

December 6, 2022 Agenda

December Council Meeting

Call To Order

Roll Call

Please stand for the Pledge of Allegiance and remain standing for the Council Prayer.

Copies of the minutes of the previous council meetings have been given to borough council members and Mayor Tomko, are there any errors or corrections? If not, they stand approved.

Public Comment

Mayor's Report

1. Many thanks to Holy Apostles Episcopal Church and the Pottsville Knights of Columbus for providing free Thanksgiving dinners to those who found themselves alone on Thanksgiving.
2. Residents are urged to not allow packages delivered to their porches to remain too long as they are targeted by "porch thieves."
3. Holiday revelers are advised to use designated drivers if celebrations involve the use of alcoholic beverages.
4. On behalf of myself, the Borough Council, Borough Officials, and Borough employees – we wish everyone a Very Merry Christmas and a Happy, Healthy and Prosperous New Year!

Historical Note

In 1829 the Mill Creek Railroad was extended from Port Carbon to what is now St. Clair. This first railroad consisted of cars drawn by horses on wooden rails and did much to open up the interest in coal mining in this community.

Mayor Tomko administers the Oath of Office for reelected Fire Chief Frank Uhrin and Assistant Fire Chief Tom Johns and Assistant Fire Chief Carl Skrobak.

Solicitor's Report

Update council on the conservatorships.

Discuss in executive session the teamsters and the police collective bargaining agreements.

Adopt a Resolution for Act 57.

Engineer's Report

Council to consider potential grant opportunities.

Council to consider authorizing first and final payment to contractor for 2022

Crack Sealing Project.

Departmental Reports**Street Department Report****Electric Light Department****Treasurer's Report****Tax Collector's Report** – Taxes collected up to October 31, 2022

Real Estate - \$1556.74

Per Capita - \$159.50

Occupational - \$41.58

TOTAL - \$1,757.82

Submitted by William Umbenhaur, Tax Collector

Police Department**Zoning Officer's Report****Fire Chief's Report****Code Official Report****COMMUNICATIONS**

Mr. Price,

This email is to express my gratitude to the staff of your police department for their compassionate treatment of my brother John. John has untreated mental illness and exhibited disruptive behavior while in your town. Officer Thorne was the first to contact me last night and advise me of the situation. Today I spoke with Chief Dempsey several times as he assisted my brother to obtain gas and other necessities. I am so grateful for Chief Dempsey's compassion and kindness towards my brother. Chief Dempsey recognized that my brother is mentally ill and required assistance and much patience. I know my brother has an alarming appearance and is very difficult to deal with, and for someone to overlook those obstacles and treat him as a human being is heartwarming.

Please extend my gratitude to everyone who interacted with my brother. They are all shining stars and I deeply appreciate their kindness.

Many thanks,

Sharon Knowles

11/8/22

Good evening,

My husband and I purchased a home last year at 452 E Thwing St. We have 4 children and I am becoming concerned for their safety when we are in our car. If you don't know where my home is located it is on the same street as the Wooden Keg on the corner of Thwing and Union Street. There is no stop sign in front of my home but there is a spot to turn left and right. Due to the way we park if we come down Union to make the right, we at times need to stop to make sure that traffic from the left is not going straight. Several times we have been almost hit and just from sitting on the porch with the warmer weather this is a reoccurring problem. People come flying around the turn to go left and almost hit/get hit by someone going straight. I'd like to propose a stop sign in front of my house to stop those coming down Union for a brief second to give those coming up Thwing a chance to turn or go straight before rounding the turn.

I have included a Google Earth photo of the proposed area for the stop sign.

You can reach me here by email or call me at 570-449-3556.

I look forward to speaking to someone about this and hopefully getting some help.

Gina Corotto

11/9/22

Dear Borough Council,

I am writing to bring your attention to an issue that, if not addressed, can have catastrophic consequences. The intersection of Mill and Thwing Streets (near the old Brotsky's store) has become increasingly dangerous. Cars drive up and down South Mill Street at high rates of speed, often blowing right through this intersection. This literally happens every day! There are children who walk to and from school on this street, and also ride their bicycles and play on this street. I can't recall how many times my wife or I has had a close call while driving from Thwing Street and turning on to Mill Street. It's almost as if these stop signs don't exist.

There was once a red signal light that hung over this intersection. What ever happened to that? Maybe there needs to be a new one installed. Can we have our police make more patrols in this area, especially during the morning and afternoon? Please look into this. Thank you!

Chris Dembinsky

11/9/2022

My name is Ashley O'Connor, I own Blush Salon on 111 South Nicholas Street in St. Clair. I would like to obtain a designated parking spot for my clients during business hours. Unfortunately, there is minimal street parking due to high volumes of residential parking. I am writing to apply for an on-site parking space. Are there any forms I would need to complete and return to you? I appreciate your time and please let me know if you need any more information from me. The best phone number to reach me at is 570-573-3970.

Ashley O'Connor

11/16/2022

Old Business

Accept a motion to authorize Alfred Benesch to proceed in securing bids for the demolition of 438 – 440 S. Front Street.

New Business

Accept a motion to adopt the 2023 budget.

Accept a motion to amend Ordinance 440 to increase the cost of electric light by 0.02 per KWH.

Accept a motion to increase the wage of a part time police patrolman to \$21.50 effective January 1, 2023.

Accept a motion to increase the monthly sanitation bill by \$2.00 beginning January 1, 2023.

Accept a motion to authorize the Borough Secretary to amend the Healthcare Plan Agreement to include a senior plan.

Accept a motion to make payment to AMS-Asphalt Maintenance Solutions, LLC. for the crack sealing project in the amount of \$17,775.00.

Accept a motion to have Alfred Benesch inspect the vacant house at 26 S. Front Street to check for structural integrity and the cost to rehabilitate the house versus the cost to demolish it.

Accept a motion to post a sign at 111 South Nicholas Street to designate a parking spot during business hours for the Blush Salon.

Accept a motion to pass the 2023 Tax Resolution.

BOROUGH OF St. Clair Schuylkill County, Pennsylvania

RESOLUTION

A RESOLUTION OF THE BOROUGH OF ST. CLAIR, SCHUYLKILL COUNTY, COMMONWEALTH OF PENNSYLVANIA, FIXING THE TAX RATE FOR THE YEAR 2023

NOW, THEREFORE, BE IT RESOLVED by the Borough of St. Clair, County of Schuylkill, Pennsylvania:

THAT a tax be and the same is hereby levied on all real property within St. Clair

Borough subject to taxation for the fiscal year 2023 as follows:

SECTION 1. Tax rate for general purposes, the sum of 5.00 mills on each dollar of assessed valuation, or the sum of \$5.00 on each one hundred dollars of assessed valuation.

SECTION 2. All other municipal tax rates are to remain unchanged.

SECTION 3. That any resolution, or part of resolution, conflicting with this resolution be and the same is hereby repealed insofar as the same affects this resolution.

DULY ADOPTED the 6th day of December, 2022 by the Council of the Borough of St. Clair, Schuylkill County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF St. Clair, Schuylkill County, Pennsylvania

ATTEST: _____
Roland Price
Borough Secretary

President of Council

Approved by me this 6th day of December 2022.

Richard E. Tomko
Mayor

Accept a motion to adopt a resolution for Act 57. (See attached.)

Executive Session.

Accept a motion to pay all Bills and Claims properly approved by council.

Accept a motion to adjourn.

Notes:

RESOLUTION NO. _____

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF ST. CLAIR, SCHUYLKILL COUNTY,
PENNSYLVANIA, TO IMPLEMENT ACT 57 OF 2022.**

WHEREAS, the Borough of St. Clair, Schuylkill County, Pennsylvania, desires to implement Act 57 of 2022, which requires all municipalities to direct their tax collector to implement the Act's provisions for the tax years beginning on or after January 1, 2023; and

WHEREAS, Act 57 of 2022, amending the Local Tax Collection Law, was signed by Governor Wolf on July 11, 2022, and takes effect on October 10, 2022; and

WHEREAS, Act 57 requires taxing districts that impose taxes on the assessed value of real property to adopt a resolution or ordinance within ninety (90) days of the effective date of the Act, or not later than January 9, 2023, directing the tax collector to waive additional charges for real estate taxes in certain situations.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector of the Borough of St. Clair comply with the provisions of Act 57 and this Resolution for tax years beginning on or after January 1, 2023.

DEFINITIONS

The following words and phrases shall have the meanings given to them within this Resolution unless the context clearly indicates otherwise:

Additional charge: Any interest, fee, penalty, or charge accruing to and in excess of the face amount of the real estate tax as provided in the real estate tax notice.

Qualifying event:

1. For the purposes of real property, the date of transfer of ownership.

2. For manufactured or mobile homes, the date of transfer of ownership or the date a lease agreement commences for the original location or relocation of a manufactured or mobile home on a parcel of land not owned by the owner of the manufactured or mobile home. The term does not include the renewal of a lease for the same location.

3. **Tax Collector:** The elected tax collector for the Borough of St. Clair, Schuylkill County, any authorized or designated delinquent tax collector, the Schuylkill County Tax Claim Bureau, or any alternative collector of taxes as provided for in the Act of July 7, 1947 (P.L. 1368, No. 542), known as the "Real Estate Tax Sale Law," an employee, agent or assignee authorized to collect the tax, a purchaser of claim for the tax or any other person authorized by law or contract to secure collection of, or take any action at law or in equity against the person or property of the taxpayer for the real estate tax or amounts, liens or claims derived from the real estate tax.

WAIVER

The Tax Collector shall, for tax years beginning on and after January 1, 2023, grant a request to waive additional charges for real estate taxes if the taxpayer does all of the following:

A. Provides a waiver request of additional charges, on a form provided by the state Department of Community and Economic Development, to the Tax Collector in possession of the claim within twelve (12) months of a qualifying event;

B. Attests that a tax notice was not received; and

C. Provides the Tax Collector in possession of the claim with one of the following:

1. A copy of the deed showing the date of real property transfer; or

2. A copy of the title following the acquisition of a mobile or manufactured home subject to taxation as real estate showing the date of issuance or a copy of an

executed lease agreement between the owner of a mobile or manufactured home and the owner of a parcel of land on which the mobile or manufactured home will be situated showing the date the lease commences; and

D. Pays the face value amount of the tax notice for the real estate tax with the waiver request.

ADOPTED by the Borough of St. Clair this _____ day of

_____, 2022.

BOROUGH COUNCIL OF THE
BOROUGH OF SAINT CLAIR

WILLIAM DEMPSEY
Council President

ATTEST:

ROLAND PRICE, JR.
Borough Secretary

Approved this _____ day of _____, 2022.

RICHARD E. TOMKO
Mayor