

**Minutes
Throop Borough Council
Monday, August 14th, 2017
Monthly Work Session/Meeting**

The meeting opened with the Pledge of Allegiance.

“God Bless Our Troops and the Coalition”

ROLL CALL:

Members of Council:

John Musewicz - P
Jim Barnick - P
Rich Kucharki, **President - P**
Charlene Tomasovitch - P
Vince Tanana - P
Wayne Williams - P
Bob Magliocchi, **Vice President - P**
Solicitor - Louis A. Cimini - P
Mayor - Frank Shimkus - P
Assistant Treasurer - Lenore Dolan - P
Secretary - Renee O’Malley - P
Chief Clerk/Treasurer - Robin Galli - P

Announcements:

- * A representative for State Representative Kevin Haggerty’s office will be available at the Throop Civic Center the first Wednesday of the month from 9:00 a.m. to 10 a.m.
- * A Public Meeting for presentation of the Pollution Reduction Plan will be conducted on August 28th, 2017 at 6:00 p.m. at the Throop Municipal Building.
- * A Public Meeting for Jason Burke will be conducted on August 28th, 2017 at 5:30 p.m. at the Throop Municipal Building.

Work Session/Meeting Schedule:

- * The August monthly work session/meeting will be held Monday, Aug. 28th, 2017 at 6:30 p.m.
- * The Sept. mid-month work session/meeting will be held Monday, Sept. 11th, 2017 at 6:30 p.m.
- * The Sept. monthly work session/meeting will be held Monday, Sept. 25th, 2017 at 6:30 p.m.

Audience comments on tonight’s agenda:

Dave Karr, Meade St.: It’s the 25th hour. We realize St. John’s church is doomed. The Throop neighborhood watch assoc. would like consideration to preserve the artifacts mainly the bell,

electronic devices and any other artifacts that we can save. We would actually like to build a grotto. In memory of the church. Have the bricks preserved and build some kind of support for the bell. Ring the bell every noon with the electronic equipment. Possibly from the Gombar property we could use the fence as part of the artifacts around the gazebo.

All talking at once.

Kalinoski: The only thing Dave is, if you said something sooner I could have put it in the bid documents but the only thing we preserved is the corner stone off the church. That's the only thing that will be retained.

Tomasovitch questioned if there are any cushions.

Kalinoski: No.

Kucharski: Resident email asking if she could have the pews from the church.

Kalinoski: The bricks I'm sure is no big deal. The stuff that the contractors see (inaudible)

Tomasovitch questioned the fence.

Kalinoski: The piece on the retaining wall will be retained and there is also a piece in the back that will be retained.

Scartelli, Scartelli Construction: Questioned the spec.; it was odd that we found in the spec right before we put the bid in

Kalinoski: If you found something in the spec, before you put the bid in you should have responded in writing and questioned it so all of the bidders have the same (inaudible)

Scartelli: Just let me finish sir. Please. We have it in our bid but they asked for all of them.

Saving bricks and artifacts. It asked for all foundations, all bricks concrete floors and a foot below the footers be completely removed all off site. It's usually unusual for a demolition project. I just wanted to make sure that was the intent. It's in our bid.

Kalinoski: No. Anything that is less than a cubic foot in volume is going to be used in the fill.

That was discussed at the pre bid. If you want to utilize the bricks in the fill it has got to be mixed and there is a ratio in the bid spec and I think it is a 1/3 of the solids to 2/3's _____. So it's intermixed so that it can be compacted. I won't allow the bricks just pushed into the _____. If you remove (inaudible).

Scartelli: thank you Sir.

Karr: Getting back to me, can't we have those bells? That's important to the community. At least the bells.

Kucharski: Maybe it is something that can be discussed with the low bidder. From what Robert is saying right now, no we can't.

Karr: We'd buy the bells.

Kucharski: We can't. Again that's a discussion that probably could be had with the low bidder. Whoever is awarded the contract.

Karr: Thank you.

Discussion took place regarding that there will be 2 bids. A base bid that will include 3 buildings & then a break out for information purposes only of the church only.

Kalinoski: It is already included in the base bid.

Kucharski/Tomasovitch questioned if have to change the motion.

Attorney Cimini: There is still only one bid. That's just for information.

Kucharski just wanted to make sure.

Attorney Cimini: For the purposes of awarding the contract there is only one bid. Per contractor.

BID OPENING: 520/522 SANDERSON ST. BUILDING DEMOLITION PROJECT
Cost Estimate: \$113,700.00

| BIDDER | AMOUNT | BID BOND/ CERTIFIED CHECK |
|--|---|--------------------------------------|
| Brdaric Excavating, Inc. 913 Miller Street Luzerne, PA 18709 | Base Bid: \$129,500.00 Church Only: \$95,000.00 | X |
| N & B Enterprises, Inc. 484 Shoemaker Ave. West Wyoming, PA 18644 | Base Bid: \$69,700.00 Church Only: \$69,700.00 | X |
| T. Brennan, LLC 1357 Crystal Lake Rd. Carbondale, PA 18407 | Base Bid: \$209,000.00 Church Only: \$159,500.00 | X |
| Artistic Excavating, Inc. 944 Underwood Road Olyphant, PA 18447 | Base Bid: \$104,222.00 Church Only: \$104,222.00 | X |
| Scartelli Construction Services and General Contractors, Inc. 1202 South Main Avenue Scranton, PA 18504 | Base Bid: \$256,249.00 Church Only: \$75,000.00 | X |
| N.P.D. Demolition 116 Monahan Avenue Dunmore, PA 18512 | Base Bid: \$143,000.00 Church Only: \$128,000.00 | X |

Kucharski questioned sending to Jack Scheuer, Borough Engineer.

Kalinowski: The only part he was involved with was the drainage portion and grading portion of the site. Let me look at the bid. If council wants him to look at it he can but he didn't put the bid together.

Magliocchi: No

Scartelli: That's all included in the bid right? The parking lot the drainage everything?

Kalinowski: The parking lot is not included.

Scartelli: We have that in the bid. That's why the prices are from 69,000 - 250. The drawings weren't clear.

1. Motion by Tomasovitch

Seconded by Williams

To accept the bids received for the 520/522 Sanderson Street Building Demolition Project and to award the bid to the lowest, most responsible bidder with favorable recommendations of the Solicitor and Street Commissioner.

All in favor

Motion carried

Kalinoski: We had stopped the asbestos abatement contractor a few meetings back.
Inaudible.

Kucharski added that already passed that.

Kalinoski: Just so we are all on the same page. That will be done tomorrow.

2. Motion by Barnick

Seconded by Tanana

To authorize payment in the amount of \$800.00 to Sikora Brothers Inc. for cutting the curb at the corner of Clark Street and George Street.

All in favor

Motion carried

3. Motion by Musewicz

Seconded by Tomasovitch

To allow Robert Kalinoski to carry over 480 hours of sick time and buy out the remainder of sick time not used at end of year, as done in the past.

On the question:

Kucharski: So he is going to carry over 480 hours and anything above that he will buy out.

Galli: By the end of the year what he has left.

All in favor

Motion carried

4. Motion by Tanana

Seconded by Tomasovitch

To authorize payment #4 in the amount of \$242,172.00 to SA Architects DPW Roof, Wall & Ventilation Project, pending approval from Street Commissioner and Solicitor.

On the question:

Barnick: What was involved with this. The heater on the floor.

Kucharski: The building was constructed poorly and they pretty much, whole new roof

Tomasovitch asked if all the trucks are in there now.

Kucharski: Talked about it last meeting and Robert said it was too late. It's totally installed (the heater).

Barnick thought was waiting to hear from them because they were going to lift it up. Fix it.

Attorney Cimini: The actual unit is within a 1/4 inch of where the spec called for.

Kucharski: Yes Lou talked to the contractor and they reviewed the specs. Can we park one

truck? Is there any room in the bays of this garage. I don't know if it was a misunderstanding on Roberts part or who's part. But he thought the unit itself was larger. So without the plow you can fit it?

Magliocchi: So in the winter when you want it in the garage you can't put it in the garage.

Joe Tomasovitch: That's why he wanted it raised so you'd be able to pull in the truck and the plow would be under the unit.

Barnick: So they said they wouldn't raise it Lou?

Attorney Cimini: Yes.

Kucharski: It was according to specs so if we want it raised we have to pay to uninstall and reinstall.

Magliocchi: Was it around \$5000.00? What are you going to do, build another garage? When it snows they can't get it in there. So it's either we move the heater up or build another garage.

Joe Tomasovitch: When we are expecting a snow storm he usually, we have the trucks loaded with salt and keep them in the garage overnight so

Barnick: that way you'd have to take the plow on and off every time.

Magliocchi: Now they'll have to shovel 2 feet off the truck.

Denise Brown, Phillips St.: May I? Who's error is this? The 1/4 inch?

Magliocchi: That's not the error the 1/4 inch that's where it was designed. Whoever put the bid specs together. Who designed it. The heater wasn't installed wrong.

Kucharski: The issue was Robert thought that the specs were incorrect in terms of the size of the unit that it was a foot wider that it was called for in the specs. Lou had several discussions with the contractor and it is only a 1/4 more than the spec called for.

Brown: I'm having a hard time understanding how a 1/4 of an inch can make or break whether you are able to put that truck in.

Attorney Cimini: What they are saying is it is where it is supposed to be on the bid specifications. Robert knew where it was going. There was just - thought for some reason it was going to be farther back than where it is. It is where it says it is going to be on the specs.

Brown: So it's not the contractors error.

Kucharski/Attorney Cimini: No.

Brown: It's our error.

Tomasovitch asked if that truck could go where Robert's truck is kept. It wouldn't fit in there either.

Williams: I'm missing something, if we can't pull the truck in because of where the heater is why can't you just pull the truck in the other way. If it's at one end of the building.

Joe Tomasovitch: He's probably going to end up shuffling the trucks around somehow to figure out how to get them in there. That's what I think is going to end up happening. We have the jet that's always parked in there. It has it's own bay.

Kucharski asked if something could be put in this garage here. Like the jet.

Magliocchi: Yea but they put the police cars in there too because there is no where to put them. There's only holds 2 police cars and we have like 7. In the winter they are in here so they don't have to shovel them out when they know the storm is coming.

All in favor

Motion carried

5. **Motion by Magliocchi** **Seconded by Tomasovitch**

To advertise for bids to demolish 522 Dunmore Street.

All in favor **Motion carried**

6. **Motion by Magliocchi** **Seconded by Barnick**

To authorize payment in the amount of \$875.00 to T. Renkel Painting for Civic Center painting add on work.

All in favor **Motion carried**

7. **Motion by Tanana** **Seconded by Tomasovitch**

To contact Alan Orlosky at PA DEP to authorize the participation in the risk assessment program.

All in favor **Motion carried**

8. **Motion by Tanana** **Seconded by Williams**

To prepare and advertise an Ordinance restricting truck traffic on Line Street.

All in favor **Motion carried**

9. **Motion by Magliocchi** **Seconded by Tanana**

To send a letter to Mid Valley informing them effective August 14, 2017 the police activity fee will be raised from \$52.50 to \$75.00.

All in favor **Motion carried**

10. Motion by Tanana **Seconded by Magliocchi**

To donate \$1,000.00 to the Neighborhood Watch for the Hometown Heroes reception.

All in favor

Motion carried

11. Motion by Tomasovitch **Seconded by Williams**

To donate the FEMA trailer to the Volunteer Hose Co. of Throop pending Attorney Cimini clarifying with Lisa Ayers.

All in favor

Motion carried

12. Motion by Magliocchi **Seconded by Williams**

To accept the proposals received from TruGreen to treat the Borough Building and Civic Center lawns.

All in favor

Motion carried

13. Motion by Musewicz **Seconded by Williams**

To approve the use of the Borough truck for the Olyphant Lions Event at Mid Valley Stadium on September 16, 2017. The truck is not available for the October 14, 2017 event.

Kucharski: Lou could explore if another town will donate it if we dumping services (The Oct. date).

All in favor

Motion carried

14. Motion by Magliocchi

Seconded by Tanana

To authorize Robert Kalinoski to do a Traffic & Engineering study throughout SchoolSide Estates development for speed limits.

All in favor

Motion carried

15. Motion by Barnick

Seconded by Magliocchi

To authorize Throop Council to send a letter to PA DEP opposing the Keystone Sanitary Landfill's application for expansion.

**4 in favor, Musewicz & Kucharski
against; Tomasovitch abstained due
to son doing work there.**

Motion carried

Tape Ended. In audible.

16. Motion by Tomasovitch

Seconded by

To promote Greg Budzinski to truck driver effective 8/21/17.

Discussion took place regarding the end of the probation period.

Williams: the 21st, the next meeting is only a week later. I know what Char is saying, we lost one so we should move one.

Tanana: That whole deal is a matter for an executive session. Because we did that to satisfy the Union so we wouldn't get sued. Mark was there longer, it was against the Union contract.

Without Robert coming to us and saying he needs another truck driver, Greg can drive if he needs another truck driver and he'll get the higher rate for the hours that he drives. There are a lot of guys there that were there for years before they got promoted and you want to promote somebody before he is not even done with his probationary period.

Tomasovitch: I said on the 21st.

Tanana: What happens if before the 21st Robert comes and says he wants to fire him. He's in his probationary period. And then we have a motion on to promote him on the 21st. That's going to be a legal issue we don't need.

Motion failed due to lack of second

Tomasovitch: Democratic meeting last night - Wayne Williams will be on the ballot for the November election.

Kucharski: That's still subject on the approval from the county.

Magliocchi : put on a motion to purchase 25 brackets.

No audience comments on the motion.

17. Motion by Musewicz

Seconded by Magliocchi

To purchase 25 pole brackets for the flags from Rileigh's Outdoor Decor.

All in favor

Motion carried

Kucharski: Attorney Cimini spoke to the solicitor from Taylor Borough concerning Engineering Services and he got the name and they are very satisfied with their work.

Mike Chorba, Dudley St: Harold Ash with Penn Eastern.

Kucharski: The employee handbook - I forgot to ask Keith while he was here, Bill Hazelton said he reviewed it and that he found several errors or things that were not defined appropriately. He said he was going to review it with Keith. I do not know what the status is at this point.

Galli: He said he should have them for next meeting.

Kucharski wanted to follow up on the proposals for the new Zoning/maps/subdivision etc. I know we were waiting on the proposed bidders that were on vacation so we'll have to address that next meeting.

Audience Comments:

Mike Chorba, Dudley St.: questioned if we are soliciting bids for Engineering services. Kucharski replied that it is professional services so my understanding that we don't have to formally do an RFP. We are looking for some names, and I know just in a side bar a couple meetings ago and I wanted to call you, but I think you mentioned you knew a few people. Chorba added that he can give names of some very good people.

Mike Chorba, Dudley St.: Questioned who owns 522 Dunmore St.

Kucharski: That's a good question.

Magliocchi: There's about 15 people.

Kucharski: It's an estate.

Magliocchi: There are people in other country's that own it.

Kucharski: It's a mess. They are all over the country.

Chorba: So once we demo the property there will be let's say 10 or \$15,000. That's what the demo will cost. Then you will have a lien on it for 10 or 15 and it will sit there for another 15 - 20 years or a low ball offer comes in and you guys take it to get it on the tax rolls. Is there anyway to just get rid of the lien and sell the property and get back on the tax rolls.

Barnick/Tomasovitch: Can't sell it, it's not ours.

Chorba: You can take it over because it's a non conforming lot so it's probably only worth a couple of bucks anyway.

Magliocchi: Not to change the subject but that lot we own on Cypress St. that's in the back that we talked about opening up, I personally think we should put a for sale sign on it and sell it. I see no purpose for it. It's a great size lot.

All talking at once.

Kucharski: The one that has been paying the taxes, he is the one that signed off on the demolition. He's going to stop paying the taxes so after 3 years it will go up for tax sale. Then the first one includes any liens and back taxes, and then when it goes to the second phase any liens and back taxes are forgiven.

Chorba: You're going to sit on it for about 10 years before anything happens.

Magliocchi: It's bad, it needs to go. Unfortunately it will take a while to get our money back but it's worth it.

Kucharski thinks it is a nice piece of property. Lokuta has gotten a lot of calls about it. May be interest once it is down.

Andy Hegedus thanked Council for the trailer.

Jim Barnick, George St.: Questioned the banning trucks ordinance on Line St. McGregor is there.

Kucharski: Except local deliveries.

Tanana: It is certain sides Jim.

Kucharski: A resident came in a few months ago and Line St apparently there is another Line or Division St somewhere else and truckers with their GPS were getting an incorrect reading and they would go up there and they can't get out. They ruined her property and it has happened a few times. This should take care of that. Still local deliveries are allowed.

Trudy Delawder thanked Council for signing the paper for her.

Kucharski: You're welcome you do a good job.

Dave Karr thanked council for the 25 more brackets and the \$1000.00 donation.

Kucharski: You're welcome. You guys did a great job on that project. It looks beautiful in the other towns

The meeting was adjourned.

Meeting Minutes by Renee O'Malley
Borough Secretary