

**Minutes
Throop Borough Council
Monthly Meeting
Monday, August 30th, 2010
following the 6:30 p.m. Work Session**

The meeting opened with the Pledge of Allegiance.

“God Bless Our Troops and the Coalition”

ROLL CALL:

Members of Council:

James Barnick, **Vice President - P**

Ray Jarosh - P

Thomas Lukasewicz, **President - P**

Anthony Gangemi - P

David Repchick - P

John Musewicz - P

Neil Furiosi - A

Solicitor - Louis A. Cimini - P

Mayor - Stanley Lukowski - P

Assistant Treasurer - Lenore Dolan - P

Secretary - Renee O’Malley - P

Chief Clerk/Treasurer -Robin Galli - P

Lukasewicz: Anything anyone wants to discuss?

Robin: Packet #1, #22, BUI performing work without permits.

Lukasewicz: We are going to look into that.

Work Session/Meeting Schedule:

* The September mid-month work session/meeting will be held Monday, Sept.13th at 6:30pm

* The September monthly work session/ meeting will be held Monday, Sept. 27th at 6:30pm

* An Executive Session was held this evening at 6:30 pm for legal reasons.

There were no audience comments on tonight’s agenda.

1. **Motion by Repchick**

Seconded by Barnick

To accept the monthly zoning reports, the minutes of the July 26th, August 2nd and the August 9th council meetings.

All in Favor

Motion Carried

Treasurer and Assistant Treasurer Reports

2. Motion by Repchick

Seconded by Musewicz

To accept the treasurers' monthly reports as posted and to pay the monthly bills against the borough as posted and/or printed on the agenda..

Unpaid bills: "Items for Payment"	\$50,541.54
Paid bills:	\$238,874.18
General Fund Revenue Report	\$108,805.83
Civic Center Revenue Report	\$11,591.89

All in Favor

Motion Carried

3. Motion by Gangemi

Seconded by Musewicz

To pay all the employees of Throop Borough.

**All in Favor except Barnick, Repchick
and Musewicz abstain on Daughters**

Motion Carried

4. Motion by Repchick

Seconded by Musewicz

To accept the correspondence as read or posted.

On the Question

Barnick: Does that accept the petition too?

Lukasewicz: Yes, the petition that we were just handed we will accept that and discuss it when we go into new business.

All in Favor

Motion Carried

5. Motion by Jarosh

Seconded by Repchick

To accept the Fund Statement, Budgeted Revenue & Expense Statement and Loan Balance as of **July 31, 2010** as posted and/or printed on the agenda.

Fund Balances:	
General Fund Checking Account (FNCB)	\$39,829.28
General Fund Performance Money Market (FNCB)	\$1,216,025.88
Parks & Recreation Grant (FNCB)	\$40,392.57
Civic Center Account (FNCB)	\$303.83
General Fund Petty Cash	\$300.00
Civic Center Petty Cash	\$300.00
Payroll Checking Account (FNCB)	\$12,500.42
Sunny Day Fund MMKT Ck Acct - (Fidelity Bank)	\$1,107,256.98
Sunny Day Fund CD's	\$3,416,031.36
Liquid Fuels Account (FNCB)	\$78,510.85
Turnback Program (FNCB)	\$130,748.96
Fund Statement Grand Total:	\$6,042,200.13

LOANS	Balance
FNCB - LOAN (Maturity 8/1/2013) (3.85%)	\$471,708.05

All in Favor

Motion Carried

6. Motion by Barnick

Seconded by Repchick

To ratify the transfer of \$50,000.00 on August 11, 2010 from the GF Performance Money Market (FNCB) to the General Fund Checking Account (FNCB).

All in Favor

Motion Carried

12. Motion by Repchick

Seconded by Musewicz

To award the borough insurance coverage for one year beginning September 4, 2010 in the amount of \$79,926 from Joyce Jackman and Bell.

Barnick: That includes all of them right?

Repchick: That's all the insurance we need right?

Lukasewicz: For everything that we need at this time, and the other one we already have covered.

George Karosa (Eastern Insurance): Any questions or comments on that?

Lukasewicz: We are already voting on it. You were given the opportunity to comment on it but passed.

Bob Mattioli, 609 Dunmore St.: I assumed you were going to explain what the bids were.

Lukasewicz: The bids came in, we accepted a bid and we are going to award the bid.

Bob Mattioli, 609 Dunmore St.: You don't have to explain what the bids were?

Lukasewicz: No.

All in Favor

Motion Carried

13. Motion by Repchick

Seconded by Jarosh

To purchase a new radio for the Hose Company # 2 Fire Truck at the cost of \$3,145.00.

Discussions took place regarding possibility of insurance covering the radio, compatibility of police radios and fire truck radios (depends on the models).

2013 radios will have to be converted over (narrow band).

Police have an extra radio that Fire Department will use for their brush truck to cover them.

All in Favor

Motion Carried

Audience Comments:

Barnick: Should get all departments together to get a total, to get a bid, to get a lower price (radios)

Andy Hegedus, 513 Center St.: We should get Joyce Hatala involved because there will be grant money available.

Gangemi: Eric needs to get together a financial package for the 3 fire companies as borough chief.

Eric Hartshorn: I sent out a letter to the 3 companies and one didn't want to be a part of it.

Gangemi: If there is grant money we can have a comprehensive package.

Lukasewicz: Budget time is around the corner. Get an itemized list from all 3 Hose Companies.

Chief Jones: Our department started last year. We're getting so many a year. Our department alone is \$80,000.

Barnick: If we can put in for a grant and get them all covered

Lukasewicz: We have a petition here for ATV's from the people of the Warsaw section. Is there a spokesperson?

Stanley Marshalek, 33 Ollendyke St.: I instituted the petition but these are the people who suffered with it all weekend - the horrendous noise.

Marsha Gilbride, 22 Ollendyke St.: I cannot use my pool, our cars are filthy, the dust, the noise, the gas. My daughter is pregnant she can't even sit on the porch because of the fumes. For about 5 ½ hours on Friday night and about 5 hours on Saturday night. Continuously going around. Rocks are going into our driveway and hitting our cars, toys in the alleyway or rocks. Today there was a wheel. I can't take it anymore. I am physically getting ill. They go up the alley. They are going to kill a little child playing at the playground. They go 30 - 40 miles an hour. They go from Chester Ct. to Esther St. onto Ollendyke St. to the sisters' house where they have ramps going all day and night long. I never called the cops except for the last 2 Saturdays because I was so upset. This is going on all summer - everyday of the week.

Repchick: You know who they are obviously?

Marsha Gilbride, 22 Ollendyke St.: The Snell's. They are bringing other children from other parts of Throop using our alleyway as a way to get to their back of the house. Every time the cops are coming they stop - like someone tells them they are coming.

Repchick: They might have a scanner.

Lukasewicz: Keith this has to stop.

Chief Jones: We're not chasing them.

Lukasewicz: I don't want you to chase anybody but if it is someone who lives right there it is an easy fix. Very easy to fix.

Chief Jones: Misunderstanding. If we say we are not going to chase that means we're not going to arrest. One has nothing to do with the other. If anybody can identify these people we will cite them but you'll have to testify

Marsha Gilbride, 22 Ollendyke St.: I will definitely testify. I think that everyone here will.

Chief Jones: I have no problem with that. For years our problem has been witnesses. Anybody that wants to register a complaint, we will fill out a citation, you will have to testify on our behalf and we'll let it go where it goes.

Barnick: Are they registered?

Chief Jones: No, they are dirt bikes.

Marsha Gilbride, 22 Ollendyke St.: ATV's and quads.

Lukasewicz: It's very simple to fix. They put up with this all summer and this is the first time we are hearing about it.

Lenore Dolan, 941 S Valley Ave: I have a police report on them.

Lukasewicz: I want it stopped tomorrow. These people pay taxes and they shouldn't have to deal with it. That's the bottom line.

~~Barnick, Lukasewicz and Chief Jones all talking at once.~~

Barnick: If the quad is in the impound they are not going to be riding up and down. If you catch a couple of them one weekend it is going to stop.

ALL TALKING AT ONCE

Barnick: Catch them, impound the ATV and then it will cost them 3,4 or \$500 to get it out and that is when it's going to hurt.

Chief Jones: We got you. We're going to get some signs put up. Bob Lokuta will handle those incidents and we'll take care of the incidents on the road.

Lukasewicz: Post the signs tomorrow - you have 2 weeks to make something happen. If they

come back next meeting I am not going to be happy.

Mayor Lukowski: Sir, how long has this been going on?

Audience: All summer.

Mayor Lukowski: You should have been here before this.

Lukasewicz: Regardless. You are here today, now we know and now we have to do something. Keith knows how severe it is and how concerned we are. If it doesn't get better please come back in 2 weeks, next meeting.

Jerry Gilbride, 22 Ollendyke St.: I called Bill Hazleton and he responded.

Repchick: Always call 911 because then it is documented.

Maria Urso, 21 Ollendyke St.: They are saying it is fine as long as they are on their property.

Lukasewicz: I don't agree with that.

Maria Urso, 21 Ollendyke St.: They have an unfinished backyard. It's all dirt. They're making ramps.

Lukasewicz: In the yard?

Maria Urso, 21 Ollendyke St.: Yes. The smell from the fumes is horrendous. Saturday Night it went on for 4 hours straight. I said have a little respect and the brother got on the Harley Davidson on Line St. and revved it passed our house.

Lukasewicz: Whatever we can do and anything we can do between the Zoning Officer and the police department. If we don't get an answer in the next 2 weeks I'm not going to be happy.

Maria Urso, 21 Ollendyke St.: A neighbor posted no trespassing signs in his yard - he is having trouble with them going through his yard when he is not there.

Lukasewicz: We'll do everything we can do to help. It's in the Zoning Officer and Chief's hands. Push it as far as you have to and take it to the magistrate and argue at that point.

Chief Jones: All officers qualified Thursday and Friday in Waymart. Friday night we had a successful DUI checkpoint on Cypress and Dunmore Streets. I have to confirm numbers..6 DUI's, possession of paraphernalia, simple possession and a hit on some dirty money. A little over \$10,000. It was a successful night. This morning we put an active shooter in the high school with Throop, Olyphant, Dickson City, Dunmore and Blakely police. On the downside .. We lost a transmission on Friday night. It's out to get repaired. In the future, if you can consider getting us a new one. We have 2 over 100,000 and 1 over 90,000 and the warranties are up.

Repchick: Keith I can see by looking in the budget the SUV was paid. You still have \$12,000 in your budget for a patrol car. It's either get 1 now or 2 next year.

Lukasewicz: The one with the transmission - how old is that one?

Chief Jones: 2006

Lukasewicz: How many miles on it?

Chief Jones: A little over 110,000 I believe.

Repchick: I don't want to keep putting money into something that's got over 100,000 miles on it.

Chief Jones: So when budget time comes we will either have to consider upgrading a little or put some money on the side for motors and transmissions.

Lukasewicz: Well when you get your budget ready

Repchick: I think you better do one now and you'll only have to do one next year.

Barnick: Provided you get rid of the old ones. They are gone immediately.

Stanley Marshalek, 33 Ollendyke St.: One more statement...I called the State Police and they said

if I can't get any satisfaction from the Police Department call the District Attorney.

Chief Jones: You'll get it.

Barnick: One chance. One good weekend.

Stanley Marshalek, 33 Ollendyke St.: Then we'll go to the DA.

Marsha Gilbride, 22 Ollendyke St.: You are welcome in my backyard.

Chief Jones: We just have to identify them.

Warsaw Audience: Thank you.

Rich Lombardo, 605 Dunmore St.: We talked about George St. and you told me it is no longer a state road correct?

Lukasewicz: Correct

INAUDIBLE

Lukasewicz: There is paperwork that went with it. There was some money that came back to the borough that we used for this and that, but there was a legal process.

Rich Lombardo, 605 Dunmore St.: The other question is...I'm sure we had some engineering done on those sidewalks right?

Lukasewicz: We have had extensive engineering done.

Rich Lombardo, 605 Dunmore St.: Cosmetically are we trying to maintain something? Widths - 6 more inches one way it would match up to the rest.

Lukasewicz: There are engineers that have been involved from the start and they are trying to find a happy medium.

Rich Lombardo, 605 Dunmore St.: I just see some of it has a wall now where they could have had 6 inches of possibly grass. Where it would be concrete to the wall.

Lukasewicz: Whatever the reasoning was it is out of our hands. The engineer, street commissioner... a lot of planning going on.

Rich Lombardo, 605 Dunmore St.: Did you try to maintain a width?

Lukasewicz: We tried to maintain a same width in certain areas that permitted. There was certain areas that had more sidewalks at one time, they tried to stay with that so there is a lot of different variations.

Rich Lombardo, 605 Dunmore St.: I just thought if that held true - it should have held true for some of the other people that have the same conditions. I mean to have 6 inches of grass. I mean that is weed whacker material there.

Lukasewicz: 6 inches of grass next to their house?

Rich Lombardo, 605 Dunmore St.: In between the sidewalk and the wall. The curb has a set distance.

Lukasewicz: Maybe there is going to be additional concrete put there.

Rich Lombardo, 605 Dunmore St.: Ok.

Lukasewicz: It was engineered in a way to try to make everything line up. There were sidewalks that were relatively new that you had to take out because we wanted to have a consistent flow. Similar to how we did it on Sanderson. There are handicapped restrictions, everything has changed this year, so it is difficult to get it to look how you would like it to look.

Bob Mattioli, 609 Dunmore St.: I've been doing some research and you know my other property is contaminated. According to this document that was faxed to the Throop Borough council, Gould, and PA DEP to develop a verification protocol on sites that were not remedied by Gould

because DEP said there were no problems but houses that test over 500 - was there a verification protocol ever instituted or were they blowing smoke?

Lukasewicz: Lisa could you find out for us?

Bob Mattioli, 609 Dunmore St.: It is in the repository. It is dated 6/27/00 by Bradley Campbell. According to this there is a 33% possibility that Marjol was at fault. Who determines that 33%? We have enough information to prove that - we were told by EPA it was a swing set. The home owners before us, they built the house, they had no children so where did the swing set come from? This is what we're getting. We asked Throop borough Council (not now) and we were told we wasted enough money on this. We're not wasting anymore.

Repchick: It wasn't said wasted. We exhausted every resource.

Bob Mattioli, 609 Dunmore St.: You have an Environmental trust fund. What is that for? My daughter tested 6.2.

Barnick: There was a \$500,000 environmental trust fund. The TPOA's spent it.

Andy Hegedus, 513 Center St.: \$678,000 Mr. Barnick.

Lukasewicz: They split it amongst them.

Bob Mattioli, 609 Dunmore St.: I talked to an appraiser and he said don't call anybody because you're not going to like your answer. Why am I paying taxes to the borough of Throop if my property is worth \$0? If I can't sell it? Nobody wants to give me answers. All I get is a bunch of forms in the mail. Remember I told you about throw some material over it? It is in writing from the EPA in a letter from Maureen.

Barnick: We spent so much money trying to fight them. I sat through 6 hours of depositions because they wanted to waste the borough tax payers money just to show us don't file a lawsuit against us.

Bob Mattioli, 609 Dunmore St.: We have been going for 2 years.

Barnick: All they keep doing is filing motions and filing different things to exhaust your money because they have more money.

Bob Mattioli, 609 Dunmore St.: Over the price of a child's health.

Barnick: Yes. You are just a number in Washington DC.

Bob Mattioli, 609 Dunmore St.: I realize it, but I'm talking about my community. Fight for me.

Barnick: Do you want us to expend every dime we have here?

Bob Mattioli, 609 Dunmore St.: If it means saving 1 child's life, Mr. Barnick, yes.

Rich Lombardo, 605 Dunmore St.: He waited almost 1 ½ years to get his child tested - that was a little late to be tested.

Mattioli/Lombardo: They are still digging up there. The cite is closed. What are they digging for?

Rich Lombardo, 605 Dunmore St.: You're worried about bikes up there. What are you going to do when they take down the fence and the 4 wheelers head that way?

Lukasewicz: ~~We'll have a nightmare there. What do you want us to do?~~

Rich Lombardo, 605 Dunmore St.: Keep the fence up.

Lukasewicz: That won't stop them. No matter what fence you put there.

Rich Lombardo, 605 Dunmore St.: We've walked it (The 48 acres). It's a nightmare up there. You don't know what you are getting into.

Bob Mattioli, 609 Dunmore St.: Sink holes, batteries are still there.

Lukasewicz: We have our 48 acres that's all we have.

Bob Mattioli, 609 Dunmore St.: But you're trying to incorporate the 101 acres.

Lukasewicz: That's valuable land.

Rich Lombardo, 605 Dunmore St.: There is 100 foot banks back there.

Lukasewicz: I know there is.

Bob Mattioli, 609 Dunmore St.: There's drums. We've seen them.

Lukasewicz: There is all kinds of drums everywhere.

Rich Lombardo, 605 Dunmore St.: People dumped them up there (batteries). Marjol didn't put them there. These are intact.

Lukasewicz: The north woods was tested to the best that we can believe that they tested it.

Whatever areas were bad they cleaned. Who can we fight? I had Kanjorski here and he had his mind made up. They had a meeting that afternoon. We fought the best we could fight. I applaud you for fighting. If you can find something please do.

Rich Lombardo, 605 Dunmore St.: All we are asking for is your support to have the Federal Government retest. We have a petition with 400 names out there. That's what we're asking. We want a re test.

Barnick: They won't come here.

Bob Mattioli, 609 Dunmore St.: We have copies of samples taken.

Rich Lombardo, 605 Dunmore St.: The concentration should be higher at the house.

Lukasewicz: I agree but it's not as simple as that.

Rich Lombardo, 605 Dunmore St.: They spent millions of dollars there and Gould told the Government where they stand on it and if they don't like it we'll go to court forever.

Barnick: The federal government over rules us.

Rich Lombardo, 605 Dunmore St.: The Federal Government couldn't even stop that job up there. The EPA can't stop it. They said they are the eyes and ears but can't stop it.

Lukasewicz: I am concerned but what do you want me to do?

Rich Lombardo, 605 Dunmore St.: Join us. Voice a concern.

Bob Mattioli, 609 Dunmore St.: Write a letter on behalf of the residents of Throop Borough to EPA and ask them what they are doing. Keep doing it. Don't give up.

Lukasewicz: Louie can you write a letter to EPA and anyone in the Federal Government you can send to saying.. "We as the governing body in the Borough of Throop want it to be known that we have many citizens that still have concerns in regards to the lead contamination in the borough of Throop and we need to have another overview". We tried and we tried. Now we are at a crossroads.

Barnick: Your criticizing we're not doing anything and then you have the ones who come in and say look at what you've blown on all of this.

2 discussions at once - INAUDIBLE

Lukasewicz: We'll stand behind it. If they call me I'll tell them your concerns and if we have to meet we'll meet.

Rich Lombardo, 605 Dunmore St.: Two years this pool is filled. Murphy's office was going to take care of it.

Lukasewicz: They won't do anything.

Bob Mattioli, 609 Dunmore St.: I am not dumping it. They did the contamination.

Rich Lombardo, 605 Dunmore St.: They could've dumped it before it was capped. They said dump it. We're not doing that.

Attorney Cimini: The accusations of this council that they haven't done anything. I've sat here and listened to you guys every 2 weeks and this is the first time that I can recall you asked for something without yelling and screaming. Now you are asking for the Borough to join you. Didn't the Borough offer Cocciardi's assistance? You are making it sound like they did

absolutely nothing and now you want them to join you.

Lukasewicz: You believe there should be remediation in your yard. That's what you mean when you say next round?

Bob Mattioli, 609 Dunmore St.: I cannot do anything with my yard.

I live at Memorial Dr. We are having a yard sale this weekend along with hotdogs and home baked goods. All proceeds go to the kids Halloween and Christmas parties.

Lukasewicz: Thank you for doing that for the kids.

Dominick Rocco, 110 Sanderson St.: A couple of months ago you said that you would look into the trees that hang over the river.

Lukasewicz: Robin could you check to see with Robert and remind him to look into cost.

Dominick Rocco, 110 Sanderson St.: The alley behind my house is in bad shape. When it rains the water just lays there in the ruts.

Lukasewicz: We'll find out if something can be done. The roads in the borough of Throop are falling apart.

Dominick Rocco, 110 Sanderson St.: Just a patch to fill it up.

Lukasewicz: I will talk to him.

Robert Lokuta, 200 Phillips St.: The fight that took place in this Borough against Marjol, I think all of the Throop Council throughout the years have to be commended for the time and effort. The one instance to speak of .. The big guy from Gould was here, he didn't like what was being said, he stood up and he said, "We'll break this town before we'll lose". I'll never forget those words. Nobody has the right to criticize the fight that Throop Borough made as far as Gould goes because they fought the fight they could fight and they fought a good fight. They were all here.

Lukasewicz: They were all blind sighted.

Rich Lombardo, 605 Dunmore St.: Now you can't get one of them up here.

Bob Fountain, IDM Consulting: This is the 4th time I am here. I wanted to come and make a few points on research I am still doing for the Borough. The surplus that could've been developed as of July 1st would've been \$34,000 for the Borough. Now the next date is October 1st that Blue Cross gave me and they increased that rate in the last 3 months. The surplus is down to \$24,000. So by waiting 3 months, it has costed a net savings of about \$6,000. Other municipalities are averaging about 18% savings a year. So I am asking you for a decision in the next 2 weeks. I will come back on the 13th to see if you want to do this. If not you will have to wait until March of next year. Blue Cross will not give me anymore numbers or quotes. The numbers will increase by March so the Borough has a chance to stop it now and develop a surplus I am presenting.

Lukasewicz: I am aware of it.

Bob Fountain, IDM Consulting: It doesn't include any changes to the existing plan. Just to remind you.

Lukasewicz: Thank you for your time.

Eric Hartshorn: We are having scheduling conflicts between the fire departments, Churches and VFW's etc.

Lukasewicz: That is why we have Phyllis Mikulski to coordinate everyone. Let's get a formed letter together Robin to any and all organizations that Phyllis is the person who schedules events for the Borough of Throop.

Andy Hegedus, 513 Center St.: Can't it be on the website?

Lukasewicz: I'm not sure if she uses the web. Robin call her to see if we can sit down and figure out something.

Eric Hartshorn: The Knox boxes are going to be outdated. There is one of them that can override com center. I am sending out 1 more letter to the 3 departments to hash out the budget.

Repchick: Do what you can do without them.

George Karosa, Eastern Insurance: Do you have any questions?

Lukasewicz: Basically what we got is in the best interest of the Borough.

George Karosa, Eastern Insurance: There are serious gaps in the coverage so you are aware.

Lukasewicz: Thank you.

The meeting was adjourned.

**Minutes by Renee O'Malley
Borough Secretary**