix Wearing Coarse (delivery)	Lehigh Asphalt, Tamaqua, PA	\$ 25,600.00
30 tons Superpave Warm/Hot Mix Any Wearing Coarse (pickup)	Lehigh Asphalt, Tamaqua, PA	\$ 1,680.00
100 tons Superpave Warm/Hot Mix Base Coarse (pickup)	Lehigh Asphalt, Tamaqua, PA	\$ 4,900.00
100 tons Superpave Warm/Hot Mix Base Coarse (delivery)	Lehigh Asphalt, Tamaqua, PA	\$ 5,700.00
100 tons PaDOT OK Cold Patch (pickup)	New Enterprise Stone, Winfield, PA	\$ 13,600.00
100 tons PaDOT OK Cold Patch (delivery)	New Enterprise Stone, Winfield, PA	\$ 14,655.00
500 tons 2A stone (pickup)	R.E. Pierson, Middleport, PA	\$ 3,750.00
500 tons 2A stone (delivery)	Pennsy Supply, Pittston, PA	\$ 7,015.00
100 gallons PG 64-22 (pickup)	Lehigh Asphalt, Tamaqua, PA	\$ 1,000.00
750 tons Anti-skid AS3 (pickup)	R.E. Pierson, Middleport, PA	\$ 10,500.00
750 tons Anti-skid AS3 (delivery)	Lehigh Asphalt, Tamaqua, PA	\$ 12,862.50
200 tons #57 stone (pickup)	R.E. Pierson, Middleport, PA	\$ 2,200.00
200 tons #57 stone (delivery)	Lehigh Asphalt, Tamaqua, PA	\$ 3,440.00

100 tons #8 stone (pickup)	R.E. Pierson, Middleport, PA	\$ 1,400.00
100 tons #8 stone (delivery)	Lehigh Asphalt, Tamaqua, PA	\$ 2,095.00

A recommendation was made to award the 2021 Street Materials based on the recommendations of the Borough Manager. 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 Amentler, and unanimously approved.

Manager Steigerwalt discussed a resolution approving a price adjustment for bituminous materials for 2021. The following resolution was presented for council’s consideration:

**RESOLUTION NO. 2020-21
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 Linkhorst, seconded by Amentler, and approved by a unanimous roll call vote.

Manager Steigerwalt discussed the 2021 budget revisions made to the water and sewer funds for engineering expenses and capital construction for projects that the water and sewer authorities have planned. The revisions include the following: a water main project on Cottage Avenue; a water main project on Greenwood Street; Rush Township sewer charges; and some proposed upgrades to the Wastewater Treatment Plant. A recommendation was made to adopt the 2021 Budget. The summary of the proposed budget is as follows:

Proposed 2021 Budget Summary

Estimated balance January 1, 2021	\$ 4,607,400
Estimated revenues	\$ 8,741,362
Estimated expenditures	<u>\$ (9,360,446)</u>
Estimated balance December 31, 2021	\$ 3,988,316

Councilman Connely discussed the following: the last major sewer plant expansion or upgrades, we are still original system 1962 vintage with the sewer plant; had held off with any type of upgrades; at the point now that the upgrades have to be done to bring the system up to current state; also been tasked by DEP for some of the upgrades and not upgrading the system; have been doing everything they possibly can to do the upgrades as we can, but we are at a point where that is not cutting it anymore for DEP; looking at an increase in the sewer rates to accommodate the cost on the sewer plant expansion or upgrades; and the sewer authority has given the engineer the approval to look at doing the upgrades in phases. 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 6-1 vote with Councilman Connely opposed.

Under the Borough Manager’s report, the 2021 Tax Ordinance setting the real estate tax rate at 22.50 mills with 21.00 mills for General Purposes, 1.0 mill for the Building and Equipment Fund and 0.50 mill for the Wabash Capital Improvement Fund was presented for council’s consideration:

**ORDINANCE NO. 718
AN ORDINANCE OF THE BOROUGH OF TAMAQUA,
COUNTY OF SCHUYLKILL, COMMONWEALTH OF
PENNSYLVANIA, FIXING THE TAX RATE
FOR THE YEAR 2021.**

	Mills on Each Dollar of Assessed Valuation
Tax Rate for General Purposes	21.00 Mills
Tax Rate for Building and Equipment Purposes	1.00 Mill

Tax Rate for Wabash Improvement Fund Purposes	0.50 Mill
Total	22.50 Mills

A recommendation was made to adopt the foregoing 2021 tax 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 6-1 roll call vote with Councilman Connely opposed.

Manager Steigerwalt requested an executive session prior to adjournment to discuss personnel and legal matters.

Chief Hobbs reminded residents about the no parking restrictions on Rowe Street on Friday and Saturday for the Tamaqua Salvation Army food distribution. Manager Steigerwalt stated that he was contacted by Dina Depos about the change because it is a schedule change from what was given to the borough previously. The change was made due to the upcoming storm. Public Works Director Jones stated that the borough may have to do a quick snow removal for that event.

President Mace announced that, as of now, Tamaqua Transfer has not made any modification to the trash hauling schedule for Thursday and Friday.

Chairman Connely of the Public Safety Committee extended his appreciation and commended the Tamaqua Fire Department, Tamaqua Ambulance, Tamaqua Rescue Squad, Tamaqua Police Department and the surrounding communities that assisted with the incident at the Tamaqua High-Rise.

Under the Public Safety Committee report, a recommendation was made to hire Anthony Vaillant as a part-time Police officer, effective immediately. Chairman Connely stated that the Chief of Police and Police Department have done all the appropriate background checks. 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 Bowman, and unanimously approved.

Under the Public Safety Committee report, a recommendation was made to promote Corporal Dwayne Hacker to the rank of Sergeant, effective December 27, 2020. President Mace stated that Corporal Hacker has been a longtime member of the Tamaqua Police Department and has served the community with distinction and the promotion is well deserved. Chairman Connely stated that this is a civil service position so a civil service testing process was held where Corporal Hacker came up on top of the testing list. Chairman Connely also stated that the December 27th date falls in line with the new Police Contract. 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 Bowman, and unanimously approved.

Chairman Linkhorst of the Parking and Traffic Committee reported that he had an ordinance prohibiting parking on the south side of Jerome Street from Nescopec Street to Lincoln Street to present for council’s consideration:

**ORDINANCE NO. 719
AN ORDINANCE OF THE BOROUGH OF TAMAQUA, SCHUYLKILL COUNTY,
PENNSYLVANIA, REVISING AND AMENDING SECTION 326-26 OF THE BOROUGH
OF TAMAQUA CODE OF ORDINANCES ESTABLISHING REGULATIONS FOR
VEHICLES AND TRAFFIC, ARTICLE III PARKING, SECTION 326-26 – PARKING
PROHIBITED IN CERTAIN LOCATIONS.**

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 Linkhorst, seconded by Cara, and approved by a unanimous roll call vote.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 126 Penn 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 Amentler, and unanimously approved.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 116 Washington 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 Finance, Wage and Salary Committee report, a recommendation was made to hire Thomas Nelson as a part-time maintenance worker at a pay rate of \$12.50 per hour. President Mace asked if Mr. Nelson's hire is effective immediately. Councilman Cara stated that Mr. Nelson's hire is 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 Bowman, and unanimously approved.

Under the Finance, Wage and Salary Committee report, a recommendation was made to hire James R. Connely as a part-time assistant code officer at a pay rate of \$15.00 per hour. President Mace asked if Mr. Connely's hire is effective immediately. Councilman Cara stated that Mr. Connely's hire is effective immediately. President Mace asked Zoning/Code Enforcement Officer Kurtz how many hours part-time is for Mr. Connely. Zoning/Code Enforcement Office Kurtz stated that as of right now, Mr. Connely stated that he could work up to two days per week, or approximately sixteen hours, possibly until he retires. 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 6-0-1 vote with Councilman Connely abstaining from the vote.

Under the Finance, Wage and Salary Committee report, a recommendation was made to hire Scott F. Schmalzer as a part-time assistant code officer at a pay rate of \$15.00 per hour, effective immediately. President Mace asked Zoning/Code Enforcement Officer Kurtz how many hours part-time is for Mr. Schmalzer. Zoning/Code Enforcement Office Kurtz stated he did not get to discuss that with Mr. Schmalzer yet. Mr. Schmalzer is tentatively accepting this job as long as he obtains a different full-time position that would be at nighttime, and then he would be able to help the code office about two days per week, or approximately sixteen hours. 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.

Chairman Cara of the Finance, Wage and Salary Committee reported that he had a resolution authorizing the local tax collector to charge a \$15.00 fee for providing a tax certification and to charge a \$10.00 fee for providing a duplicate tax bill to present for council's consideration:

RESOLUTION 2020-22
A RESOLUTION OF THE BOROUGH OF TAMAQUA
SCHUYLKILL COUNTY, PENNSYLVANIA
TAX COLLECTOR FEES

A recommendation was made to adopt the foregoing resolution. President Mace explained the 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 approved by a unanimous roll call vote.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to replace siding, trim work, lighting fixtures and an awning at 209 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.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness to install signs at 124 East Broad Street. Councilman Connely asked what kinds of signs are being installed. Zoning/Code Enforcement Officer Kurtz stated that he has photos of the signs, that they are not lit signs, but only signs posted on the windows. 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 Committee report, a recommendation was made to issue a Certificate of Appropriateness to replace the front porch and stairs at 211 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.

Chairwoman Linkevich of the Recreation and Youth Committee reported that she had a resolution accepting a \$60,000.00 grant from the John E. Morgan Foundation Inc. for pool operating expenses to present for council's consideration:

RESOLUTION NO. 2020-23
RESOLUTION OF THE BOROUGH COUNCIL, TAMAQUA, PENNSYLVANIA
REGARDING GRANTS FROM THE JOHN E MORGAN FOUNDATION, INC.

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 Linkevich, seconded by Linkhorst, and approved by a unanimous roll call vote.

Mayor Gerace commended the Tamaqua Police Department, Tamaqua Fire Department, Tamaqua Fire Police and surrounding departments for their stellar response to the incident at the Tamaqua High Rise. Mayor Gerace commended Chief Hobbs, who has been serving as Chief for about one and one-half months, and the communication within the department has been top notch. Things have been going really well in the department.

The meeting was opened to the floor.

Tom McCarroll stated that he is attending the meeting to address the issue and denial of the installation of a LED sign at the East End Fire Company. Mr. McCarroll stated that the East End Fire Company is a volunteer fire company and most of their money comes from fundraising. The sign is for information on fundraisers and for things going on in the fire company, and community events. He understands the fire company and sign is located in the historic district. He expressed his concerns about other signs in the community. Mr. McCarroll is asking for an exception to approve this sign. A discussion included, but was not limited to, the following: the other signs Mr. McCarroll was referring to are not in the historic district, but the East End Fire Company is; the ordinance and designation was made many years ago; the distinction is whether you are in the historic district or not; the East End Fire Company did go through the application process; others

have sought permission for signage who were denied previously; this puts the borough in a difficult position; and the borough can take the matter under advisement.

A motion was made by Bowman, to again present the East End sign matter to the Historical Architectural Review Commission (HARC) and to give it a second chance. The motion died for lack of a second. President Mace stated that it is incumbent on the applicant to make a resubmission.

A motion was made by Cara, and seconded by Bowman, to issue a Certificate of Appropriateness to install a LED sign at 555 East Broad Street for the East End Fire Company. There was much discussion about this matter. The discussion included, but was not limited to, the following: where does the borough draw the line; two other fire companies were already turned down on signs and had to take alternatives to making their signs work; going by HARC recommendations; others were turned down and be prepared for others to ask for exceptions; Councilmember Linkevich voted in favor of the sign the first time around; the East End sign will be for informational purposes and not flashy; and according to Zoning/Code Enforcement Officer Kurtz, others who were denied could reapply and get evaluated again by the HARC Board and if the applicant were to be approved, they must follow through to complete the zoning and building permit applications for approval. President Mace asked Mr. McCarroll if the sign was purchased or donated before any applications were made to building, zoning or HARC for permits. Mr. McCarroll stated that the sign was purchased by the fire company prior to any applications for permits. Manager Steigerwalt added that the ordinance that established the historic district specifically prohibits signs like the one that is being discussed and does not allow for exceptions or waivers. There was more discussion about this matter, violating the ordinance, LED signage, modifying the ordinance and discussing it with Solicitor Orderizzi. Councilmember Linkevich would like to vote on the motion and then consider changing the ordinance. There was more discussion about this matter. There was no one from the floor wishing to address council about this matter. A motion was made by Linkhorst, seconded by Bowman, and approved by a 5-2 roll call vote with Councilmembers Cara and Linkevich opposed, to table the pending motion.

A recommendation was made to review the ordinance for possible inclusion of LED type of signage. 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 approved by a unanimous roll call vote.

President Mace established an ad-hoc committee, consisting of Councilmembers Linkhorst, Bowman and Connely, to review the ordinance for possible inclusion of LED type signage and guidelines on what types of signs would be permitted and to return with a recommendation by the second meeting in January. President Mace recommended to Zoning/Code Enforcement Officer Kurtz that while this subject is in question, that there would not be any enforcement activity. Councilman Connely asked Zoning/Code Enforcement Officer Kurtz to gather information regarding similar types of ordinances throughout the Commonwealth.

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 legal matters.

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.

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, a recommendation was made to approve the Police Department Collective Bargaining Agreement for the period of January 1, 2021 through December 31, 2024. 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 Linkevich, and unanimously approved.

A recommendation was made to hold an executive session to discuss personnel and legal 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 Connely, and unanimously approved.

The council meeting was recessed at approximately 8:13 p.m. while council met in executive session.

The council meeting was reconvened at approximately 9:05 p.m.

Councilman Cara left the meeting during the executive session.

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

A recommendation was made to authorize a payment of \$325.00 towards a grievance that has been filed by the UAW. 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 approved by a 6-0 vote.

A recommendation was made to authorize the Borough Manager to act in the best interest of the borough for a change in the dental plan. 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 Linkevich, and approved by a 6-0 vote.

A recommendation was made to pay \$1,000.00 into an escrow account with three other municipalities to the Eastern Schuylkill Regional Planning Commission (ESRP) for potential modifications to the zoning plan. 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 Amentler, and approved by a 6-0 vote.

There being no further business, the meeting was adjourned at approximately 9:10 p.m. on motion of Bowman, seconded by Linkhorst, to meet again at the call of the President.

ATTEST:

Georgia Depos DeWire, Borough Secretary/Treasurer