

Minutes
Throop Borough Council
Monday, July 31st, 2017
Special Work Session/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:

John Musewicz - A

James Barnick - P

Richard Kucharski-**President - P**

Charlene Tomasovitch - P

Wayne Williams - P

Vince Tanana - P

Bob Magliocchi, **Vice President - A**

Solicitor - Louis A. Cimini - A

Mayor - Frank Shimkus - A

Assistant Treasurer - Lenore Dolan - P

Secretary - Renee O’Malley - P

Chief Clerk/Treasurer -Robin Galli - P

**Kucharski asked Attorney Cimini to speak of his discussion he had with Joe Cerminaro’s Attorney Terry Gallagher about the church. Bottom line is it is not feasible for him without the parking lot. Lou discussed possibly lower price. Bottom line it is just not feasible financially. Attorney Cimini: They are not interested without the parking lot and to try to do something to try to create parking to develop that it would be to much.

Len Petroliaj: What’s the process now? Moving forward with knocking it down.

Barnick: Waiting to get bids in.

Kucharski added that bids are due next meeting. August 14th.

Tomasovitch questioned what do you plan on doing with the land then.

Kucharski: That’s a good question.

Heather Luklanchik, Sanderson St: How many parking spaces are there.

Kucharski: I don’t know.

Tomasovitch: the lines are all worn out.

Kucharski guesstimates 25-30.

Luklanchik was thinking because if you said there are 15 over here that are unused can’t the civic center use the backflow there.

Kucharski: Typically what happens is they both fill up and there is still

Attorney Cimini: The issues are, options the borough has are to demolish the properties as the

bids are out, to sell the property to a contractor with the parking lot or without the parking lot. Whatever the borough has into the property, I think it would be difficult to say to a contractor that we put X number of dollars into the property and we are willing to give you the property for the same dollar amount but we're keeping the parking lot. Even at a lower figure I was told by one contractor it doesn't work. It only works if the parking comes with the building. I guess because of the slope and having to grade that slope and build retaining walls it would just be too much money to develop parking on the other side.

Announcements:

* Throop Annual Night Out will be held on Sunday, August 6th, 2017. Parade at 6:00 p.m., line up at 5:30 p.m., fireworks at 9:00 p.m.

Work Session/Meetings:

* The August mid month work session/meeting will be held on Mon. Aug. 14th, 2017 at 6:30 p.m.
* The August monthly work session/meeting will be held on Mon. Aug. 28th, 2017 at 6:30 p.m.

Audience comments on tonight's agenda:

Dave Karr, Meade St.: Questioned how many engineers were involved with the Civic Center generator.

Kucharski replied HSA Engineering Group was the one who designed it.

Karr questioned if our engineer was involved.

Kucharski: NO. Needed an electrical engineer.

Len Petroliaj, Sanderson St.: Questioned the Pension Committee.

Kucharski: Morgan Stanley representative was here last meeting and recommended a committee. Rather than he coming out here every time there is a minor change or when input is needed that typically in other communities and like we did in the past there was a committee he could meet with to discuss these issues and then they would be brought back to council. These are the same members that were on the previous committee.

1. Motion by Tomasovitch

Seconded by Williams

To accept the monthly zoning reports and the minutes of the June 26th and July 10th, 2017 council meetings.

All in favor

Motion carried

Treasurer and Assistant Treasurer Reports:

2. Motion by Williams

Seconded by Tanana

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" | \$82,622.81 |
| Paid bills: | \$242,309.44 |
| General Fund Revenue Report (includes transfers from GF MMKT TO GF CK) | \$1,441,962.62 |
| Civic Center Revenue Report | \$16,356.78 |

All in favor

Motion carried

3. Motion by Tanana

Seconded by Barnick

To pay all the employees of Throop Borough.

**All in favor except Tomasovitch
abstained on husband, Williams on
daughter & Kucharski on granddaughter**

Motion carried

4. Motion by Williams

Seconded by Tomasovitch

To accept the correspondence as read or posted.

All in favor

Motion carried

5. Motion by Barnick

Seconded by Tomasovitch

To accept the Fund Statement, Budgeted Revenue & Expense Statement as of **June 30th, 2017** as posted and/or printed on the agenda.

| | |
|--|-----------------------|
| Fund Balances: | |
| General Fund Checking Account - FNCB | \$85,492.15 |
| General Fund Performance Money Market - FNCB | \$784,219.51 |
| Civic Center Account-FNCB | \$680.89 |
| General Fund Petty Cash | \$300.00 |
| Payroll Checking Account-FNCB | \$12,275.67 |
| Sunny Day Fund MMKT CK Acct-FNCB | \$3,358,009.98 |
| Sunny Day Fund CD's | \$4,215,407.82 |
| Liquid Fuels Account - FNCB | \$431,715.83 |
| Fund Statement Grand Total: | \$8,888,101.85 |

All in favor

Motion carried

6. Motion by Williams

Seconded by Barnick

To establish a Pension Committee consisting of Charlene Tomasovitch, Vince Tanana, Andy Kerecman and Robin Galli.

All in favor

Motion carried

7. Motion by Tanana

Seconded by Tomasovitch

To deposit \$94,133.03 in the Sunny Day Fund MMKT checking account at FNCB. This represents 10% of the Host Municipal Landfill Fee check received July 2017.

All in favor

Motion carried

8. Motion by Tanana

Seconded by Barnick

To authorize payment #3 to Sikora Brothers Paving Inc. in the amount of \$32,981.68 for the Sanitary Sewer Repairs Project, with approval from the Street Commissioner, Borough Engineer and Solicitor.

On the question:

Williams questioned if this is the last payment.

Kucharski believes so.

Tanana replied there is a retainage.

All in favor

Motion carried

9. Motion by Tanana

Seconded by Tomasovitch

To authorize payment # 1 to Wayco Inc. in the amount of \$146,175.15 for the Bruno Drive Sanitary Sewer Extension, with approval from the Street Commissioner, Borough Engineer and Solicitor.

All in favor

Motion carried

10. Motion by Williams

Seconded by Tanana

To authorize payment in the amount of \$9,600.00 to HSA Engineering for engineering services provided for the Civic Center Generator.

All in favor

Motion carried

11. Motion by Tanana

Seconded by Tomasovitch

To authorize council president to execute the agreement between Throop Borough (owner) and Richard Mellow Corporation (contractor) regarding the Civic Center Generator.

All in favor

Motion carried

12. Motion by Tanana

Seconded by Williams

To accept the proposal received from Eastern Insurance Group for Workers Compensation and Heart and Lung Insurance, effective August 6, 2017.

**4 in favor, Tanana abstained
due to position at Met Life**

Motion carried

13. Motion by Williams

Seconded by Tomasovitch

To authorize council president to execute the agreement between Throop Senior Center and County of Lackawanna Area Agency on Aging.

On the question:

Barnick asked what the deal is with this.

Kucharski replied that were approved funding and did a survey a few months ago for the seniors. Now that approved want to go back to the senior groups and say these are some of the things you were interested in. Then decide what we want to propose and they will refund us \$4.45/individual that participates.

All in favor

Motion carried

14. Motion by Tanana

Seconded by Williams

To authorize the engineer to perform inspections on the installations of sanitary and storm sewers, roadways and detention basins in the Schoolside Estates Phase II development. Anything the Borough will be taking over.

On the question:

Tanana: Being the Planning Agency already gave approval to do this he can say yea I'll wait and can bury them because noone can stop him now because planning gave the ok. This is where the whole thing gets into

Barnick thought Jack was going to act as the inspector on this.

Tanana: Right. He is going to act as the inspector but if the planning agency already gave him the green light to install them he can already have them installed.

Kucharski: I think Robert said he talked to him already and Mark was ok with it.

Tanana: But he tried calling him again and he never called him back. This is what I'm saying. This is the same problems that Phase I ran into because Planning doesn't have their own engineer. They're not coming to us saying we need your engineer to do this stuff. That's what the planning agency should be doing if they are going to be giving approval. If things are done wrong people are going to come here and give us the backlash and there is nothing we can do about it because we can't deny or approve it. So we tell them to go to planning and planning says oh no go to

Council. If they want to use our borough engineer for that - that's fine because they can't expend any borough money but they need to tell us in advance that hey we want to approve this and that's where we step in and tell them no contingent on inspections from our engineer. And then we can approve it at a meeting to expend the money for the engineer to inspect it and they can give a conditional approval that inspections have to be done before they're buried because if not he can say hey you gave me the approval. And we don't have a leg to stand on.

Kucharski: You are 100% right. I will talk to Lou and have him have a discussion with Tony Amico relative to this. It has already been approved but I think for the future that's the way it should be done. More importantly, we have to get this whole issue regarding the relationship with the planning agency and the ordinance we have to get it changed and straightened out.

Tanana: I know it was only a advisory committee and then there was a majority of council that felt they should give the approvals and now we are faced where we are today.

Kucharski: And this isn't anything to be critical of planning it's just the way things have occurred and I think we just need some clarification as far as what are the next steps.

Andy Hegedus: Thinks all are on the right path and thinks what needs to be done is to enforce with planning and zoning and hold them accountable. The minimum they can do is at the month end meeting every month send the chairman's of both committees like the department heads and hold them accountable. They are people that are appointed by you. They're supposed to be working with you and not passing the buck like Vince said. Not saying that anybody is doing that. There needs to be communication rather than by a letter that you accept the planning or zoning minutes. Maybe if they start quarterly but get them here to answer the questions. Feels it's a big reason why the project dragged on from phase II because there was nobody coming to the meetings or council going to the planning meetings. Just my opinion.

Kucharski: Thank you.

Williams questioned the money in the budget to redo the planning code.

Dave Karr, Meade St.: I'm on planning and we act on the recommendation of your engineer. We don't do anything without his approval. We don't act on our own. We ask his recommendation and what he suggests. That's how we go about it.

Kucharski: I think Vince's point was even though you ask for the recommendation and he approves it once he approves it there is still no mechanism to make for the inspection. Just a matter of establishing some protocol on how to proceed.

All in favor

Motion carried

15. Motion by Tomasovitch

Seconded by Barnick

To adopt Resolution #9 of 2017 appointing Dominick Rocco Jr. as an Alternate Zoning Hearing Board member.

All in favor

Motion carried

16. **Motion by Williams**

Seconded by Tanana

To authorize NEPA film festival to use the Washington Street Park on August 5th provided we receive a certificate of insurance.

All in favor

Motion carried

17. **Motion by Tomasovitch**

Seconded by Tanana

To donate \$100.00 to the Mid Valley Cheerleading Purse Bingo.

All in favor

Motion carried

18. **Motion by Vince**

Seconded by Tomasovitch

To accept the proposal from T. Renkel Painting for painting the walls, steps and hand rails at the Civic Center at a cost of \$2,189.00.

On the question:

Barnick: Asked if it was overlooked.

Tanana: It's not currently painted.

Barnick: Does it need to be painted?

Kucharski added that everything else is being painted. The thinking was you might as well do it right while you're doing it. Is it more of an emergency exit?

Joe Tomasovitch: They were never done. They are not used a lot as far as I can see.

Discussion took place.

Williams: Keep spending money.

Tomasovitch thinks should let it go.

Tanana: Probably can have the DPW workers do it.

Kucharski was thinking the same thing. It's nothing that requires special equipment.

All talking at once.

Motion by Vince

Seconded by Tomasovitch

To Table Motion #18.

All in favor

Motion Tabled

Kucharski: Robin notify the company tomorrow.

Audience Comments:

Kristen Hardaway, Memorial Dr.: Spoke of a letter she received from Trudy saying she shared all this information with you and the Mayor and the Authority that she would be walking around and whatever. Don't know how it works. Did she get voted in? How does she get to pass this out? Kucharski replied that it is past practice. Has been approved by the Housing Authority to act in that respect along with the Chief of Police and the Neighborhood Watch and she does it on a volunteer basis and has done a very good job.

Trudy Delawder: I can show you papers where I have approval by Lackawanna Housing.

Hardaway: My issue really, it isn't that you handed it out or going to do it, It's just the fact that we didn't get notice that there was talk about this until it went up.

Delawder: It has been going on for years. I redid that because they put a new neighborhood watch sign in front of building 6. So that the front and middle would be aware that it is a crime watch neighborhood. Did this so can get everybody from the developments response if they see something suspicious they can call me, the police department. If legit enough would call the police. Put my number there. I got permission from Will. He read it and OK'd it.

Hardaway: Just didn't know how it came about.

Kucharski: It's been the past practice for quite a long time.

Hardaway: It's not brought up from Will though. When you move in to housing he doesn't talk about it. It's not in our lease agreement.

Kucharski: Probably would be a good idea to talk to him. Maybe he should pass that out when people move in.

Delawder: If they want to question it I can show them papers signed from Lackawanna Housing.

Kucharski: She brought up a valid point. When they move in the Manager....That's a good idea.

Dave Karr, Meade St.: Coming up the one way street on the right side, erosion came down & small trees started to grow. What if Rinaldi took an 8 foot blade on a dozer and just went up and knocked those trees down and widened it out. A temporary basis.

Kucharski: Can ask Lou. Lou had conversations with them about - we were trying to put the sidewalks in and were looking for an easement - probably a year or more ago and then as things worked out they started to plan for that development so that kind of put things on hold because they said they would be taking care of the sidewalks. That's a good idea. Probably relatively inexpensive.

Karr: When approached planning said 5-6 months before plans drawn up to bring up to Planning. That would widen it out. Knock the trees down and make a path.

Tanana: He was supposed to submit a citizen's request

Kucharski: He did. Yes. He gave very general information. He will be on the agenda for the next planning meeting. Waiting to get appropriate approvals. I guess he has some preliminary design plans.

Tanana: We are going to go through another winter without sidewalks. Doesn't want this to drag on. It's ridiculous. It's been like 3 years.

All talking at once.

Tanana: What if we have to wait 5 years.

Kucharski: Already has some people interested. Medical offices.

All talking at once.

Tomasovitch: Once he gets a design maybe he can put the sidewalks in.

Kucharski: It may be a nice temporary solution.

Karr: Step in the right direction if could get a path in.

Tomasovitch questioned if Burke is going to be ready for next meeting.

Galli will check with Bob.

Kucharski: Needed more time for the county planning agency.

Tomasovitch thought it all was to be done in 30 days.

Barnick: Usually takes 2-3 months.

Galli: thinks the county didn't have 30 days. We will get it scheduled.

Tomasovitch: Has been more that patient.

Tanana: Has been patient and has addressed all concerns.

Kucharski: And he is waiting on this to actually purchase the property.

Karr: When is the Mayor's sign going up?

Galli: Overlooked - will get it.

Tomasovitch: He's not really in until November right, January I mean.

Kucharski: He starts his first full term but he has been appointed. He's got to run.

Tomasovitch: Shouldn't be signs until January. Because he is appointed but he's not elected in yet.

Barnick: He is still the current Mayor.

Tomasovitch: But then you would have to change them again. What happens if something happens.

Karr: What's a couple of bucks. Put the signs up. He'll probably win anyway.

Kucharski doesn't have a problem with it.

Tomasovitch doesn't have a problem with it - was just saying.

Discussed Republican running - write in.

Kucharski: He's the Mayor now. Put up the signs.

The meeting was adjourned.

Meeting minutes by Renee O'Malley
Borough Secretary