

**Minutes
Throop Borough Council
Monday, Sept. 11th, 2017
Monthly Work Session/Meeting**

The meeting opened with the Pledge of Allegiance.

“God Bless Our Troops and the Coalition”

Moment of Silence to recognize the first responders and everyone else who perished on September 11, 2001.

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 - A
Mayor - Frank Shimkus - P
Assistant Treasurer - Lenore Dolan - A
Secretary - Renee O'Malley - P
Chief Clerk/Treasurer - Robin Galli - P

Announcements:

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

Work Session/Meeting Schedule:

- * The Sept. monthly work session/meeting will be held Monday, Sept. 25th, 2017 at 6:30 p.m. (6:00 pm pending if the Dickson City Ambulance can be here) Robin will contact them.
- * The Oct. mid-month work session/meeting will be held Monday, Oct. 9th, 2017 at 6:30 p.m.
- * The Oct. monthly work session/meeting will be held Monday, Oct. 30th, 2017 at 6:30 p.m.

There were no audience comments on tonight's agenda.

Tomasovitch: She didn't have nothing to do with this. She's not the one that wanted it done.

Magliocchi: I helped her get prices. I asked her. We went with the lowest.

Tomasovitch: This isn't a day to day operation thing for this.

Kucharski: You're right but I think under the circumstances. We had a couple hundred people there. The high bid was \$2900 from Capoccia who does a lot of work for us and here we had it done for \$1100. And not only did they mulch, they trimmed, they

Tanana: No more single vendors. At least 2 or 3.

Barnick: Will be voting for this but in the future will not because we have maintenance men that should be doing this instead of wasting money.

Kucharski: Something we have to consider at budget time because really should be done in the Spring and Fall.

Spoke of the window cleaning.

All in favor

Motion carried

5. Motion by Musewicz

Seconded by Tanana

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

On the question:

Barnick: What is the additional work?

Galli: They added another color that we thought was in

Kucharski: To make a contrast. It was all around the end of the roof. And then the pillars, the indentation they painted that a darker brown to contrast it. The back wall did a dark stripe.

To rescind Motion #5. Already was paid.

All in favor

Motion rescinded

6. Motion by Tanana

Seconded by Tomasovitch

To purchase sweat shirts for the 8 and 10 year old District 32 Champions at a cost of approximately \$350.00.

All in favor

Motion carried

7. **Motion by Tanana** **Seconded by Williams**

To authorize payment in the amount of \$7,321.00 to Yeselavage Rug for Civic Center bathroom flooring.

All in favor **Motion carried**

8. **Motion by Barnick** **Seconded by Tanana**

To authorize Scranton Craftsmen to run a sewer line and connect 510 Edgar St. and install a clean out at a cost of \$4735.00.

All in favor **Motion carried**

9. **Motion by Tanana** **Seconded by Tomasovitch**

To authorize Scranton Craftsmen to do a lateral repair at 621 Center St. at a cost of \$4765.00.

All in favor **Motion carried**

10. **Motion by Tanana** **Seconded by Tomasovitch**

To advertise for a full time Assistant Director at the Civic Center at \$14.00/hour for nights and weekends.

On the question:

Barnick: Feels it should be \$12/hour. Why are we going to throw more money out the window.

We didn't advertise it the first time at 12 why don't we try it at 12 and see what happens?

Tomasovitch: We told them during the interviews it was 12.

Musewicz asked if it includes benefits.

Tanana: No

Tomasovitch: No benefits. May need to. Not going to get anyone without benefits.

Magliocchi: Legally they may be entitled to them because every borough employee has them and you'd be eliminating one person.

Galli: The last full time had benefits.

Tomasovitch: questioned what the other person got paid.

Galli: The regular AD rate. 12 something.

Magliocchi: That building is chaos all the time. Not in a negative way. It is so busy. That's not

an easy job. You are technically having another director on second shift. Basically doing Mary Ruth's job so if you look at what she gets to this I still think you're getting away cheap.

Kucharski: Plus when we first started discussing this it was during summer when we have our population at the center is at its high point and Mary Ruth is saying that given her regular duties and the children she really needed an assistant specifically for child care.

Barnick: Get rid of the daycare.

Tomasovitch: Can we just give Blue Cross Blue Shield or do we have to give pension?

Magliocchi: A lot of people rely on that daycare. A lot.

Kucharski: Right now after school there are 49 children. And then during the summer

Barnick: It is such a burden on us

Kucharski: Jimmy's asking why don't we just get rid of it. I mean do we lose money on the daycare?

Magliocchi: A lot of people depend on that civic center.

Williams: That's why that civic center is there.

Barnick: Since I've been on there has been nothing but problems with her and the staff. Her problems her complaints with problem child kids this and that.

All talking at once.

Tomasovitch: It wasn't supposed to be there to make money.

Kucharski: So we'll discuss that at budget time. I worked for welfare for 38 years and childcare is one of the major impediments for people to go to work and break the cycle of welfare dependency.

Tomasovitch: But then you don't have all welfare people neither. I'm not saying they're bad but you have people that pay a lot of money over there.

Kucharski: Yes pay privately. Through Lackawanna County through the state that gets the money from the state that subsidies childcare and then we private pay also.

Galli: Our daycare program took in \$91,000 already this year.

Barnick: What's the overhead?

Galli: I'm not sure.

Williams: You have to look at utilities, you have to look at employee cost.

Magliocchi: You have to look at utilities are going either way.

Barnick: Not necessarily. There will be a big surge in water and whatnot when you have 49 kids there as opposed to a couple local. Flushing toilets, drinking water I mean come on.

All talking at once.

Magliocchi: So anyway just do the motion as 14 and we'll look into if benefits are required or not.

6 in favor, Barnick against

Motion carried

11. Motion by Tanana

Seconded by Tomasovitch

To accept the proposal received from Kentrel Corporation regarding the Civic Center water meter repair at an approximate cost of \$1400.00.

All in favor

Motion carried

12. Motion by Tomasovitch

Seconded by Musewicz

To hire Judy Russo part time at the civic center at the prevailing rate pending clearances.

On the question:

Williams: Again we are hiring people with out interviewing. I know these people and they are good people but we interview summer help we just interviewed for the assistant director.

Tomasovitch: But when she needed them right away we did hire people without an interview.

Williams: That's not the point though. We have to stick to a standard with hiring people. We can't just hire people off the street without interviews.

Tomasovitch: Well she needs them right now.

Magliocchi: Asked if anyway can put motion on to hire depending on interview?

Williams: I know both of these people - I just think in the future we need to start interviewing people.

Tomasovitch: Let's put it on that we interview them tomorrow. I know there are a lot of other people that we did not interview over there.

Barnick feels we should ask Lou.

Kucharski: This is a unique situation where we need somebody. We don't have enough people again there are certain licensing requirements that the department of human services requires with respect to the number of children related to the ratio of employees. Apparently we are not meeting that at this point which is why Mary Ruth is requesting emergency employment. I agree with you Wayne but again she is the department head and in this emergency situation to wait a couple of day

Williams: The point I am trying to make is keep the same - he needs an officer for the school so its an emergency situation. Let's just hire a part time cop off the street.

Tomasovitch: No with the cops you have enough people over there.

Magliocchi: You don't see much get done because it's every 2 weeks.

Williams: Some boroughs its once a month. I totally understand that she needs the help I'm just saying we need to set a standard. I already know the people so it's going to be fine with me. But the point is

Barnick: Do it the right way

Williams: We need to start doing it the right way. We really do.

Kucharski: There will be times that we have to deviate. As long as it's justified. We are potentially in violation of our licensing requirements. So to allow the department head to make an emergency appointment and it's only for a 3 hour/day position.

Magliocchi: Did Mary Ruth interview them?

Kucharski: She spoke to them I know

Magliocchi: I don't see the purpose of us interviewing them anyway. It's her place. She runs it.

Barnick: I don't think so at all. She is a political figure.

Magliocchi: Who is a political figure?

Barnick: She's on the school board.

Magliocchi: So what does that have to with over there?

Barnick: With recommendations to hire?

Magliocchi: Well then if you're recommending - you're a political figure. So if you were doing the interview what's the difference? Right. It's the same thing. If we do the interview we are a political figure. She is doing the interview, just because she is on the school board I don't see where that

Barnick: We are doing the interview to hire for our employee

Magliocchi: So what does the school have to do with her?

Tomasovitch: Robbie does the interviews for his people with us sitting in.

Barnick: With us, that's the difference.

Magliocchi: I don't care who's in there.

Williams: Again, these 2 people I personally know anyway - Me and Char would be interviewing them anyway so they would get my approval because they are both fine women. They're very nice.

Kucharski: They seem to be well experienced based on their applications.

Williams: I am just trying to get a point across that we have to start setting a standard and just not going off whims.

Kucharski: I respect your opinion but there may be times when you have to deviate from that. And I think 99 out of 100 times we are going to interview but there may be a situation such as we have now if we are not meeting licensing requirements that we have to do something.

Williams: This didn't just pop up. She has been talking about hiring people now for 2 months.

Tomasovitch: No.

Kucharski: Apparently this popped up last week.

Williams: Last meeting she sat back there and said she needed people. We skipped right over it.

Tomasovitch: She told us the other day in a meeting.

All in favor

Motion carried

13. Motion by Tomasovitch

Seconded by Musewicz

To hire Kelsey Cortazar part time at the civic center at the prevailing rate pending clearances.

All in favor

Motion carried

A discussion took place with extending Chrissy Szymczyk's employment as needed

14. Motion by Musewicz

Seconded by Tomasovitch

To extend Chrissy Szymczyk's employment as needed at the civic center at the prevailing rate.

One the question:

Denise Brown, Phillips St.: You just hired 2 people because you were short. So I am a little confused as to why you wouldn't just use that woman to fill that 3 - 6 position.

Musewicz: She is using here.

Barnick: We are. We are just continuing her.

Brown: So she is currently working 3-6?

Kucharski: I don't know how many hours. She's worked more than that.

Magliocchi: The downfall over there is that most of them are college students. College started back up. She is available some days so that's why she wanted to use her. With even her available days she is still short.

All talking at once.

Kucharski: and we are saying as needed. It's as needed.

All in favor

Motion carried

Audience Comments:

Joe Tropiak, Phillips St.: The 2 DeNaples representatives that showed up, did they show up unannounced or did you know they were here?

Kucharski: Apparently there was discussions

Tomasovitch: I didn't know who they were.

Kucharski: There was discussions with Attorney Cimini. There was invitation offered to the, after the last meeting friends of lackawanna sent us an email indicating that they would be willing to meet with our committee that we established at the last meeting concerning any concerns that we had with Keystone landfill. And apparently there was an invitation extended to them to attend this meeting and apparently the representatives became aware of that so they were here tonight in the event friends of lackawanna was here to make a presentation. They were just to I guess protect their rights and respond to any issues that friends of lackawanna may have brought up.. So since friends of lackawanna did not respond to the invitation obviously there was no reason but as a courtesy Attorney Cimini asked them if they wanted to make any comments, which obviously you were right there and heard what they had to say.

Tropiak: When he asked for comments from the audience nobody said anything about it. Your letter that wasn't signed by you, was it specific to them if it went out.

Kucharski: Well that was relative to, that concerned Borough council opposing the expansion.

Tropiak: Was that pretty detailed?

Kucharski: No. It was just a one sentence letter.

Tropiak: He's looking for specifics and if that motion was passed to just tell them we don't want the landfill with no specific information. So

Kucharski: Well again the motion simply stated that throop borough council opposes the expansion.

Barnick: It was actually the application for expansion.

Kucharski: Ok the application for expansion and

Tropiak: Usually when you send something out it should be detailed to them people

Kucharski: well that motion was rescinded and we said that we are asking for input from any council members with respect to what their concerns might be and then we would've taken those concerns by our committee to the landfill representatives to discuss the concerns. So since we didn't get any concerns as of right now it's mute. But certainly moving forward the standing committee and any concerns that anybody has on council certainly should be brought forward and then we would as they said any concerns you have bring them and we'll be happy to talk about it.

Barnick: I have a concern. I don't think it should be 44-45 years. I think it should be a 10 year no longer just like the county's waste management program. That's one.

Kucharski: Robin write that down. Again all I can say is that's part of the licensing process that's part of the information that DEP has to consider

Barnick: But DEP is also going to take our recommendation on it as well that's what they are looking for. And they are going to more less mediate unless it has to go to other ways that's how the contract reads.

Kucharski: Alright we can certainly bring that issue up. My only concern was that whatever issues we have they should go by the contract. This is why we established a committee.

Tropiak: Rich you're the only one that gave specifics on why it is necessary for that landfill to be here. There was no information from the people that said they didn't want it and they were here to talk, to listen.

Tomasovitch: You're right. You're right.

Tropiak: They were to listen and nobody said a word. You said a word on the last meeting which was very good on why we should have it but now when the man showed up here the people that didn't want it didn't say anything.

Tanana: Oh no. Last meeting I expressed the concern of Eddy creek being re-established and the excess leachate that they have no idea where it is coming from. Write those 2 down please Robin. I did not get the email that the president sent out. I got the reply. Or that Robin sent out.

Tomasovitch: What he's saying that the gentlemen were sitting right there why didn't anybody ask any questions.

Tanana: Because we go through the committee.

Barnick: We go through the committee.

Tanana: You're on the committee, Rich is on the committee and Bob is on the committee. You don't want to be on the committee, resign from the committee.

Tomasovitch: Why don't you mind your own business. Didi I say that?

Tanana: No. But you're saying why. Because we have a process.

Tomasovitch: That is what he was saying

Both talking at once.

Magliocchi: But at the same time

All talking at once.

Tanana: Why form a committee.

Tomasovitch: He was here.

Tanana: I didn't know he was going to take questions while he was here.

Kucharski: Well I don't think he was.

Tanana: Right. That's my point. I don't think he was going to take questions. Nobody knew he was coming. Did you know he was coming?

Tomasovitch: I didn't know. I didn't know who they were.

Kucharski: Well I only found out today from Lou that they had contacted him. I wasn't even aware that an invitation - I think Jim, I believe it was you that extended the invitation

Barnick: I wouldn't mind hearing the information they have. I think it would be very

All talking at once.

Kucharski: They were invited. I would ask, Robin since nobody really knew - any time in the future if any requests of such go out make sure everybody on council is cc'd so at least everybody knows.

Tomasovitch: Everybody got the email.

Tanana: I only got the reply

Kucharski: about the responses. There was no email about an invitation to the friends of

lackawanna.

Tomasovitch: We didn't invite them.

Kucharski: Jim invited them.

Barnick: They asked us and I said well Robin let them know that the next meeting is 9/11. I'd love to hear, I'm sure the audience would love to hear

Tomasovitch: I don't want to hear it.

Barnick: Well if you're not concerned don't be on the committee.

Tomasovitch: I don't care what they have to say.

Barnick: Well you should.

Tomasovitch: They did everything that they could possibly do.

Kucharski: all their concerns are with the DEP.

Barnick: you don't pay taxes so why would you care.

Tomasovitch: Jimmy keep your comments to yourself. OK.

Kucharski: Alright. This is getting out of control here. If anybody has any concerns

Tomasovitch: And if anybody from Throop has any concerns. Let them come forward and tell us what their concerns are.

Kucharski: Right. And again we have a contract that was all I was trying to get through last meeting. Rather than go against the contract and face consequences simply do what it says. We have issues, we have concerns

Barnick: Also one other thing to write down, I do not want to see it go 165 feet higher. I don't know if it's - it's been in the newspaper that it is going 165 feet higher. Somebody else says it is not going any higher. That's one thing I would just want on paper.

Kucharski: That's from them. Again Jimmy said based on that he asked Robin to reply

Barnick: To tell them when the next meeting is

Kucharski: saying if they are interested to come to the next meeting. And if they were coming they were supposed to let Robin know and there was not a response. But apparently the Keystone officials became aware of that - I didn't even know about it until the end of the week - so that's why they were here. Just in the event they would need to respond to anything that was said.

Tropiak: Thank you.

Denise Brown, Phillips St.: Just to expand on Mr. Tropiak's, did I understand you correctly when you said you sent a letter to Council asking for concerns to be sent to you by Friday and nobody responded?

Kucharski: Yes. I sent an email. We sent an email.

Brown: Nobody responded?

Kucharski: No.

Brown: I am concerned about that. You have people that voted to send the letter. But yet we are not giving our concerns to our committee, self appointed committee. I don't know that I am really looking for an answer but I think the 3 that are on the committee are for the expansion. Shouldn't we have people on the committee that is not for the expansion?

Kucharski: I am not saying I am for or against it. I'm saying that DEP is the agency that makes that determination. We as a council as a community have to rely on them.

All talking at once.

Barnick: But DEP is also going to take in our considerations into consideration when

Magliocchi: There are certain things you are for and against. Like Jim did say 165 feet higher yea your against that. From what I'm checking into and finding out is that it is not going any higher.

Kucharski: It is not going any higher than it currently is.

Brown: Very serious concern that should be addressed.

Tanana: I hope so because I did not receive the email sent from Robin. I got the reply from Rich but I was just showing Bob my inbox. I did get the reply.

Magliocchi: He did get the reply but he was included on the email.

Tanana: I was included on it but again email sometimes, it should've been a formal thing saying hey

All talking at once.

Brown: We're going to keep beating a dead horse on that. It's going to happen. Serious concerns should be brought to the landfill

Tomasovitch: Absolutely and that's what we want to do.

Magliocchi: Wasn't there something with the DEP when there was an issue that they weren't even responding back to us. We were blaming the landfill when there was leachate, the DEP doesn't even notify us in a timely manner.

Kucharski: And we put them on notice and I guess the next time the issue happened they did respond to us in a timely basis.

Magliocchi: Right and I'm sure there is going to be times that they don't but what are you going to do? Probably nothing. It's the DEP.

Kucharski: But let me just say this with respect to the comments. Certainly the comment period it's never ending. Anybody can provide comments at anytime however this application for the permit was submitted 2 ½ years ago there have been numerous public meetings. There have been several public hearings, one of which was at Mid Valley High School. I was at the public meeting in Dunmore, I was at the public meeting at Mid Valley High School and they were the times that any concerns should've been brought forward.

Brown: Yes I agree with that.

Kucharski: But again the public period is not over and I know Attorney Cimini was talking to the DEP today and they will be lucky if there is a decision even by the end of 2018. They are just beginning their technical review. The Department of Health has not concluded the health review and there is a couple other pieces that have not even started yet. So this is nowhere near ending.

Brown: And again my point being there are issues with that landfill ----- to be addressed. And I personally would like to see somebody go on that committee who is going to voice those concerns.

Kucharski: We have 3 people on the committee. That's our job.

Brown: Has a meeting been set up yet?

Kucharski/Tomasovitch: We don't have any concerns right now.

Tomasovitch: We got no emails.

Brown: But he had concerns.

Tomasovitch: Alright now we got some concerns and we are going to meet. If you don't have a concern you can't meet.

Magliocchi: It's a lot easier that Robin wrote them down. When they are written down now we have stuff to go up and address.

Hegedus: Do these have to be public meetings? The committee?

Kucharski: No.

Hegedus: Well how are they different from when we tried to establish an emergency services committee meeting with council and there was some other agencies that wanted to have 3 members representing like we did in the past and the solicitor said there had to be public meetings and minutes taken.

Kucharski: Andy, I am drawing a blank.

Hegedus: I don't think you were on council when it happened. It's not a quorum. I will tell you it

is on the minutes that it was said by the solicitor to not form any committees for any reason unless they were going to be open public meetings and minutes taken. That's within the last 2 years.

Magliocchi: We can have Lou into it.

Kucharski: We'll have to have him look into it.

O'Malley: Remember when you wanted to form a civic center committee and a police committee?

Hegedus: And an emergency services committee.

Magliocchi: Well the thing with that was, and maybe this is the same thing we didn't want - once we started that there was a lot, you have to take minutes - basically do everything like we are doing for this meeting.

Hegedus: that's right.

Magliocchi: More less what's technically the point if you're doing it all

Hegedus: What's the purpose of this committee than? Why do you need it? You have 7 members that

Kucharski: The contract stipulates that if we have any grievances we're to bring them to the landfill and discuss them.

Hegedus: Right as elected officials. The body. And of course only 3 can go. But my point is saying maybe it's an exercise of utility. Why. The emergency services we wanted to have a committee and they said we couldn't do that. We wanted to be able to, we had a couple meetings right Mr. Williams? And then we were told to stop them because they're supposed to be everything discussed in an open public forum. That was the solicitor's opinion.

Tomasovitch: Let's find out because he's the one that said it.

Hegedus: I personally don't think you need a committee. That's my opinion. You all have an equal voice and

Kucharski: I will talk to him tomorrow.

Magliocchi: Well listen at the end of the day if your getting at other people can go up yea they can definitely go up and do the same thing.

Hegedus: As long as there's not more than 3.

Magliocchi: Technically you guys could if they let you in the door.

Hegedus: I just don't think you need to argue with each others here. That's all. I know everybody has the best interest of the borough and we tried to do it with those other committees.

Kucharski: Well everybody is entitled to their opinion.

Tomasovitch: There is stuff going on that not everyone of us know about. Supposed to be 7 people making and it's

Hegedus: That's unfortunate.

Kucharski: Anything else from the audience?

Kucharski: Frank I drove by your area a couple of times and I was happy to see the trees are going down. As they cut them I couldn't believe how dense that was. And all those trees that were inside. There were only branches on the top. They were all kind of dead.

Hegedus: Some of those trees are 90 feet.

Kucharski: Yes. Those were huge.

The meeting was adjourned.

Meeting minutes by Renee O'Malley
Borough Secretary