

The Tamaqua Borough Council held its first Regular Council Meeting for the month of October on Tuesday, October 18, 2016 at 7:00 p.m. in the Council Chambers at the Tamaqua Municipal Building, 320 East Broad Street, Tamaqua, PA.

Present were Councilmembers Ronald Bowman, Thomas Cara, Brian Connely, R. Daniel Evans, Micah Gursky and David Mace. Absent was Councilmember Kerry Lasky. Officials present were Mayor Christian Morrison, Acting Borough Manager Robert Jones, Borough Secretary/Treasurer Georgia Depos DeWire and Fire Chief Thomas Hartz. Solicitor Michael S. Greek arrived later in the meeting.

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

President Mace stated that an executive meeting was held tonight prior to the council meeting to discuss legal matters.

The reading of the minutes of the last Regular Council Meeting held on September 20, 2016 was ordered suspended. A motion was made by Connely and seconded by Bowman to approve the minutes as written. A motion was made by Evans to amend the motion approving the expenditure of \$47,800 to PPL for the preliminary site work and engineering for the acquisition of the streetlights to correct the amount to \$48,300. Councilman Evans stated that the correct amount is \$48,300 but a letter dated July 29, 2016 from PPL Key Account Manager Harry Devine II referred to a non-refundable payment in the amount of \$47,800, which is an incorrect figure. Mayor Morrison stated that the minutes were correct as written because the motion made was to approve \$47,800 as the expenditure to PPL. Councilman Evans rescinded his motion to correct the minutes. After the discussion, the reading of the minutes of the last Regular Council Meeting held on September 20, 2016 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Connely, seconded by Bowman, and unanimously approved.

Communication was received from Nathan R. Halenar, president of Friends of the Lansford Pool, thanking council for their generosity for allowing their patrons to use the Bungalow Pool.

Communication was received from Randy Schock, treasurer/captain of the Tamaqua Community Ambulance Association, asking council to consider waiving all applicable zoning permit fees, building permit fees and Zoning Hearing Board fees for the installation of a shed at the property located at 99 North Railroad Street. 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 Connely, seconded by Bowman, and unanimously approved.

Communication was received from F. Patrick Davison, secretary of the Tamaqua Water Authority, recommending the reappointment of Brian Connely to a five-year term on the Tamaqua Water Authority effective January 1, 2017. A recommendation was made to reappoint Brian Connely to a five-year term on the Tamaqua Water Authority effective January 1, 2017. 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 5-0-1 vote with Councilman Connely abstaining.

Communication was received from Paul H. Fridirici, secretary of the Tamaqua Borough Authority, recommending the reappointment of Brian Connely to a five-year term on the Tamaqua Borough Authority effective January 1, 2017. A recommendation was made to reappoint Brian

Connely to a five-year term on the Tamaqua Borough Authority effective January 1, 2017. 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 5-0-1 vote with Councilman Connely abstaining.

Communication was received from Andrew Leibenguth, parade coordinator for the Tamaqua American Legion Post 173, requesting permission to hold the annual Tamaqua Veterans Day Parade on November 5, 2016 beginning at 10:00 a.m. The communication also requested permission to prohibit parking along Broad Street. A recommendation was made to grant the requests. 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.

Acting Borough Manager Jones reported on the Heating Oil Contract bid opening results from October 3, 2016. Three bids were received for the No. 2 Heating Oil to be delivered to various borough facilities, and the lowest bidder was Fegley Oil Company with a fixed price of \$1.75 per gallon and a floating price of \$0.11 per gallon. A recommendation was made to award the contract for No. 2 Heating Oil to the lowest bidder, Fegley Oil Company of 551 West Penn Pike, Tamaqua, PA at the fixed price of \$1.75 per gallon. 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.

Acting Borough Manager Jones also reported that a bid opening was held on October 17, 2016 for the demolition project for 13 South Lehigh Street and 15 South Lehigh Street and council has the results of the bids. A recommendation was made to award the demolition project for 13 and 15 South Lehigh Street to the lowest bidder, Danny Farber of 43 Hunter Street at a cost of \$14,720.00. There was some discussion about the following: a performance bond; has the borough ever considered doing the demolition for certain project themselves; and the costs associated with renting the equipment needed for a demolition project. 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 Gursky, and unanimously approved.

Acting Borough Manager Jones reported on the PPL Street Light Acquisition and LED Upgrade Project as follows: two lines of credit proposals were received, one from Mauch Trust Company and the other from Community Leasing Partners; two financial institutions declined to provide proposals; and two financial institutions did not respond. There was some discussion regarding this matter. A recommendation was made to approve a proposal for an \$800,000 line of credit with a 15-year term and 3.05 percent rate fixed for the 15-year term from Mauch Chunk Trust Company. Council recognized Bob Knepper of 253 Brown Street who asked if purchasing the streetlights is a good idea and is the borough safe given the circumstances from the previous transaction with Municipal Energy Managers (MEM). There was much discussion about the following: MEM was a third party; the project process; a cost savings; a performance bond; the life expectancy of LED versus high pressure sodium; maintenance costs; what will the savings be and the sources of the savings; a maintenance agreement with a local contractor versus expanding the borough workforce versus training the current workforce; and the information is public record. There was no one else from the floor wishing to address council about this matter. The

recommendation was so ordered on motion of Connely, seconded by Gursky, and unanimously approved.

Acting Borough Manager Jones asked council to consider a motion to open a new account for the Street Light Project. A recommendation was made to open a new account for the Street Light Project. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Gursky, seconded by Cara, and unanimously approved.

Acting Borough Manager Jones stated that he distributed a preliminary, preliminary budget to council and he thanked Borough Secretary/Treasurer DeWire and Assistant Borough Secretary/Treasurer Macalush for their assistance with the budget preparation.

Acting Borough Manager Jones requested permission to involve Alfred Benesch and Company with the wall replacement project at 524 Washington Street. A recommendation was made to give permission to Acting Borough Manager Jones to engage the assistance of Alfred Benesch and Company with the wall replacement project at 524 Washington Street. 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.

Acting Borough Manager Jones gave an update on the following items: the Owl Creek Dam inspection was completed last week; a letter to be sent to the manufacturer of a valve that is believed to have a design flaw; the drainage project at the pool is completed; and repairs to the roof of the pool pavilion.

Director of Community Development Mary Linkevich gave an update on the Community Development Block Grant (CDBG) stating that the handicapped pool lift and stairs can be ordered for the Bungalow Pool.

Director of Community Development Linkevich discussed a resolution approving the budget for the CDBG Program for Fiscal Year 2016. The total grant amount is \$108,468, with the breakdown as follows: Street Repair \$61,827; Demolition (25 percent) \$27,117; and Administration (18 percent) \$19,524. The following resolution was presented for council's consideration:

**RESOLUTION NO. 2016-12  
APPROVING THE BUDGET FOR THE COMMUNITY DEVELOPMENT BLOCK  
GRANT PROGRAM FOR FISCAL YEAR 2016**

There was some discussion about the following: demolition projects at 202 Pitt Street and 216 Penn Street; a priority list of properties for demolition; clarification is needed for which fiscal year funds are being designated for demolition projects; and a map of roads to resurface. 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 Cara, seconded by Gursky, and approved by a unanimous roll call vote.

Director of Community Development Linkevich also reported on the following: a meeting with Eastern Schuylkill Recreation Commission (ESRC) and the Pennsylvania Department of Conservation and Natural Resources; a Go PA Outdoors Program; the ESRC cooperative organization and getting other municipalities engaged; and applications for grants. Councilman Connely discussed the rehabilitation loans payable, delinquency, the average number of loans, the rehabilitation loan program and why are continuing the rehabilitation loan program. There was some discussion about these matters.

Under the Public Safety Committee report, a recommendation was made to allow the Tamaqua Fire Department to hold training at 13 and 15 South Lehigh Street until the demolition starts. 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, Councilman Evans stated that a bollard was replaced at the southeast corner of the Five Points Intersection and asked that safety striping be placed on the new bollard.

Under the Streetlights Committee report, a recommendation was made to correct the PPL expenditure amount to \$48,300 for the preliminary site work and engineering for the acquisition of the streetlights. Council recognized Bob Knepper who asked if we would lose the \$48,300 given to PPL. It was noted that the \$48,300 to PPL is a non-refundable payment, it will be a part of the permanent financing, and PPL wants a commitment to purchase the streetlights. There was no one else from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Evans, seconded by Gursky, and unanimously approved.

Mayor Morrison stated that he provided his quarterly marriage ceremonies report and that Trick or Treat night is on October 31, 2016 from 6-8 p.m.

The meeting was opened to the floor.

Bob Knepper thanked council for the huge savings on the refuse bills and asked council if residents will see a savings on their bills.

Mr. Knepper asked council to revisit and review the exuberant sewer rate increase the residents are going to see. Mr. Knepper expressed his concerns about the increase in sewer rates, the borough funds and uses, the number of police vehicles, the police department, and borough spending. There was much discussion about these matters.

Solicitor Greek arrived at approximately 8:45 p.m.

Jason Petrucci of 330 Mahanoy Street expressed his concerns about line painting in front of his house and he keeps losing parking space. Mr. Petrucci showed council photos from his cell phone. Councilman Bowman stated that the old markings have finally been repainted. Fire Chief Hartz stated that it allows the aerial truck and emergency vehicles to get through the area. There was much discussion about this matter. Councilman Bowman would look into the matter.

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 Connely, seconded by Cara, and unanimously approved.

Under Unfinished Business, Councilman Gursky discussed a resolution reinforcing the Borough of Tamaqua's Property Maintenance Code regarding property owner responsibility and clarifying renter responsibility. The following resolution was presented for council's consideration:

**RESOLUTION NO. 2016-13**  
**BOROUGH OF TAMAQUA PROPERTY MAINTENANCE CODE**  
**REGARDING PROPERTY OWNER RESPONSIBILITY**  
**AND CLARIFYING RENTER RESPONSIBILITY**

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

Under New Business, there was some discussion about a property at 252 Cottage Avenue.

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 Gursky, seconded by Cara, and approved by a 5-0-1 vote with President Mace abstaining from voucher number 33281 for Entech Engineering in the amount of \$626.25.

Council recognized Bob Knepper who asked if the borough pays Dave's Landscaping for work being done in the borough. President Mace stated that the borough does not.

Fire Chief Hartz stated that at the first meeting in July, the fire chief status change was discussed in executive session. Fire Chief Hartz discussed his concerns about the position being a part-time employee versus a volunteer status. Solicitor Greek stated that nothing has changed regarding his status, the fire chief is not an employee but a volunteer and receives a stipend. Fire Chief Hartz also stated that he obtained a Labor and Industry attorney. A motion was made by Gursky to send a letter to instructing that the position is a volunteer fire chief. The motion died for lack of a second. There was much discussion about this matter. A motion was made by Gursky, seconded by Connely, to instruct Solicitor Greek to draft a letter clarifying the fire chief status. The discussion included, but was not limited to, the following: appointed and volunteer positions; part-time employees have a work schedule and hours; for reporting purposes stipend employees receive a W-2 and are included in various reports such as unemployment compensation and taxing authorities; fire chief appointments at fire company level; and various borough appointments. After much discussion, the motion and second were rescinded. Councilman Connely recommended contacting the Pennsylvania Fire and Emergency Services Institute to see if they have information regarding this matter.

Secretary/Treasurer DeWire reminded the Parking and Traffic Committee about an outstanding issue regarding an extension of a temporary handicapped parking space for 305 Spruce Street that was given for one additional month at the September 20, 2016 council meeting. There was some discussion about this matter. A recommendation was made to approve a 90-day extension of a temporary handicapped parking space for 305 Spruce Street retroactive to September 20, 2016. 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 Evans, and unanimously approved.

There being no further business, the meeting was adjourned at approximately 9:32 p.m. on motion of Connely, seconded by Bowman, to meet again at the call of the President.

ATTEST:

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Georgia Depos DeWire, Borough Secretary/Treasurer