

The Tamaqua Borough Council held its first Regular Council Meeting for the month of September on Tuesday, September 5, 2017 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, Chief of Police Richard Weaver, Borough Manager Kevin Steigerwalt, and Assistant Borough Secretary/Treasurer Amy Macalush. 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 President Mace. The roll was called with six councilmembers present and one absent.

The reading of the minutes of the last Regular Council Meeting held on August 15, 2017 was ordered suspended, and with no additions or corrections, the minutes were approved as written on motion of Cara, seconded by Bowman, and unanimously approved.

Communication was received from Land of the Running Water Coordinator Lisa Mace, Tamaqua Band Director Mark Beltz and Tamaqua Band Booster President Sandy Breiner, requesting permission to prohibit parking on both sides of Coal Street from Orwigsburg to Spruce streets on October 7, 2017 for a fall Marching Band Adjudication Festival to be held at the Tamaqua Area Sports Stadium. 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 Corey 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 Saturday, October 7, 2017 for a Bike Run Benefit for Cassidy Derr. 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 Gursky, and unanimously approved.

Manager Steigerwalt stated that he had a change order from Alfred Benesch and Company for the Wabash Creek Culvert Repair Project which included seven additional areas that need work and the removal of a beam replacement from the contract. Manager Steigerwalt stated that the amount of the change order is \$40,500 and the total price of the project is \$174,050. There was some discussion regarding the amount of the change order which is almost 30% of the entire cost of the project and replacement of the beam when future repairs to the bridge near South Railroad Street are done. A recommendation was made to approve Change Order No. 1 as submitted by Alfred Benesch and Company. 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.

Manager Steigerwalt also reported on the following: renewal applications were received from Seltzer Insurance Company for the 2018 insurance policies; an ad was placed for bids for the demolition of 216 Penn Street; a resolution adopting required Community Development Block Grant (CDBG) plans and policies; a Community Development Plan for the years 2017 – 2019 prepared by the County consultant; he is working on bids for heating oil procurement; and the

Request for Proposals (RFP's) for replacement of borough streetlights to new light-emitting diode (LED) fixtures will be sent out by the end of the week.

Under the Borough Manager's report, President Mace asked if there was any further communication with Reading, Blue Mountain and Northern Railroad regarding pending railroad issues. Manager Steigerwalt stated that communication with railroad personnel continues; however there is no progress being made. Councilman Bowman stated that they did address the vibration issue at the railroad crossing on Center Street. There was some discussion regarding ongoing railroad issues.

Under the Building and Equipment Committee report, Chief Weaver requested permission to scrap an old undercover police jeep that was used for narcotics and deposit the proceeds into the General Fund for use by the police department for narcotics work. A recommendation was made to approve the disposal of an undercover police jeep and to redirect the proceeds to the General Fund for use by the Tamaqua Police Department for narcotics work. There was no one from the floor wishing to address council about this matter. The recommendation was so ordered on motion of Evans, seconded by Bowman, and unanimously approved.

Mayor Morrison requested an executive session to discuss personnel matters prior to adjournment.

The meeting was opened to the floor.

Joan Love of Green Street expressed her concern about drug houses in her neighborhood, stating that she can't even sit on her front porch. Ms. Love stated that the drug activity at the corner of Race and Green streets is horrifying and something needs to be done. Council explained that most of the drug houses are rental properties and that a rental property must be registered with the Borough and is re-inspected every four years, but that there has to be a reason to get into the home. There was some discussion about this matter.

Stephen Bennett of 224 West Broad Street stated that he read an article about a group of women who approached drug houses expressing their feelings and concerns and actually intimidated the dealers. President Mace stated that there has been discussion about how to address the drug house issues using code enforcement to cite the occupant rather than the owner.

Joan Love also expressed her concerns regarding slime around her toilet bowl. Ms. Love stated she reported the same issue back in April. Councilman Connely stated that the Borough's water quality exceeds all standards and suggested a sample be taken of her water for testing.

Joan Love also expressed concerns about the following: the new curbs that were put in are not handicapped accessible; potholes on Spruce Street near her house; and there is a raw sewage smell coming from her basement. There was some discussion about these matters.

Solicitor Greek arrived at approximately 7:30 p.m.

Stephen Bennett expressed his concerns regarding an ongoing dispute with his neighbor at 228 West Broad Street and that he is a victim of abuse of power by Tamaqua Police. Mr. Bennett stated that his neighbor is Tom Forte who is a police officer and rents the property from Chief Weaver. Mr. Forte and his wife do not want him to cross over onto their property even though he has a legal easement to do so. Mr. Bennett stated that this is an ongoing issue and he has tried to resolve this issue many times, but Mr. Forte becomes disorderly. Mr. Bennett stated that Mr. Forte is friends with Chief Weaver and the Tamaqua officers and they are all working together and against him. Mr. Bennett stated that the Forte's called in a noise complaint while he was holding a

fundraising event at his home, and the police came creating a disturbance and he was cited for violation of a noise ordinance. Mr. Bennett stated that he has filed multiple complaints with Tamaqua Police, including a complaint on one of the officers, but nothing is resolved and the issues continue. Mr. Bennett also stated that his work requires him to travel frequently overseas, which makes it difficult for him to attend hearings, and at one point he had asked for a continuation which was denied and he was never notified. Chief Weaver clarified that Mr. Forte works for Rush Township and is not a police officer in Tamaqua. Chief Weaver also stated that to his knowledge there was no formal complaint filed on the Tamaqua officer, and if there was he would need to do a full investigation. Council asked Mr. Bennett to provide copies of the complaints that were filed, including the complaint filed on the Tamaqua officer.

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

Solicitor Greek requested an executive session to discuss litigation issues prior to adjournment.

Under Unfinished Business, Councilman Evans requested an executive session to discuss real estate issues prior to adjournment.

Under New Business, Councilman Gursky stated that he received a request from Murphy's Beer Distributor to replace the sign that was on a tree near the driveway that was recently cut down. The request was sent to Manager Steigerwalt.

Under New Business, Councilman Evans discussed the electricity procurement services offered by Penn State Facilities Engineering Institute (PSFEI) and COSTARS; and he asked Manager Steigerwalt to explore the services further because in the next six to eight months, the borough will be looking to replace energy. Manager Steigerwalt stated that he spoke with the PSFEI representative and if the borough does sign on to the service, we are committed to participate in the program. There was some discussion about this matter. A recommendation was made to refer the project of electricity procurement to the Streetlight Committee. 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. Manager Steigerwalt will contact PSFEI to arrange for a representative to meet with the committee.

A recommendation was made to hold an executive session to discuss personnel, litigation and 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 Connely, seconded by Bowman, and unanimously approved.

The council meeting was recessed at approximately 8:00 p.m. while council met in executive session.

The council meeting was reconvened at approximately 9:15 p.m.

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

There being no further business, the meeting was adjourned at approximately 9:15 p.m. on motion of Bowman, seconded by Evans, to meet again at the call of the President.

ATTEST:

Amy Macalush, Assistant Borough Secretary/Treasurer