

The Tamaqua Borough Council held its first Regular Council Meeting for the month of April on Tuesday, April 18, 2023 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, Brian Connely, Jay Hollenbach Jr., Kathy Kunkel, Mary Linkevich and Ritchie Linkhorst. Officials present were Mayor Nathan Gerace, Chief of Police Michael Hobbs, Borough Manager Kevin Steigerwalt, Solicitor Anthony Odorizzi and Assistant Borough Secretary/Treasurer Amy Macalush.

The meeting was called to order by President Connely. A moment of silence was held for Joseph Coleman. The invocation was given by Councilwoman Linkevich followed by the Pledge of Allegiance led by Councilman Linkhorst. The roll was called with all councilmembers present.

The reading of the minutes of the Regular Council Meeting held on March 21, 2023 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 Kaelyn Boran-Smith, secretary of the East End Fire Company, requesting permission to block off the 500 block of East Broad Street on both sides on June 10, 2023 for their truck parade. The communication also requested permission to close East End Avenue and Columbia Street from June 9th to June 11th for their block party. 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 Hollenbach, seconded by Bowman, and unanimously approved.

Communication was received from Ray Swartz, secretary of the American Hose Co. No. 1, requesting permission to close Pine Street from East Broad Street up to the intersection of Mauch Chunk Street on August 6th from 8:00 am to 10:00 pm for a one-day food truck fundraiser to be held in place of their annual firemen's festival. 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 Bowman, seconded by Linkhorst, and unanimously approved.

Manager Steigerwalt reported on a letter received from Arro Consulting, Inc. regarding waivers requested by St. Luke's for the construction of a medical office building with parking located on East Rose Street between Pine Street and North Railroad Street. Manager Steigerwalt stated that the requested waivers from sections of the Subdivision and Land Development Ordinance, along with conditional final approval for the St. Luke's Medical Facility Preliminary/Final Land Development Plan, was granted by the Planning Commission and can now be considered for approval by Borough Council. A recommendation was made to approve the requested waivers and grant conditional approval of the St. Luke's Medical Facility Preliminary/Final Land Development Plan as recommended by the Planning Commission. Council recognized Micah Gursky of St. Luke's who complemented the Planning Commission and Borough Staff and stated that Tamaqua is good to work with. There was no one else from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Bowman, seconded by Amentler, and unanimously approved.

Manager Steigerwalt also reported on the following: bids for 423 Willing Street demolition will be publicly opened on April 27th at 2:00 pm and results will be presented at a future council

meeting; the second week of street sweeping is underway; line painting on Owl Creek Road is complete; and borough workers will start pool cleanup in May.

Under the Borough Managers report, a recommendation was made to advertise for part-time seasonal workers. 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.

Chief Hobbs reported that on April 22nd between 10:00 a.m. and 2:00 p.m., the department would be participating in a Drug Take-Back Program at the police station.

Under the Parking and Traffic Committee report, a recommendation was made to approve a handicapped parking space application for 47 Hunter Street. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Kunkel, seconded by Hollenbach, and unanimously approved.

Under the Finance, Wage and Salary Committee report, a recommendation was made to approve the transfer of Jeffrey Hartz to the Water Distribution Work Leader position effective immediately. Councilman Bowman commented that this is a union position and Mr. Hartz was the only bid on the position. President Connely asked when Jay Stidham, Public Works Director Trainee, would move to the office full time. It was decided that the transition of Mr. Stidham to the office would take place on May 1st. 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 unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for a window-size cling on sign at 202 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 Hollenbach, seconded by Kunkel, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for a yard fence at 310 Mahanoy Street. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Hollenbach, seconded by Kunkel, and unanimously approved.

Under the Neighborhoods, Downtown and Historic District Committee report, a recommendation was made to issue a Certificate of Appropriateness for front facade repairs and new color scheme at 126 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 Hollenbach, seconded by Kunkel, and unanimously approved.

Under the Recreation and Youth Committee report, a recommendation was made to hire part-time lifeguards at a pay rate of \$10.00 per hour plus \$0.25 per hour for each year of service. The part-time life guards are as follows: Lyla Clemson, Leighton Granick, Ava Hess, Moana Hudak, Makayla Kester, Ben Klingaman, Emily Kohlmeir, Lillian McNutt, Nicole Mushock, Marcus Roseland, Destiny Steinmetz, Vincenzo Valentine, Sean Wall, and Edward Zukovich. 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 Kunkel, and unanimously approved.

Under the Recreation and Youth Committee report, a recommendation was made to hire part-time pool clerks at a pay rate of \$9.00 per hour plus \$0.25 per hour for each year of service. The part-time pool clerks are as follows: Destini Denning, Karlee Knox and Alexa Stianche. 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 Kunkel, and unanimously approved.

Under the Recreation and Youth Committee report, a recommendation was made to authorize the Borough Solicitor to finalize the Concession Stand Lease Agreement with Clyde Bachert and to authorize President Connely to sign the agreement when finalized. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Kunkel, seconded by Linkevich, and unanimously approved.

Under the Police and Community Committee report, a recommendation was made to approve an agreement with the Tamaqua Community Ambulance Association, Inc. terminating the reverter right that runs for the benefit of the Borough in the deed for the ambulance property at 98 North Railroad Street. Councilwoman Kunkel asked if the property was appraised. President Connely stated that he was not aware of the value. Councilwoman Kunkel expressed her concern with giving up a reverter right on the property with nothing to stop the Ambulance Association from selling that property. 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 6-1 vote with Councilwoman Kunkel opposed.

Under the Police and Community Committee report, a recommendation was made to approve an agreement with the Tamaqua Community Ambulance Association, Inc. whereby the Borough will agree to waive all future permit fees and related fees for the development of the 98 North Railroad Street property. 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 Hollenbach, and approved by a 6-1 vote with Councilwoman Kunkel opposed.

Under the Police and Community Committee report, a recommendation was made to approve an agreement with the Tamaqua Community Ambulance Association, Inc. and the American Hose Company No. 1 whereby the Ambulance Association will relinquish its ownership rights (to the benefit of the American Hose and the Borough) for the aerial garage property at 35-37 Mauch Chunk Street. It was noted that the Tamaqua Community Ambulance Association Inc. will deliver a deed to the American Hose Co. No.1 for the aerial garage property at 35-37 Mauch Chunk Street; the Borough will deed its ownership in the aerial garage property to the American Hose Co.; and the American Hose Co. will turn that property over to the Tamaqua Area Community Partnership for the new police station and community center. 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.

Mayor Gerace presented a Proclamation designating the month of April 2023 as "National Sexual Assault Awareness and Prevention Month. Councilwoman Kunkle added that the police department recently received a \$150,000 grant to support officer training to prevent and respond to sexual violence in the community.

Mayor Gerace also stated that the Police Department is doing well with increased speed patrols and community policing.

The meeting was opened to the floor.

Kathy Nunemacher of Mahanoy Street expressed her concern with tree branches falling down behind her house. Manager Steigerwalt stated that the trees are on property believed to be owned by Lehigh Carbon Community College (LCCC), and that he contacted the maintenance department at LCCC and they were planning to take care of it. Manager Steigerwalt will follow up with LCCC on the status of the cleanup. Ms. Nunemacher also expressed her concern with the railroad crossings on Spruce Street. President Connely stated that the borough is aware the railroad crossings are bad and is working with the railroad to get it addressed. President Connely also stated that the crossings on Broad Street will be addressed soon due to replacement of water lines under that area.

Angela Pascal of 417 West Rowe Street expressed her concern with a neighboring property that is condemned but people and dogs are still in the house. Ms. Pascal stated there is a sewer issue and the smell from the sewer and dog feces is making her and her children sick. Ms. Pascal stated that the people there get a pass to do work, but there is no work being done and they are in and out of the house all day, basically to take care of the dogs. Ms. Pascal stated that she has contacted the police and code enforcement several times, but the issue is still ongoing, and she wants to know how much longer she must deal with it. There was some discussion on the matter including the pass issued by code enforcement, rules of the pass, citations issued on the property, the property is owned by an estate and an estate cannot be sued, the sewer issue and removal of the dogs. Councilman Connely asked Chief Hobbs to work with code enforcement on the issue and to provide updates to Ms. Pascal.

Jack Sakusky of Owl Creek thanked the Borough for line painting on Owl Creek road. Mr. Sakusky asked about painting of street corners similar to what was done by Zion's Church. President Connely explained that borough employees were testing a new painting machine they won last year, but plans are to do other areas as well. Mr. Sakusky also asked if Borough Hall is a polling center. Manager Steigerwalt stated that other locations have been suggested but a decision has not been made. Mr. Sakusky asked about the status of the Pine Street and Route 209 paving project. Manager Steigerwalt stated that there is no schedule yet, but the plan was to finish the project by the end of August.

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

Solicitor Odorizzi reported on an indemnification agreement by the Borough and Tamaqua Area Water Authority with the Reading Northern Railroad to allow the Authority to install high density polyethylene pipe (HDPE) under the Green Street Crossing. Additionally, the Railroad is asking that the Authority and Borough agree to indemnify the Railroad for any damage suffered by the Railroad for HDPR pipe repairs or replacement. A recommendation was made to authorize the Borough Solicitor to finalize the indemnification agreement and to authorize President Connely to sign the agreement when finalized. 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.

Solicitor Odorizzi reported on a property at 31 and 39 North Railroad Street owned by Harold Hill that is blighted, not in compliance and an eyesore to the community. Solicitor Odorizzi stated that the borough intends to acquire both properties by eminent domain. A recommendation was made to authorize the Borough Solicitor to advertise a proposed ordinance for acquisition by the borough of a property at 31 and 39 North Railroad Street by eminent domain. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Hollenbach, seconded by Bowman, and unanimously approved.

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 Bowman, seconded by Kunkel 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 Bowman, seconded by Linkhorst, and unanimously approved.

A recommendation was made to hold an executive session to discuss 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 Kunkel, and unanimously approved.

The council meeting was recessed at approximately 7:46 p.m. while council met in executive session.

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

President Connely announced that an executive session was held to discuss legal matters.

There being no further business, the meeting was adjourned at approximately 8:08 p.m. on motion of Bowman, seconded by Linkevich, to meet again at the call of the President.

ATTEST:

Amy Macalush, Assistant Borough Secretary/Treasurer