

**Agenda
Throop Borough Council
Monday, October 10th, 2016
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:

Richard Kucharski - A
Vince Tanana - P
Thomas Lukasewicz, **President - P**
Charlene Tomasovitch - P
David Repchick, **Vice President - P**
John Musewicz - P
Bob Magliocchi - P
Solicitor - Louis A. Cimini - P
Mayor - Wayne Williams - A
Assistant Treasurer - Lenore Dolan - A
Secretary - Renee O'Malley - A
Chief Clerk/Treasurer - Robin Galli - P

Announcements:

- * An executive session was held this evening at 6:00 p.m. to discuss legal matters.
- * An executive session was held Thursday, Sept. 29th, 2016 at 5:00 p.m. to discuss personnel issues at the Police Department.
- * Throop Civil Service Meeting is scheduled for Tuesday, Oct. 11th, 2016 at 7:00 p.m. at Throop Civic Center.
- * Drug Take Back Day is scheduled for Saturday, Oct. 22, 2016 from 10:00 am to 2:00 pm at the Throop Police Station.

Work Session/Meeting Schedule:

- * The Oct. monthly work session/meeting will be held on Mon. Oct. 31st, 2016 at 6:30 p.m.
- * The Nov. mid month work session/meeting will be held on Mon. Nov. 14th, 2016 at 6:30 p.m.
- * The Nov. monthly work session/meeting will be held on Mon. Nov. 28th, 2016 at 6:30 p.m.

**Tomasovitch questioned the Meeting scheduled on Halloween.
Magliocchi suggested it be held the week prior.
Lukasewicz: Have it on the 24th.**

Attorney Cimini: Want to have a motion put on to have the Engineer look at Bruno Dr. & also stated that there are only 6 councilmen here tonight and no Mayor. Robert's Rules says a tie vote is a failed vote.

Lukasewicz: Audience: We are putting on an additional motion to have the Borough Engineer review the sewer lines that are on Bruno Dr. in conjunction with the Borough line that in on Lynwood St. to see the possibility of the Borough installing a dedicated sewer line on Bruno Dr. and how it would affect the hook ups from the adjacent property. To get an overview of what can possibly do in the future.

No audience comments on that motion.

Audience comments on tonight's agenda:

John Topalanchak: I own the residence at 7 Bruno Dr. Will the Engineer do the study to bring the line all the way down?

Lukasewicz: Looking to do is the 2 lines that are there – it seems like it would be in the best interest of everybody if a new line was put in and it would encompass the needs of everybody on that street. We would have all the homeowners on that street hook into that line and have everything taken care of. What you have there now with your septic system that you would be able to discards and hook up to the sewer line. Probably for the best interest of everybody.

Topalanchak: I've waited for that since 1972 – Has no problem hooking up to that line.

1. Motion by Tomasovitch

Seconded by Repchick

To issue a check in the amount of \$22,952.88 to the Throop Volunteer Firemen's Relief Fund. This amount represents the 2016 Commonwealth Allocation supporting the Volunteer Fire Relief Association.

All in favor

Motion carried

2. Motion by Repchick

Seconded by Tanana

To adopt Resolution #10 of 2016, a resolution regarding the transfer of PLCB License #R-6863, from Dunmore Beer & Deli to facilities located at 914 Dunmore St, Throop, PA.

All in favor

Motion carried

3. Motion by Tanana Seconded by Repchick

To authorize payment in the amount of \$15,563.00 to NC Outdoor Services for Washington Street Park Infield project. Approval by Borough Solicitor, Attorney Cimini and Street Commissioner, Robert Kalinoski.

5 in favor, Tomasovitch abstained Motion carried

4. Motion by Repchick Seconded by Tomasovitch

To adopt Resolution #11 of 2016, a resolution authorizing the Board of Commissioners of Lackawanna County to submit an application for Federal Fiscal Year 2016 CDBG Grant Program funds in the amount of \$63,421.00 on behalf of the Borough of Throop.

All in favor Motion carried

5. Motion by Tanana Seconded by Magliocchi

To submit payments to the Non-Uniform Pension Plan in the amount of \$61,245.05 and the Police Pension Plan in the amount of \$52,495.75. This represents the 2016 Commonwealth Allocation of General Municipal Pension System State Aid that was received on 9/23/2016 in the amount of \$113,740.80.

**All in favor except, Tanana & Repchick Motion carried
Abstained on Police pension &
Tomasovitch abstained on Non uniform**

6. Motion by Repchick Seconded by Tomasovitch

To authorize payment to Duda Actuarial Consulting, Inc. for the 2016 State Aid Allocation in the amount of \$300.00. Payments will be paid in the amount of \$150.00 from the assets of each fund, the Non-Uniform Pension Plan and Police Pension Plan.

All in favor Motion carried

12. Motion by Repchick

Seconded by Tomasovitch

To enter into the 2 year plan with Commonwealth Energy for the LED lighting upgrades per the Commonwealth proposal.

On the question:

Lukasewicz: Is it 2 year? Can't we do it outright? I didn't research it.

Magliocchi: They had 1 year but I don't have the price.

Lukasewicz: Why waste money on it if we don't have too.

Magliocchi: Not much difference.

Repchick: Whatever way is ok with me.

Lukasewicz: The cheapest way.

Andy Hegedus: Feel like the 2 year was the lowest because not municipalities do 2 year.

Lukasewicz: We have the money to do the cheapest way we can. No problem doing it but want the cheapest way.

Repchick added what ever way is most beneficial.

A discussion took place regarding the time frames and cost would pay.

Lukasewicz asked Magliocchi if can wait 1 more meeting so can find out the cheapest way.

Magliocchi: that's fine. Just want to get it done next meeting.

Lukasewicz asked that the motion be tabled.

Motion tabled.

All in favor

Motion carried

13. Motion by Magliocchi

Seconded by Repchick

To promote Joe Tomasovitch from unskilled laborer to truck driver.

On the question:

Lukasewicz: The only thing I have an issue with is that there should be a recommendation by his supervisor.

Magliocchi: I'm down there pretty much every day and I see what is going on. That's unacceptable. As a supervisor he should have his next day planned. He should have been told already that he was a truck driver that day. Our hiring process requires so much and he has to sit and wait to be told to drive a truck. We don't need to hire that way anymore. I think it's due to their error and I'm making this motion so it doesn't happen again.

Lukasewicz: I will be voting against because everything we've always done in upgrading anyone in any department was always done with the recommendation of the supervisor.

Magliocchi: I am there and see what is going on everyday while Rob is in his office and not on the job site. I think I oversee the guys more than he does. Convinced I am making the right decision. I see it day to day and it shouldn't have happened.

**3 in favor, Tomasovitch
Abstained, Musewicz and
Lukasewicz against**

Motion carried

14. Motion by Magliocchi

Seconded by Repchick

To save all Work Session & Meeting tapes for 7 years.

All in favor

Motion carried

15. Motion by Tomasovitch

Seconded by Magliocchi

To stop the proceedings for the borough manager and to terminate the contract.

On the question:

Repchick is for it but other things are needed.

All in favor

Motion carried

Magliocchi spoke of the machine being used & thinks it is a good idea to purchase one. Robert got quotes and emailed them to us so I would like to put a motion on to purchase the 60 seed mini excavator from John Deere for \$67,825.00.

Lukasewicz: He isn't even here to tell us or discuss it.

Denise Brown, Phillips St.: That gentleman was here all night and left before it began.

Lukasewicz: Why is someone here and I'm just a nobody – didn't even know someone was here to buy a machine.

Magliocchi: If you stopped down the project maybe you would know but to see what was going on in the Borough but we have a lot of issues going on with projects that many people don't know about.

Repchick: I think we need to do it but would like to see what Robert says.

Both talking at once.

Magliocchi: He sent us the quotes in the email. I know Tom doesn't check email so you don't know about it but it is in the email.

Lukasewicz: When you are going to buy a \$67,000.00 piece of machinery there should be an open dialog in this room with all the audience here to talk about it. You don't just buy a \$67,000 piece of equipment.

Magliocchi: We had this talked about. Not my fault that he took today off and isn't here. Like everything else in this Borough we push it off to the next meeting. I am going to bring up the church. I hear we are going to get this done when we buy the house, when we buy the next house. Could've given it to Tropiak a long time ago. But the bottom line is we keep pushing and pushing and nothing gets done. The civic center we talked about getting done. We made a motion last meeting. You have to put it out for bid. I know you said a few meetings ago that you wanted to veer away from the prevailing rate

Lukasewicz: No I didn't say that. Don't twist my words. What I said was I would spend the money economically like I take care of things at my own house.

Magliocchi: No that was last meeting. I am talking about meetings ago when we first brought this up.

Lukasewicz: You can do a floor in a room, you can paint
Magliocchi: To save money?
Lukasewicz: What you can afford.
Magliocchi: We can afford it all and you are piece working it.
Lukasewicz: You're wasting money. No one is piece mealing anything.
Magliocchi: You were going to purchase 101 acres for a quarter of a million dollars and you're sitting here telling me I'm wasting money by putting it into the civic center. You bought a house you don't know what you're doing with. You bought a rectory.
Lukasewicz: I didn't tell you
Magliocchi: You just said wasted money. Didn't he just say that?
Lukasewicz: I said if we do it the way you want to do it we will waste money.
Magliocchi: So you want to piece work it to save money.
Lukasewicz: No. I want to do it as we can afford it.
Magliocchi: We can afford it all.
Lukasewicz: That's your view of it.
Magliocchi: 2 minutes ago you were buying the whole lighting contract because we could afford it. Well why don't we do the 3 year plan so we can save money. Ok I must be hearing things.
Lukasewicz: You must be.
Magliocchi: Actually the motion I'd like to put on because the problem is I think people forget what they say. I just found out recently that recorded tapes from our meetings get recoded over once minutes are approved. I want to put on a motion that we save the tapes from each meeting for a minimum of 5 years then we can record over it. Because this way we could go back and know what everyone says. Then no one can say "I didn't say that". Then we wouldn't have the issue. I would like to put a motion on to save the tapes.
Andy Hegedus: Go digital.
Repchick: Doesn't know why we aren't digital.
Magliocchi: Well I want to start somewhere so I want to save these tapes for a minimum of 5 years.
Repchick: I will second it because I think there should be a recording of the meeting & work session.
Lukasewicz: Actually taped over next meeting?
Robin: Not the next meeting. Once the minutes are approved – do not have to keep the tape. We do have them. I don't know how long.

TAPE ENDED.

Magliocchi: I want to do something now whether he is here or not because he's not here and I am not going to wait. The creek needs to be cleaned out and they want to have - he wants to have a company come in and clean out the creek. The machine is down there and our guys are down there. If it requires keeping the machine for another week, let them finish the creek. Level it off.
Repchick: I have to agree with that.
Lukasewicz: Did they get the permits to go into the creek and alter it?
Magliocchi: They've been in the creek; they did the whole bank, everything.
Lukasewicz: Did they get the permits – you want to alter the creek
Magliocchi: No all the sediment that came down.
Lukasewicz: You have to have approval from the state before you can take 1 shovel of dirt out of the creek.
Magliocchi: They've been taking shovels out – they pulled a whole trench down the whole creek.

Lukasewicz: You have to have permits.

There are permits.

Lukasewicz: We need to find out the extent of the emergency permits before you move 1 shovel of dirt outside the emergency permit.

Repchick: I agree with you Tom but I think his point actually is us doing it as opposed to bidding it out.

ALL TALKING AT ONCE.

Magliocchi: Let's put this on for a motion: If he has the permits to proceed with the creek bed to do it while the machine is there. I don't want to bid it out. Our guys can do it. We already made a mess down there. That whole ravine is destroyed. Not only are they fixing the pipes but they have a lot of landscaping. I'm personally not happy with the way they went it but.

Lukasewicz: How did they go in?

Magliocchi: They went in at the end of the river when instead of going through your lot

Lukasewicz: It's not my lot

Magliocchi: Your previous lot, to give you location, the lady let them go in that way and they have some (inaudible) and you know the distance from there to the hill. They would've just had to repair that going in that way. Now they have to repair way up, way down to the river and back out to the road. When it's done it's over with but they have a mess, a lot of work. They are down there, they did the hardest work. Cleaning out the creek is the easiest work left. I don't think we should bid it out.

Lukasewicz: Attorney Cimini can you check the extent of it so we don't get in violation. You can't – to move a tree when it fell in the river – we had to get approval.

Magliocchi: If has the permits I'd like to proceed with this project.

Joe Tomasovitch, Sanderson St.: There are permits but I don't know the extent of them. Robert is really persistent on that. He makes sure that they are there in case someone shows up there. He always makes sure they are on the job site with Chuck or someone. There are quite a few pages of permits.

Magliocchi: I understand that.

Lukasewicz: Attorney Cimini review them, whatever can do to

Magliocchi: Let's put the motion on if they have the permits to proceed and keep the machine as needed and finish cleaning out the creek. If not I'd like to get the permits, get the machine back and have us do it. If I was going to bid anything out, they did 1 hell of a project down there. They did a great job. Not going to pay someone.

Repchick: Agrees and will second the motion.

Lukasewicz: So what was done now was just that rip rock we put in place.

Magliocchi: We actually dug a trench and (inaudible) bed. They went down about a foot and a half where swale was, cleaned out the roots, put in the liner and put all the boulder down.

Lukasewicz questioned if anything done with piping yet.

Magliocchi: The pipe didn't look that bad. Won't know until it is camera'd.

Repchick: They are still trying to get to it.

Magliocchi: They have to block it and re-pump it.

Repchick: He said it is consistently high flow.

Magliocchi: Looked new outside but not sure if roots are in it. These guys are capable of doing quite a bit of work and that job shows. I just don't want to waste more money paying out. If we are going to hire this company to come out & it is going to cost us \$50,000.00 we can put that \$50,000.00 towards the machine.

Lukasewicz: It almost sounds like the way I wanted to do stuff at the Civic Center but I guess that was piece mealing.

Magliocchi: If you are going to send them over thereto finish it – that's not piece mealing.

Lukasewicz: We are looking at things the same way. Down there the extent of this project if it's, could be said that it's a \$60,000.00 or \$70,000.00 project. Someone can come in and say why weren't we given the opportunity to bid on it.

Magliocchi: because we were able to buy a machine out of it.

BOTH TALKING AT ONCE.

Magliocchi: I'm not trying to save money I am trying to get some things done. Over there we are prolonging it.

Lukasewicz: You are trying to get it done more cost effectively than if it was put out to bid.

Magliocchi: You can't do that.

Lukasewicz: You are doing that.

Magliocchi: How? We can buy a machine out of the deal. They'd have a \$50,000.00 machine and our guys are capable of doing the work. Who's going to do it over there? You have to bid that out over there. We don't have anybody that could. Unless we're going to have the DPW go in and paint and put ceilings in and I'm ok with that.

Lukasewicz: When we originally talked of this we talked of getting people in to do the work not the DPW doing the work.

Magliocchi: Right because the DPW can't.

Lukasewicz: It was originally stated here in this room that the DPW doesn't have the time or the machinery and everything.

Repchick: That is true. That was said. Not by us.

Lukasewicz: It was stated in here and should've been put out to bid. To fix it. It's alright.

Magliocchi: Explain it to me.

Lukasewicz: How many days have they been down there?

Joe Tomasovitch: Started down there last Wednesday.

Magliocchi: They had to move fences too.

Lukasewicz: They haven't been there long at all.

Repchick: They did a great job.

Lukasewicz: Sure they are doing a wonderful job.

Magliocchi: If we had the equipment to do this stuff – we should be doing it. That's what I am getting at. We could be doing sewer lines in town. Over there you're talking a carpenter to excavating.

Tomasovitch added to do the motion for the permits.

Magliocchi: If Robert has the permits for the creek to clean out the sediment to continue with the job and use the machine for as long as he needs it. It's all pitched left so it's just going to do what it's doing now. If he doesn't have them it's fine. It doesn't get done until he gets them.

Lukasewicz: One thing we should do is – It's pitched to the left right? Why is it? No one knows. SO before anything comes out of the creek the Engineer should review it & tell you if it is going to work before you take something out and may do more contrary and cause more erosion. You need to have someone analyze. Not as simple as just take it out. Somebody needs to tell you what to look at. I don't have a problem if they can do it.

ALL TALKING AT ONCE.

Magliocchi: Would like the line camera'd so can make them all at once.

Lukasewicz: It might be in the best interest to do the whole creek bottom to top at the same time so don't take out too much at the top and cause problems. There are ways of doing things.

When I go down below where the washout is there is a tremendous amount of sedimentation that was never there before. Was probably 7 feet deep. Need a game plan to take it out.

16. Motion by Repchick

Seconded by Magliocchi

To have the Borough Engineer, Jack Scheuer, review it, review the permits & make a recommendation on how to proceed with the sedimentation in the creek.

No audience comments on the motion.

All in favor

Motion carried

Magliocchi: Issue I had is I hate prolonging stuff. Talked since January about getting a new Police Department sign.

Robin: They have a PO for it.

Lukasewicz: No need for a motion

Audience Comments:

Dave Karr, Meade St.: Wants to inform that there will be a Neighborhood Watch meeting on the 27th at the Civic Center. DA Shane Scanlon will speak on heroin, overdoses in Lackawanna County.

Discussion took place on amount of heroin overdoses in Lackawanna County and SWAT team getting 2 dealers at Juniors.

Andy Hegedus: Fire Prevention tomorrow at the school. 1,038 students. Olyphant & Dickson City each contributed \$500.00 so had \$1500.00 total.

Joe Tropiak, Phillips St.: Questioned packet #18. 522 Sanderson St.

Lukasewicz replied that people out there send in requests when a home is purchased that they will buy it if you want to sell it. Just a procedure. It's not for sale.

Tropiak: Next thing is talking about the church. Understands a lot of money was spent on the church, fine. Suggested senior housing. Its structure is sound and can be recorded as historical. That church can be used as main building. It is the center of town. Can be modified on the inside and can get federal funds. Use part of this building plus all back to build the senior housing. In long run may cost more money but will be an investment that will be there for the town. This hall can be used as senior housing. You don't want to spend money to heat it fine but it will cause it to dilapidate. My suggestions for consideration.

Tomasovitch: Even considered the fire departments here, Consolidate and put everything over there. Not sure yet. My main goal is senior living.

Denise Brown, Phillips St.: Questioned why the majority of these agenda items on the agenda aren't when we get here. Always seems like surprise agenda items.

Repchick: Because they come up after we get here unfortunately.

Brown: I don't think (inaudible) I think these are agenda items you've been working on. They didn't just come up today.

Magliocchi: Yes I had some agenda items today but I was told you can't put them on for motions today.

Lukasewicz: What she is suggesting is that if you had motions for this evening you could've given them to Robin today and she could've put them on the form.

Magliocchi: I'm new up here and that's normally how it's done up here.

Brown: when she does an agenda needs to give items 1-2 weeks in advance so chance to review.

Magliocchi: Asked if a motion could be put on agenda and was told not too.

Lukasewicz: Could've said motions I'd like to have considered for this evenings agenda.

Magliocchi: Didn't want them considered I wanted them on.

ALL TALKING AT ONCE.

Brown: Again – coming here and see these generic items (inaudible) I don't have time to wrap my head around it. A lot is coded.

Tomasovitch added that a lot is from the packet.

Magliocchi: Just followed along what usually is done.

Lukasewicz: Maybe can let know on Friday have motions would like considered at meeting.

Magliocchi: Don't want considered, want on.

Lukasewicz: I don't have a problem with anyone putting motions on. Tell Robin and she will put it on. Probably better if when we come in it's on the agenda.

The meeting was adjourned.

Meeting minutes by Renee O'Malley
Borough Secretary