

Minutes
Throop Borough Council
Monday, Nov. 13th, 2017
Special 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 - A
Rich Kucharski, **President - P**
Charlene Tomasovitch - P
Vince Tanana - P
Wayne Williams - P
Bob Magliocchi, **Vice President - P**
Solicitor - Louis A. Cimini - P
Mayor - Frank Shimkus - A
Assistant Treasurer - Lenore Dolan - P
Secretary - Renee O’Malley - P
Chief Clerk/Treasurer - Robin Galli - P

Announcements:

Work Session/Meeting Schedule:

- * The Nov monthly work session/meeting will be held Monday, Nov. 27th, 2017 at 6:30 p.m.
- * The Dec mid-month work session/meeting will be held Monday, Dec. 11th, 2017 at 6:30 p.m.
- * The Dec monthly work session/meeting will be held Tuesday, Dec 26th, 2017 at 6:30 p.m.

A discussion took place regarding the days the Borough building is closed. Friday for Christmas Eve and Monday for Christmas.

Audience comments on tonight’s agenda:

Denise Brown, Phillips St.: Questioned when will we know the outcome of the Mayor’s race?

Tomasovitch: They are counting them. They started counting them today.

Kucharski: They started the official count today.

Brown: I didn’t know if it was being contested. I saw the count on the Lackawanna website. I didn’t know if that was the official one or not.

Kucharski: They are considered the open returns and now they are doing the official count.

Tomasovitch: They have to go through and make the spelling is right and stuff like that.

Brown: Thank you.

Kucharski: But is it already on the county's website? The results.

Brown: That's where I saw it. It is by each district.

Tomasovitch: That's been like that though right?

Brown: I go on very little. I was just curious when I saw that you were going to appoint somebody as Mayor because I think the last meeting discussion was whoever won the election was going to fill in until

Kucharski: Right and we only had 1 request so.

1. Motion by Musewicz

Seconded by Tanana

To submit payments to the Non-Uniform Pension Plan in the amount of \$135,261.46 and the Police Pension Plan in the amount of \$247,694.96. This represents the boroughs share for the 2017 Minimum Municipal Obligation (additional \$50,000 included in the Police Pension and Non-Uniform).

**All in favor except Tomasovitch
abstained on the Non Uniform**

Motion carried

2. Motion by Musewicz

Seconded by Tanana

To authorize payment to Duda Actuarial Consulting, Inc. In the amount of \$6,050.00 for the 2018 retainer for the Borough of Throop Police and Non-Uniform Pension Plans. (Payments will be paid from the assets of the funds \$3,025.00 from each fund, Police and Non-Uniform).

All in favor

Motion carried

3. Motion by

Seconded by

To advertise for a Borough Fire Chief.

Petroliaj: Why?

Magliocchi: I put it on.

Petroliaj: Why. Andy's doing a good job.

Magliocchi: I didn't say Andy's not.

Petroliaj: Then why are we going to stir pot with _____?

Magliocchi: I put it on because the term is up so you have to redo the term. So he would have to be reappointed or whoever it is, if we continue with Andy which that's fine but you still have to do it. It's like when I'm up for council I have to run again.

Petroliaj: Ok. Fair enough.

Kucharski: Although we've never done it before.

Williams: There was no motion. Nobody made the motion or second it so.

Kucharski: With respect to 3, 4 and 5 are advertising 3 for fire chief, 4 for assistant, and 5 is for the emergency coordinator I mean I think you can't just put a motion on like that without specifications. In other words so you have to be can you be from tim buck to and apply or do you have to be Throop resident?

Magliocchi and Tomasovitch: There is an ordinance that we have.

Kucharski: Well then it's, I mean then do you have to be certified or I'm sure you have to have some sort of certification that is not only a fire fighter.

Magliocchi: We also have to amend the ordinances on this because in fairness you have Andy that is here every meeting and I don't know the last time I saw the assistant chief here so how's that fair.

Kucharski: It's not.

Magliocchi: Right so that's what I am getting at.

Williams: Do we need an assistant chief? I mean, I know, I'm asking you Andy.

Tanana: It's in the ordinance.

Williams: I know it's in the ordinance and the ordinance needs to be revisited like you said to put a little more

Hegedus: I think the ordinance needs to be revisited and I think in all honesty the ordinance does not read that it is a 2 year term. I looked at the ordinance today. My predecessor was reappointed, I was reappointed. In the last year alone there have been 11 people appointed to positions within the borough whether it be zoning, planning, hired to do maintenance work and what not and none of those positions have been advertised. I am in favor for advertising for it. You can do what ever you want but I just want to make sure that it's being done for the right reasons. That's all. That's all. Because just like you hear things on the street I hear things on the street. And the problem is

Magliocchi: I don't know if you are talking to me about that

Hegedus: I am talking to everybody. The people that are involved should be at the meeting. I called Jerry Barone 3 times today. First to wish him a happy birthday and second of all to be here. Because I know what has been going on and I am the only one that comes here and gets beat up when the time is to be beat up or answer the questions or do what has been asked of me to do. And if council thinks it is time to make a change I am all for it as long as we continue to move in the right direction. I said when I took the position 4 years ago that it wasn't going to be a lifetime appointment. I wanted to do certain things. I have 2 things left on my agenda. Right now we have a better ISO rating than Dunmore who has a paid fire department and that's because I did the work myself and I am going to pat myself on the back for that because for 17 years nobody did it and the other thing is

Kucharski: And that impacts everybody in the town.

Hegedus: Everybody in this town that pays fire insurance on a home that they own, benefits from that 5 9 to 3 9 rating. My goal is to get it to 1 9 which is less than 1% of the municipalities in the

United States of America. And let me tell you I am this close to doing that. And the other thing is, I promised I would get consolidation done and we are going to get consolidation done if I am still in there. I can't promise what's going to happen with the next chief that you appoint. I don't have the crystal ball but I know that I have worked with council, I will do whatever council wants but past precedence has been that it was just a reappointment. It's a formality because the ordinance was written wrong when it was written. And we addressed that. So a couple of guys yakking in somebody's ears that hegedus isn't liked by his people in his company, I'll have 50 members here next meeting if you think people don't like me in my company and support me.

Kucharski: I have been in your shoes with respect to being in a position in authority

Hegedus: This is the worst position you could have Rich.

Kucharski: I have been in that position and as long as you're doing what everybody likes your fine, do 1 thing that 1 person doesn't like and all of a sudden you are the worst guy in the world. I agree with Len. Andy, in my opinion I think you are doing an excellent job. You are probably one of the most dedicated people that I know with respect to - you get paid a very minimal sum for the number of hours that you put in. That's just my opinion. I think you are doing an excellent job. From my perspective I'd like to see you continue but I am just 1 person.

Hegedus: I didn't do it for the money. I would just like to finish with the EMA piece. I said I would do the EMA. I was appointed there was no interview process. I said I would do it until we found someone. We may have someone. So we need to sit down and write that. I would prefer to not be involved with the EMA. There are a lot of municipalities that it goes hand in hand. I can tell you the 3 busiest companies in Lackawanna County, Chinchilla, Old Forge and Taylor the EMA and chief are one in one. I would prefer not doing it. It's just too much. I have to go tomorrow night to a county meeting about the EMA.

Kucharski: Well we don't have any other applicants coming forward that meet the requirements.

Hegedus: I think what needs to be done is that we need to write the requirements for the EMA based on what the state requires. And do it the right way.

Kucharski: First of all, we have to review these ordinances.

Magliocchi: I still have an issue like I said where he is here every meeting and I do give you credit for that and there are other ones that aren't.

Tomasovitch: The other ones aren't even getting out. Don't even start that.

Williams: That's what I'm asking. Do we even need an assistant?

Hegedus: Listen, no matter what I say, here's where in the last 2 weeks everything got blown out of proportion. Somehow the preliminary budget that I submitted showed the cut of the funding to the 2 companies. And I told all 6 council members, Wayne was tied up, that all they were - were place holders and we had very good discussion about what I was asked to do in January and that was compile the numbers and the numbers don't lie. But people, not Council, have taken offense to that. Let's say who they are. Jerry Barone is furious proved he got out on 4 calls in 7 months.

Magliocchi: Your theory is right on the budget but the issue that I have All talking at once.

Hegedus: I never said to cut their funding. You can check tapes. I don't care if you give everybody \$50,000.00 or you give them 50 and you give somebody else 30. That's your decision to do that. I was asked to do something. I did it. And in usual fashion I'm the bad guy. So yea you have people saying - you know I've ran for 4 years without an assistant. We had one of the worst gas leaks in the towns history right here

Magliocchi: When you say assistant, you mean Borough assistant?

Hegedus: Yes. We had one of the worst gas leaks in the towns history back in April or May and that assistant was on duty and would not take command.

Tomasovitch: And we had the worst water main break and he called off the fire company.

Hegedus: And fortunately, my captain at the time communicated with me, I was in constant communication with him. I got here I assumed command and everything worked fine. The same with the water leak Mrs. Tomasovitch that day. I said he had no right to do that. He was up at Sheetz and cancelled the fire service. I called him and said what are you doing? He said I am talking to the guy from the water company. It is going to be shut off. And they didn't shut it off. So listen, Jerry is a very talented individual, I like him, I enjoy working with him, I don't have any issues, but for 4 years I have done this on my own. And I am not saying that we don't need an assistant chief but here's the problem now, where are you going to pull from? Who are going to be the candidates? The engine, unfortunately, there is 5 people down there.

Magliocchi: I mean putting a candidate in that - you work alone doesn't really make a candidate?

Hegedus: Right.

Williams: Or we can just get rid of it.

Magliocchi: Like I said that's where I want to amend ordinances - you know its more or less required. I know you are here every meeting but once a month. That's their job title.

Hegedus: Bob I've asked him to come. You know what he told me? Stop going to so many council meetings. I don't come just to the council meeting, I am a citizen too. I have been coming to council meetings since 1980 when Rich's father sat there. We used to get \$500.00 a year and Mr. Kucharski, God Bless him, would say that's all I can give you guys. It's not like the money we have today. So everything has changed but the goal that has to come out of the last 4 years of work is that we consolidate this fire department. And you are going to eliminate the chief's problems. The issue is going to be what Mr. Tanana said. They are not going to consolidate.

Magliocchi: That's fine but

THE TAPE ENDED.

Magliocchi: The environment everything else like that and

Hegedus: We had 15 people last Sunday night when the car came through the island at the rescue and hit Chucks truck in his yard there on Sanderson St. 15 people. It's not enough in the 2 vehicles. And fortunately everything was controlled but listen I've said all along, it's a big cycle. We have turn over. We've taken new members but that doesn't mean that, we've had some people get career jobs so they are not here every day but they are here on the weekends. And it goes in a big cycle. Who's to say in 2 or 3 years that No. 1 doesn't get an influx of members from somewhere and they have 10 people on a call. It's possible. It's happened. Vince we were members at #1, I started in 1979.

Magliocchi: In 1 house you'd never have that problem.

Hegedus: Well you'll get vehicles out.

Williams: You'll get the right vehicles out.

Hegedus: I think at least we know what is going on with the engine. Mr. Williams has had a lot of discussions with me. I'm comfortable where he is at, he's comfortable where I am at and I think what we just have to do is have that agenda and move forward. I agree with what Mrs.

Tomasovitch said, you have to get them in the room so that they know that you guys and gals are

playing for real. That's all that I wanted to say. Thank you. And thanks for the kind words Rich.

Magliocchi: you said before about EMA - do you want - obviously you are not going to do

Hegedus: I would prefer to not be the EMA coordinator. I did it as a favor when council asked because someone resigned. That someone is gone bizerk, in saying that I kicked him out of the office. I would glad to help council put the pieces together to advertise for an EMA coordinator. I spoke to someone today that would be interested in the position and we could have him ready for the next meeting.

Kucharski asked if he meets the qualifications.

Hegedus: Absolutely.

Discussion took place regarding what to do with the 3 motions.

Motion failed for lack of a motion.

4. Motion by Seconded by

To advertise for an Assistant Borough Fire Chief

Magliocchi: That one now - we are saying we have issues.
Redoing the ordinance.

Motion failed for lack of a motion.

5. Motion by Seconded by

To advertise for an Emergency Management Coordinator.

Motion failed for lack of a motion.

Hegedus: I will have it to Robin in 2 days.

Tomasovitch: We have to do the ordinance first.

Hegedus: We'll do it next meeting.

Tomasovitch: We have to advertise it.

Magliocchi: What if we advertise now and do the ordinance by the next meeting before.

Hegedus: Like Rich said, You may get people from out of town. You want someone from Throop.

Magliocchi: Let's just do it and we'll have to go to the following meeting. Which isn't a big deal.

Hegedus: No we're getting by. It's no big deal. You'll be satisfied with the person.

Kucharski: So do these ordinances need to be reviewed?

Hegedus: Yes.

Tomasovitch: Heard from Lori Cortazar, they won't know until their meeting next Sunday if they will have a cow flop or not.

Hegedus: I told you, I don't mean to be a _____ here. I just don't want to lose that date for the community. We will figure something out to do as a community that weekend. It has been our weekend for 35 years and as soon as we don't do something somebody is going to grab it. That's a Throop weekend.

Tomasovitch: She just said next Sunday they have a meeting and she'll know after that and let me know.

Hegedus: And if it is not on the calendar than it's not on the calendar.

6. Motion by Musewicz

Seconded by Tanana

To authorize payment in the amount of \$200.00 to Duda Actuarial Consulting for the 2017 State Aid Allocation to the pension plans (payments will be paid from the assets of the funds, \$100.00 from each, Non-Uniform and Police Pension Plan).

**All in favor except Tomasovitch
abstained on Non Uniform**

Motion carried

7. Motion by Musewicz

Seconded by Tomasovitch

To accept the resignation letter of Mayor Frank Shimkus dated Oct. 30, 2017 effective Nov. 10, 2017.

All in favor

Motion carried

8. Motion by Musewicz

Seconded by Tomasovitch

To appoint Joe Tropiak as Mayor to fill the remainder of the Mayors term expiring Jan. 1, 2018.

All in favor

Motion carried

Kucharski congratulated Joe.

Audience Applauded.

Kucharski asked that arrangements be made with Steve Vidal to have Joe sworn in.

Galli will call Tropiak tomorrow.

Joe Tropiak: Talked about his appointment and about his history with the government. Comes to meetings regularly and feels has a good sense of governing and be able to so this job. The duties of the mayor is under title 8, I believe it is, of the Pennsylvania Code. I feel like I can do those representing Throop whenever it should be plus I like to look out for the citizens _____ especially seniors. There is doubt about it I am a senior so we will go from there with that. With that, that will ensure the community well being I believe I can be an asset and help council work it out. Willing and able to work with everybody and I believe I am a viable candidate for the position.

Audience applauded.

Tropiak thanked everyone. Appreciate it.

9. Motion by Tanana Seconded by Tomasovitch

To purchase a Billy Goat Leaf Vacuum at a cost of approximately \$1600.00.

All in favor Motion carried

10. Motion by Tanana Seconded by Williams

To authorize payment in the amount of \$274,954.90 to New Enterprise for the Street Paving Project.

All in favor Motion carried

11. Motion by Williams Seconded by Tanana

To accept the proposal received from ADT for a new video recorder for the Civic Center.

All in favor Motion carried

12. Motion by Tomasovitch

Seconded by Williams

To have the background checks and interviews for the police applicants completed by the 11/27/17 meeting.

All in favor

Motion carried

13. Motion by Tanana

Seconded by Musewicz

To reappoint Andy Hegedus as Borough Fire Chief.

Audience Comments:

Len Petroliaj, Sanderson St.: I didn't come here to talk about that I just happened to see it and was blown away by it. I came here to talk about something else but it was answered already.

Inaudible. The only thing I have to say is when you are talking about intertwining everybody, you guys should just make the decision and get it over with already. Do it already.

Magliocchi: We have talked about it but never, which we have to make a motion to meet with them, we talk about it but we never acted so we don't just want to be inconsiderate and just say this is the way it is going to be we want to approach it in a professional way and then

Both talking at once.

Magliocchi: I am not going to argue that.

All talking at once.

Hegedus: Mr. Kucharski the one thing that I want to say to Mr. Petroliaj's point is we are the closest we have ever been to making this happen. The closest.

Magliocchi: I believe it is going to happen.

Hegedus: Yes. It is absolutely going to happen and it is because you people have decided to make it happen. I have the original thing from 24 years ago. It was a big deal. But this is the closest we've been to having it happen and it's going to take a lot of nerve when the time comes for you all to make that decision because it is going to be a difficult decision but you have to do what's best for the Borough. The fire service and the residents and businesses.

Dolan: That's right.

Magliocchi: It's a no brainer.

Tomasovitch: We need to get our apparatus's out.

Kucharski: Yea what good is it having beautiful fire trucks sit in the garage.

Tomasovitch: Sit in the garage or go to a parade.

Tanana: It's not going to hurt the fire services it's going to save it.

Kucharski: Yes.

Hegedus: Yes. Very well put.

All in favor

Motion carried

Kucharski: Congratulations Chief.

Hegedus: Thank you very much. I appreciate it.

Audience applauded.

Magliocchi spoke of Christmas lights to decorate the outside. They said they wanted to do it by motion.

Tomasovitch: We didn't do it by motion to get new ones here did we?

Kucharski: Well there was some discussion today I stopped in and uh Jim Barnick was here and was very much against it.

Magliocchi: Some people spend \$4000.00 in Christmas lights. We're just hanging icicles!

Kucharski: Lights for the civic center will probably cost in the area of about \$3000.00.

Magliocchi: No way. I have more lights on my house than these 2 building combined and I didn't spend near that.

Tomasovitch: Mine has more lights.

Kucharski: The LED lights are supposed to be more.

Galli: The LED lights are expensive.

Tomasovitch: Please. In January I am getting decorations for out here.

Magliocchi: I would approve what they need to do the buildings. I personally think the police station should be done and the tress out front. I mean it's all we have.

Tomasovitch: Let's put a motion on to buy lights for whatever we need out there.

Magliocchi: Just for these 3 buildings. The police station, civic center, and the trees. Dickson City is buying \$150,000.00 pole lights. And we're crying over icicles.

Tomasovitch: It's the main part of town.

Galli: Are we putting a dollar amount?

Magliocchi: No. What are we doing? If we need another box are you going to come for another motion?

Kucharski asked for audience comments on the motion.

Denise Brown: I'm a little concerned with you saying lets not put a dollar amount on it because other things we need dollar amounts on so.

Magliocchi: They are Christmas lights so let's put it this way if you would know how may sets of Christmas lights would go around that building? No we don't so I look at it this way we're not going to stop half way. Unless you want to put a dollar amount and we stop half way.

All talking at once.

Magliocchi: So if we only do half a building that's ok?

Brown: Well if the budget says you have \$5000.00 you say what can I do with \$5000.00. Don't just go do it and we'll deal with the dollar amount later.

Dolan: Here we go again. Our budget here is just an anticipated figure. That's all it is. We are not on an accrued basis. They can go over it.

Brown: Ok. So where do you cap it?

Dolan: They decide.

Both talking at once.

Magliocchi: Ok \$2000.00. And they'll have money left over. \$2000.00.

Tomasovitch: Wait we are doing this building, that building and the trees.

Kucharski: and the police station.

Magliocchi: We have them up on this building already. It's just around the top so we would like to do the trees. The civic center there with the kids, we really don't have anything decorated nice in the town.

Brown: I have no objections if you decorate I just ____ that you were just going to say just do it.

14. Motion by Tomasovitch

Seconded by Williams

To purchase Christmas lights for the Borough Building, Civic Center and Police Department with a \$3,000.00 limit.

All in favor

Motion carried

Audience Comments:

Andy Hegedus: The property looks phenomenal.

Magliocchi: It looks enormous.

Hegedus: It's fantastic. A step in the right direction. Congratulations on a job you did well.

Kucharski: Certainly becomes an emotional thing.

Hegedus: Listen we were all over there crying at one point in time but you know what you got a couple of bricks and but it is - that's the future right there.

Magliocchi: I know we have to decide on like what we are doing with that property but a suggestion, is that a possibility of a fire station there?

Hegedus: Your ingress and egress on Sanderson Street is a disaster.

Magliocchi: Just curious. Obviously I know this can go but we need to start actually thinking about getting an architect to actually

Kucharski: A landscape architect.

Len Petroliaj: How come we are doing grass this close to winter? Why aren't we rocking some of that. People will be using it.

Kucharski: Well that's what we were saying. We have to put something up there to prevent them from parking.

Magliocchi: The other issue is even if we put gravel there I don't know what *Inaudible*.

Petroliaj: If someone parks there it will make a mess.

Kucharski: Robert said that they are going to explore some type of temporary fencing there.

Petroliaj: I don't think we need another park. And I'm a Veteran and I don't want another memorial either. We have one here and one down there.

Tomasovitch: No. We are not getting a memorial and we are not getting a park.

Kucharski: For now it will just be some nice green space with grass.

Magliocchi: Like I said a long time ago, I'd love to see a new Borough Building over there.

The meeting was adjourned.

Meeting minutes by Renee O'Malley
Borough Secretary