

**Minutes
Throop Borough Council
Monthly Meeting
Monday, September 26, 2011
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 - P

Solicitor - Louis A. Cimini - P

Mayor - Stanley D. Lukowski - P

Assistant Treasurer - Lenore Dolan - A

Secretary - Renee O'Malley - P

Chief Clerk/Treasurer - Robin Galli - P

Announcements:

Mayor Lukowski presented Mid Valley's 6th Grade Boys Basketball Team with a plaque for 2010-2011 League Champions.

Work Session/Meeting Schedule:

* The October mid-month work session/meeting will be held Monday, Oct. 10th, at 6:30 p.m.

* The October monthly work session/meeting will be held Monday, Oct. 31st, at 6:30 p.m.

Audience comments on tonight's agenda:

Rich Lombardo, 605 Dunmore St.: Discussed with Lukasewicz the funding of the testing of the landfill materials, gas industry treating the water at recycling facility offsite on behalf of the drilling company to be able to send it to the landfills.

Rich Lombardo, 605 Dunmore St.: Drill cuttings being tested and approved by DEP and meets the profile. Why doing this.

Lukasewicz: don't believe enough testing is being done at the facility where the drilling is being done.

Discussion how characterizing the cuttings as dirt and it is safe.

Lukasewicz spoke of the Marcellus waste taking up the space at the landfill for municipal waste. Rich Lombardo, 605 Dunmore St.: asked why attacking here and not up there (Susquehanna County).

Repchick and Lukasewicz agreed because they represent Throop and worry first about the Throop residents and surrounding towns.

Lukasewicz discussed how other states won't take this waste and it comes here and how it may end up filling the stripping mines. Also discussed how EPA looks into the future.

Rich Lombardo, 605 Dunmore St.: Supports the Marcellus shale fight.

Gus Reed, 144 Boulevard Ave.: Mentioned no protective gear worn at the landfill - Spoke how his brother worked for a company for 2 years and was never warned or told how this stuff was bad or what could happen working with all of this and he passed away. We need to find out what is in fracking material before it goes in the landfill.

Dorothy Reed, 144 Boulevard Ave.: Talk about fighting EPA and the DEP and the landfill- we want the truth. What is the price of piece of mind?

Barnick spoke of the fight of Marjol and how the EPA did exactly what they had planned to do years before and the amount of money that was spent on the fight.

Catherine Darko, 1 Memorial Dr. Apt. E: This marcellus waste originally was not supposed to go to landfills, it was supposed to stay on the site and those people can't farm it, the animals and crops are dying. So what is it going to do here. Questioned if a cap of \$20,000.00 would be enough for experts and discussed the amount of money that will be coming in from the flood. Lukasewicz: Going to try everything he can. Doesn't believe that \$20,000.00 will be enough.

Lukasewicz wants a presentation ready to be presented at the Hearing. Needs to approach the right individuals that have been researching this to give their dissertation combined with his concerns and have them prepare something to be presented.

Barnick spoke of the hearing being for tonnage increase and not about marcellus waste.

Rich Lombardo, 605 Dunmore St.: Municipal waste is the most dangerous because it is not regulated.

Lukasewicz: Agree.

Discussion took place regarding Municipal waste.

Barnick spoke of flood waste.

Lukasewicz: We can't control that, at least we can object to this.

Catherine Darko, 1 Memorial Dr. Apt. E: How soon would a landfill inspector get in there?

Lukasewicz: Would have to be certified, DEP would provide a test once have 2 or 3. Problem we have is starting. Not an urgency right now. Industry will evolve over the next 5 - 15 years. We have time to get the right people - someone who is going to just do their job. This could become a residual waste landfill except for the small amount of municipal waste he has to take from Throop.

Catherine Darko, 1 Memorial Dr. Apt. E: Isn't it true that the 24 year plan only has garbage...

Lukasewicz: At the Planning meeting they never spoke of a 24 year plan only has a 10 year plan for Municipal waste for landfill, asked about the areas for the landfill and about the concerns about the marcellus waste going to the stripping areas and they didn't answer or get back to me.

Diana Bobrowski, 144 Pine St.: Yesterday's paper said independent testing? Who is?

Lukasewicz: That is what I am trying to do.

Diana Bobrowski, 144 Pine St. : If we can't trust the DEP, if they won't control what goes in the landfill what good are they?

Lukasewicz explained that the DEP has been cut drastically over the last few years.

Susan Simonsky, 116 Vaughn St.: Need the facts on paper. Suggests the testing to get it on paper. 3 tests from 3 different labs and use 2 out of 3. If comes up positive then there is something to go on. If it comes up negative drop it. Asked how much Throop brings in from landfill and how much the tests cost and suggests the tests for peace of mind. If find something other people will publish it and then it will be others also not just us. Asked for Council to vote for testing.

Barnick and Jarosh agree it will not end with negative test results.

Lukasewicz: We get \$2.3 Million a year from the landfill.

Bill Fuhr, 522 Edgar St.: Is Keystone in any violation of their permit now?

Lukasewicz: No.

Dominick Rocco, 110 Sanderson St.: I am totally against spending any money on this. It is going to turn into another Marjol and, spending a couple million dollars and get no where. I am against this.

Sandy ,: Proud of council to even question this because that landfill controls a lot. I am proud of the fact there is questioning and I am for finding out what is that waste. If it is not bad...good, then we will feel better.

Cynthia Stevens, 723 Dunmore St.: Would like to see testing done to see what is going to the landfill.

Rick Fuhr, 807 Kossuth St.: Whole Marcellus shale industry is new. On the news a few times a week. Watch the railcars, loaded with bags of something, tanks full of fluids, what is it? 20 years from now what's it going to be? They declare something safe today and 10 years from now it is hazardous. They have done this with asbestos, lead. I think Council needs to watch this industry. For peace of mind I think the testing should be done. More than one test and random before it goes into the gates. As far as the landfill expecter don't think it is worth it financially.

Beverly Smith, 507-509 George St.: Works in education. 2 days ago on the radio heard 10% higher lung cancer and 30% higher colon/rectal cancer here in NE PA and that's before this Marcellus shale came here. While at Mid Valley, time cycle educational testing, which was performed by school psychologist before a child can be placed into special ed classes there were a number of homes and they were always around certain areas we saw a pattern, clusters, thrilled

you are giving us the right to say something. I don't want these kids to have learning problems, I want to make it easy for them to learn.

Bernie Lukasewicz, 413 George St.: I have one question, each of you on council, you have children grandchildren? Would you like to see them play at Washington or Throop Little League? Let's get the tests done.

Jim Smith, 507-509 George St.: Want to compliment all of you. We all have common values. I remember a quote I heard one time, "Trust but verify". So I think that is what the majority of us want. We don't care what any other town says. We believe them to a degree but we are going to verify. I am asking to support this initiative just like you did with any other issue. Would rather spend the \$10,000, \$20,000 or \$30,000.00 now then to have to a \$30 million liability in the near future.

Ralph Policichio, 187 Cypress St.: Bottom line is the health of our community. If it isn't for our health no one can use the ballparks if they are not healthy. Council vote yes for testing so we know if it is harmful or neutralized and not so bad. This way we have piece of mind. Vote yes for testing.

Deborah Policichio, 187 Cypress St.: Congratulate Tom for bringing us aware of this problem, I am very concerned about this problem. Council should give the opportunity to test because this is our health. I urge you to vote for the money for testing. The DEP doesn't have enough data on this to give us any information that is why they just let it go. This came into PA and we had no data. The state of New York is throwing it out. We have no law here we go by the federal law. We need to contact our governor and representatives to protect us. It is now in our backyard and we need to be concerned. I think you should all vote yes for the testing.

1. Motion by Repchick

Seconded by Gangemi

To accept the monthly zoning reports and the minutes of the August 29th and September 12th council meetings.

All in favor

Motion carried

Treasurer and Assistant Treasurer Reports

2. Motion by Barnick

Seconded by Repchick

To accept the treasurers' 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"	\$75,429.91
Paid bills:	\$136,012.91
General Fund Revenue Report	\$105,128.69
Civic Center Revenue Report	\$10,512.02

All in favor

Motion carried

3. Motion by Repchick

Seconded by Furiosi

To pay all the employees of Throop Borough.

**All in favor except Barnick, Gangemi,
Repchick and Musewicz abstain on
daughters**

Motion carried

4. Motion by Furiosi

Seconded by Gangemi

To accept the correspondence as read or posted.

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 August 31, 2011 as posted and/or printed on the agenda.

Fund Balances:	
General Fund Checking Account	\$152,376.61
General Fund Performance	\$721,092.91
Civic Center Account	\$658.65
Borough Petty Cash	\$300.00
Payroll Checking Account	\$46,185.13
Sunny Day Fund MMKT Ck Acct - Fidelity Bank	\$1,894,648.95
Sunny Day Fund CD's	\$2,982,651.35
Liquid Fuels Account	\$166,705.32
Turnback Program	\$126,534.67
Fund Statement Grand Total:	\$6,091,153.59

LOANS (next payment due Nov. 2011)	Balance
Sunny Day Fund (Fidelity Deposit & Discount) (1.20%)	\$173,586.53

On the question:

Jarosh talked about the interest rates and is going to call to see if he can get them increased.

All in favor

Motion carried

10. Motion by Barnick **Seconded by Gangemi**

To authorize payment in the amount of \$260,510.94 to Leeward Construction, Inc. for the 2011 Bituminous Paving Project pending the approval of Robert Kalinoski, Street Commissioner and Jack Schemer, Borough Engineer.

All in favor **Motion carried**

11. Motion by Repchick **Seconded by Furiosi**

To advertise Ordinance #4 of 2011, an ordinance authorizing the Tax Collector to collect tax certification fees from mortgage service companies and third parties acting as agents on behalf of taxpayers.

All in favor **Motion carried**

12. Motion by Repchick **Seconded by Gangemi**

To authorize Attorney Louis Cimini, Borough Solicitor, to prepare and advertise an Ordinance in conjunction to the traffic study done on the 300 block of Rebecca St. for no parking beginning at the horizontal curve.

All in favor **Motion carried**

13. Motion by Repchick **Seconded by Furiosi**

To authorize Attorney Louis Cimini, Borough Solicitor, to prepare and advertise an Ordinance in conjunction to the traffic study done for no parking on the Southerly side on the 700 block of Simpson St.

All in favor **Motion carried**

18. Motion by Gangemi

Seconded by Furiosi

To authorize Attorney Cimini to contact the individuals in conjunction with Cocciardi to prepare a review that can be presented on behalf of the Borough at the hearing with the DEP. If there is something that can be prepared, what would be the cost.

Discussion took place regarding who will be researching this, validating the experts and the cost. The Post Closure fund will also cover this.

Attorney Cimini added that we will probably need a team of experts to present the entire picture.

Audience comments on this motion:

Bill Fuhr, 522 Edgar St.: What violation is Keystone in?

Lukasewicz: None.

Jim Smith, 507-509 George St.: It is a good idea because a year from now you may need this type of talent if another challenge comes up. You may need these sources to help you.

Lukasewicz: You have a landfill you have a liner system. Actually 3 landfills there, 2 with under liners and one with the liner on top. You have the potential for leaching out of these chemicals or agents that could possibly get into the groundwater or the well system underneath the landfill. You need to know how these chemicals possibly could react and degrade or cause activity with the liner system that is there. The landfill was built for municipal waste. Now it is going to take in a lot more residual waste and it could have different effects on the liner system.

Bill Fuhr, 522 Edgar St.: asked if this was covered in the agreement of 1989.

Lukasewicz: In there it states we can test.

Jarosh: Questioned the amount of money we will have to pay Cocciardi and what qualifications do "we" have to be able to say he is who he says he is (the expert on the internet).

Barnick asked if getting a landfill expert or a marcellus drilling expert.

Lukasewicz: You may need both. We are just getting an estimate.

Deborah Policichio, 187 Cypress St.: Nothing wrong with getting expert opinions. We can use Penn State's experts in this, Keystone College has an excellent environmental program, ask those researchers. There are experts in our own state that will tell you the effects on the landfill, air. We need an expert in all directions. This is a big issue with DEP, the air quality.

Jarosh agrees with hiring someone local but is concerned where it stops. The dollar amount.

Lukasewicz says that is what he wants to find out. Authorize Attorney Cimini to see what we can do and what it will cost.

Susan Simonsky, 116 Vaughn St.: If this test comes out negative do you still need to get experts?

Lukasewicz: Nobody wants to spend a fortune.

Jarosh: We won't have the testing possibly before we need the expert. Catch 22 scenario.

Barnick: The Universities won't sit in 10 hour depositions.

6 in favor
Barnick Against

Motion carried

Audience Comment:

Catherine Darko, 1 Memorial Dr. Apt E: Asked about the Post Closure Fund.

Lukasewicz: Post Closure fund can be used for parks or environmental concerns.

19. Motion by Barnick

Seconded by Repchick

To have Jack Scheuer, Borough Engineer develop and design a plan for the Throop Little League in conjunction with the Throop Booster Club for drainage and parking.

All in favor

Motion carried

Audience Comments:

Dominick Rocco, 110 Sanderson St.: What is wrong with Marjol that you can't clean up Sulpher Creek?

Lukasewicz: It is not finished yet. When it is completely closed out then we will address Sulpher Creek. People believe there are discharges from Marjol going into that creek that shouldn't be coming there.

Motion to adjourn.

Minutes by Renee O'Malley
Borough Secretary