

Minutes
Throop Borough Council
Monday, June 24, 2013
Work Session/Monthly Meeting 6:30 p.m.

The meeting opened with the Pledge of Allegiance.

“God Bless Our Troops and the Coalition”

ROLL CALL:

Members of Council:

Mark Mazak - P

Charlene Tomasovitch - P

Thomas Lukasewicz, **President - P**

Anthony Gangemi, **Vice President - P**

David Repchick - P

John Musewicz - P

Neil Furiosi - P

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

Ron Green - EMC - Update on damaged steeple on St. John's Church (struck by lightning)- State closing Sanderson Street. Re-routing traffic. 8:00 am tomorrow company will be here to take the steeple down. Shut down the Civic Center tomorrow due to safety concerns.

Announcements:

* An executive session was held this evening at 6:00p.m. to discuss legal matters.

* The Municipal Building will be closed Thursday, July 4, 2013 in observance of Independence Day.

*Throop Booster Cow Flop will be held on Saturday, June 29 and Sunday, June 30, 2013. Parade - Sunday at 1:00p.m. line-up 12:30p.m. Fireworks at dusk.

*Throop Annual Night Out will be held on Sunday, August 4, 2013. Parade at 6:00 p.m., line up at 5:30 p.m., fireworks at 9:00 p.m.

Work Session/Meeting Schedule:

- * The July mid-month work session/meeting will be held Monday, July 8th, at 6:30 p.m.
- * The July monthly work session /meeting will be held Monday, July 29th, at 6:30 p.m.

Audience comments on tonight's agenda:

Dave Kar, : Questioned what we were getting with the computers for the amount spending.

Jim Barnick, 203 Adams Ct.: Commented on political signs on memorials - what designates Borough land. There has to be a designation. The triangle is state land. Down here VFW and the Borough.

Tomasovitch added that the VFW has no problem with it.

Repchick questioned if the Borough has enforcement if they create an ordinance.

Mazak: Areas should be defined.

Barnick questioned if it is a motion, resolution or an ordinance.

Repchick added to define the area first then go from there.

Bernie Lukasewicz, George St.: Questioned why this, all of a sudden, is a problem.

Tomasovitch added that she does not want signs on the memorial and has been asked about it by people at the VFW and no one likes the signs there.

Jim Barnick, 613 Dunmore St.: How do you define Borough land? How do you separate it from other borough land? What makes that so special? It's not a memorial, it's behind the memorial. What makes it special from all the other right aways around town?

Repchick added that he believes she means on the memorial.

A discussion took place.

Lukasewicz added noone wants to put signs on the memorials.

Attorney Cimini, Tomasovitch and Bob Lokuta will go this week and look at the Memorial sites.

1. Motion by Repchick

Seconded by Mazak

To accept the monthly zoning reports and the minutes of the May 28, 2013 and June 17, 2013 council meetings.

All in favor

Motion carried

Treasurer and Assistant Treasurer Reports

2. Motion by Mazak

Seconded by Tomasovitch

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"	\$44,931.00
Paid bills:	\$66,799.79
General Fund Revenue Report	\$115,291.23
Civic Center Revenue Report	\$12,151.76

All in favor

Motion carried

3. Motion by Repchick

Seconded by Musewicz

To pay all the employees of Throop Borough.

**All in favor except, Tomasovitch,
Gangemi & Musewicz abstain
on family members**

Motion carried

4. Motion by Repchick

Seconded by Musewicz

To accept the correspondence as read or posted.

All in favor

Motion carried

5. Motion by Mazak

Seconded by Repchick

To accept the Fund Statement, Budgeted Revenue & Expense Statement as of May 31, 2013 as posted and/or printed on the agenda.

Fund Balances:	
General Fund Checking Account (Fidelity Bank)	\$70,352.87
General Fund Performance Money Market (Fidelity Bank)	\$1,201,802.17
Civic Center Account (Fidelity Bank)	\$759.32
General Fund Petty Cash	\$300.00
Payroll Checking Account (Fidelity Bank)	\$22,716.51
Sunny Day Fund MMKT Ck Acct (Fidelity Bank)	\$5,719,260.37
Sunny Day Fund CD's	\$84,847.08
Liquid Fuels Account (Fidelity Bank)	\$85,279.44
Fund Statement Grand Total:	\$7,185,317.76

All in favor

Motion carried

6. Motion by Repchick

Seconded by Musewicz

To pay the quarterly allotments to the Emergency Services for the Borough of Throop. \$5,625.00 each to all Hose Companies (Hose Co #1, #2 and Volunteers #3) and \$1,500.00 to Dickson City Ambulance.

All in favor

Motion carried

7. Motion by Musewicz

Seconded by Mazak

To ratify the transfer in the amount of \$50,000.00 on June 19, 2013 from the General Fund Money Market account to the General Fund Checking account at Fidelity Bank.

All in favor

Motion carried

12. Motion by Mazak

Seconded by Tomasovitch

To have Attorney Cimini, Borough Solicitor, work on a proposal for an appraisal at 818 Goodman St.

All in favor

Motion carried

13. Motion by Repchick

Seconded by Mazak

To grant permission to Ed Long along with Mary Ruth Tanner to run 2 basketball clinics at the Civic Center from September 8 to November 2. The clinic is free to Throop residents and non residents is a \$10 fee. The total fee Borough will provide is approximately \$1720.00.

All in favor

Motion carried

14. Motion by Repchick

Seconded by Musewicz

To accept the proposal from Bob Miller for 6 computers and 1 laptop at a total cost of \$8063.16. (Will come down because taxes have to come out)

All in favor

Motion carried

Michelle Newberry, County Liaison spoke of the past and upcoming county events.

Official Comments:

Lukasewicz asked Attorney Cimini for a follow up on letter requested to be sent to DEP. Attorney Cimini explained letter in packet last week was for pilot program approval to remove water from the waste. Spoke to Mr. Tomayko and reps from landfill and if ever becomes approved the tonnage that is deposited in the landfill is what they fill is accurate tonnage for borough fees. If this gets approved, in the future it will be whatever comes into the landfill minus the liquid plus whatever they use to solidify.

Repchick: Questioned Bob if there is an Ordinance for high grass for 2nd or 3rd time offenders that can fine the owners.

Lokuta states that nuisance ordinance states it is per violation.

A discussion took place.

Furiosi asked if the Nuisance Ordinance has been revamped because you can't issue a citation on the nuisance ordinance unless there is more than one complaint.

Bob Lokuta: Would like Council to consider giving him the authority to clean and possibly lien the property on Line St. Probably worst property in town. I have a proposal from NC Outdoors for \$500.00 to clean it.

Tomasovitch questioned Adams Ave. Property.

Bob Lokuta: Another property would like to talk about is 110 Dimmick St. Owner has been in a home for about a year. The property has been condemned. Needs to be cleaned and a big fence all around that needs to come down. Didn't get a price on that yet.

Furiosi questioned the Mayor if there has been any conversations regarding the motorcycle for the Police Department that he brought up a while ago.

Mayor Lukowski is getting a lease quote and a purchase quote. Will have it by end of week.

No audience comments on additional 2 motions added.

15. Motion by Repchick

Seconded by Mazak

To authorize Bob Lokuta to have 206 Line St. cleaned up at a cost of \$500.00.

All in favor

Motion carried

16. Motion by Furiosi

Seconded by Repchick

To authorize Bob Lokuta to receive quotes and authorize him to have 110 Dimmick St. cleaned up.

All in favor

Motion carried

Audience Comments:

Trudy Delawder, Memorial Dr.: Had first Crime watch meeting and setting up a table at Night Out and are opening it up to the public for anyone to sign then will have a big meeting and then will hit the streets.

Furiosi suggested contacting the woman who is in charge of the West Side crime watch.

Joe Tropiak, Phillips St.: Spoke of alleys in Borough and how they are paved to end. Not done at Cameron Ct. Needs a basin.

Lukasewicz added that Robert Kalinoski may be able to do himself. Robin, when Robert gets

back from vacation have him address this with a written response to Council for next meeting.

Dave Kar, : Property on 600 block on Meade St next to the fire house the grass in the back is about 36 inches tall. Garage door is wide open there are woodchucks.

Lokuta: I have an appointment tomorrow for that property.

Dave Kar, : As far as the fencing for pools is there anything that states someone is grand fathered in? There is a pool that is pristine but only has a 3 ½ - 4 foot fence around it. If they were to put a 6 foot fence around it would actually take away from the property value completely.

Lukasewicz: Call Mr. Lokuta and tell him where it is .

Joe Tomasovitch, 650 Sanderson St.: Way over due to be said about outbursts the past 2 weeks from Jim Barnick, x-councilman. I have respect for him he served this borough for many years. Always had fire and push to do the right thing for the town. But he resigned his position and I feel that he gave up his right to speak whenever he feels like it and his privilege to speak whenever he wants. He gave up that right and I think future outbursts should not be allowed. He resigned and he is no different than anyone else in this audience.

Lukasewicz stated that he addressed it briefly earlier and said that he is going to try to keep things they way he used to. It is a smaller group now so moved away from it but is going to try to bring it back to that.

Jim Barnick, 203 Adams Ct.: Responded that will never stop him from speaking. Always voices his opinion. Always for the town of Throop. Resigned his position but will never take my right away to speak at a meeting.

Issue with the landfill - Pilot program - are they going through with it? Are they going to compress the weight and we are going to get less tonnage? Or are you going to appeal this decision because the DEP is going to do whatever they are told to do. They are just going to approve. You have a right to appeal and you have a right to file a suit for breach of contract. It is specific in the contract - 1989 agreement all solid waste. You could be talking about millions of dollars especially if you are going for another expansion. Going to get ripped off big time. And noone is ever going to take away my right to speak. I earned that right.

Attorney Cimini: Jim, I don't think it is right now it is only the pilot program I don't think anything has been done they have to compile a whole bunch of

Barnick: but are they actually doing it? Are they compressing it right now. The marcellus stuff are they compressing it and taking it over the scale right now and using it as the cover. Are you getting paid on the tonnage at that weight?

Attorney Cimini: Don't believe they started it yet.

Lukasewicz: It's a pilot program that is going to go on for 2 months possibly 3.

Attorney Cimini: And if it works they then have to submit an application.

Lukasewicz: In 2 months we will find out that DEP approved it as a long term program. Then the DEP will make the decision without us being in line with it.

Attorney Cimini: That's not what he said but I will call him tomorrow.

Lukasewicz: I wanted an official letter sent stating that as per our contract with the landfill anything that goes over the scale should be included as the tonnage. Official letter to both parties Landfill and DEP. Nothing personal it's just if there is money we can get for Throop why not get it?

Discussion took place regarding the waste going over scale then through pugmill

Tomasovitch added that thought it was mandated to get the fluid out.

Lukasewicz added that it is mandated. They never did it properly and the DEP never stepped in on our behalf. I kept asking about the paint filter test. Nobody does the paint filter test. So the pugmill device has never been done properly. It's a good thing they take the water out because then they don't have to solidify as much water but we are losing because when it goes over the scale and they take all the water out and then it goes over again after it goes through the pugmill it weighs significantly less. The landfill agreement specifically states that whatever tonnage comes into that landfill over the scale that's what you should get paid on. They are trying to slide away from the agreement to benefit themselves and take away from us. If we keep allowing it then it becomes past practice.

Barnick: You need a forensic auditor up there. To count every ton that goes in there.

Lukasewicz: That's why I was questioning where the water was going to because it was supposed to go back.

Attorney Cimini will send another letter and will request a response in a specific time frame so we know how to proceed.

The meeting was adjourned.

Minutes by Renee O'Malley
Borough Secretary