

**Minutes  
Throop Borough Council  
Monday, February 12<sup>th</sup>, 2018  
Monthly 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:**

Mike Chorba - P

Jim Barnick - P

Rich Kucharski - **President - P**

Charlene Tomasovitch - P

Wayne Williams - P

Vince Tanana - P

Bob Magliocchi - **Vice President - P**

**Solicitor** - Louis A. Cimini - P

**Mayor** - Joe Tropiak - P

Assistant Treasurer - Lenore Dolan - P

Secretary - Renee O'Malley - P

Chief Clerk/Treasurer - Robin Galli - P

**Announcements:**

\* Meadow Brook Energy Public Presentation on February 15, 2018 at 6:30 pm at the Throop Civic Center regarding the potential upcoming project.

**Work Session/Meeting Schedule:**

\* The February monthly work session/meeting will be held Monday, February 26<sup>th</sup>, 2018 at 6:30 p.m.

\* The March mid month work session/meeting will be held Monday, Mar. 12<sup>th</sup>, 2018 at 6:30 p.m.

\* The March monthly work session/meeting will be held Monday, Mar. 26<sup>th</sup>, 2018 at 6:30 p.m.

**Audience comments on tonight's agenda:**

Jim Barnick, George St.: #3. Why are we donating to Dickson City American Legion?

Kucharski: I guess we have donated in the past. There is a lot of kids from Throop that play on that baseball team. It's for the baseball team.

Barnick: Oh it's for the baseball team? Ok. Not specifically for the Legion.

Kucharski: Yes. Not for the Legion.

Barnick: Ok because the Borough Code states you can only donate so much to Veteran's organizations. A maximum. The way it reads here it looks like your

Magliocchi: It should say baseball.

Tanana: The American Legion Baseball team.

Kucharski: Yes to the Legion Baseball team.

Barnick: And then #6. What is that all about?

Magliocchi: #6 is to change the motion for the planning board where Council makes the final decisions. Where it's been talked about a lot in the past and 70% of the boroughs today have it the way we are going to make it. We are one of the 30% that have it this way.

Barnick: Did anybody review this? To check and see?

Magliocchi: Yes.

Barnick: No. Did you check and see what you have first? Do you have an Agency or do you have a Commission? You have an agency. The Commission was thrown out of here back when Billy Fuhr and them were here, with the landfill stuff. And they changed it to an agency way back then and it never changed as far as I've ever known. So an agency is only a recommended more or less committee. It's not a commission. A commission is an authority. They have the right to do whatever they want.

Cimini: Well the current subdivision & land development ordinance states that they have the final say on approving or rejecting land development.

Barnick: Major land development was usually done with the Council.

Cimini: No that's not

Both talking at once.

Cimini: That's not what the ordinance reads.

Barnick: I think you better go back to the agency ordinance when it was adopted. Because there is 2 different things. I'm just trying to say I remember back because Tiffany was approved by Council, Scranton Craftsmen was approved by Council.

Magliocchi: So yea but what you're saying is that it is already the way we want to make it. Right?

Barnick: I'm not sure like I said it was an agency and a commission.

Kucharski: So again, we want them to be advisory but it certainly appreciate the work that

Barnick: That's what they were

Kucharski: Right.

Barnick: As an agency

Kucharski: Right.

Barnick: And then council made a final say on a division. Here you are amending something

Magliocchi: But then if it was that way then it hasn't been followed.

Tomasovitch: No because Tommy always said that they have the last say.

Magliocchi: But what you're saying is

Talking at once.

Tomasovitch: Tommy's the one that said that they have the last say.

Magliocchi: But the whole time we've been here it's been

Tomasovitch: I think Tommy might have changed it

All talking at once.

Kucharski: I think what we need to do

All talking at once.

Dolan: Council always has the last word.

Magliocchi: Well let's just put it this way there is a development already being done now and we didn't have the final say in *inaudible* so I'm under the impression that it's

Barnick: They are a recommending agency is what it was.

Talking at once.

Cimini: The ordinance, #8 of 1990 is the Throop subdivision and Land Development Ordinance prepared under the guidance of the Throop Borough Planning Commission. Section 8.02 says that the Throop Borough Planning Commission shall be charged with the responsibility and enforcement of the ordinance and specifically with the authority to approve or reject any and all subdivision and land development plans and to enforce provisions of the ordinance on behalf of the Borough Council.

Magliocchi: So at some point it had to be changed.

Barnick: Check, you would have to go back.

Lokuta: Fuhr and those guys were here in the 90's.

Barnick: In the 90's right.

Lokuta: So maybe that was changed

Barnick: That might have been changed Lou and this is what I am trying to say. The whole thing might have been changed because they wanted to get rid of Dorothy Toth and all of them.

Hegedus: In 95 I was on the planning agency.

Talking at once.

Hegedus: We tried in 95 Tony Rinaldi came with the plans to put the 105 houses in here and we did not have the final say. We were, we ended up turning it down over 5 lots. Was what killed that but we were called, we were the Planning Agency in 1995. It wasn't a commission.

Barnick: So there might be a separate ordinance on the book that established the agency is what I'm saying.

Hegedus and Dolan talking at the same time.

Magliocchi: *Inaudible*, the motion that's being put in place says the borough council shall be charged with the authority regardless then that will be the way it is from this point forward regardless right? Then we know it's

Barnick: But you're taking enforcement action too?

Magliocchi: It says right here

Barnick: *Inaudible*, for review and comment notify the Borough. So your taking away their enforcement action too then.

Cimini: just the authority to approve or reject subdivision and land development plans.

Barnick: So then you are advertising the ordinance as a major amendment then?

Cimini: Well you have, that's why there is a public hearing. The way this ordinance reads

Barnick: Ok now I'm seeing it. Ok. I thought you meant that they were going to have a public hearing with the approval of a development or something like that is what I was

Cimini: No we have to have a public hearing to enforce an amendment to the ordinance.

Barnick: Right. Ok. But in the meantime that is something really to look into because the agency was developed by an ordinance itself

Magliocchi: Well I mean putting this in place that will resolve it but in the meantime what you're

saying is that it could be already done so

Cimini: Do you think there is another subdivision and land development ordinance

Barnick: Not subdivision and land development ordinance it was an amendment to that. It was changed from a commission to an agency. There was a big to do in 1994 with a zoning code, the gas plant and all that stuff back then. (You can ask Robbie Kalinoski)

Kucharski: Well do you want to table this for tonight? I mean

Magliocchi: Well either way this is putting it through so either or the way it is if we do this motion, if it wasn't in place now it will be, if it already is in place then we don't need to have the public hearing technically. Correct?

Barnick: Why don't we check it out first so we don't look like fools.

Cimini: I think what Jim is saying is that if this is amending the Throop Borough Planning Commission and there is a subsequent amendment that there really isn't a planning commission

Barnick: Right. And you already have that authority is what I'm saying.

All talking at once.

Kucharski: Well we haven't practiced it.

Cimini: We haven't practiced it

Barnick: I'm just telling you that I don't ever remember anybody ever changing it from the agency to commission back.

Kucharski: Alright Lou would you recommend that we table this for tonight?

Cimini: I will look at it.

Chorba: It is listed on the website as an Agency. Throop Borough's website says it is an agency.

Cimini: Alright but we need to find the subsequent amendment changing it from a commission to an agency

Barnick: And that was back with Billy Fuhr and them

Lokuta: I remember exactly what Mr. Barnick is talking about no. I remember all of that. It was done. A lot of spur of the moment changes were made back then to make things happen.

Kucharski: So that is your recommendation to table it?

Cimini: I mean it is fine with me. We'll see what that amendment says. You may not even need anything. You may already have the authority.

Kucharski: Alright is everybody ok with that then just to - for 1 meeting it is not going to hurt.

Barnick: And then I just got one more thing, now last meeting you brought up, I wasn't here, about a repealed \$1000.00/lot well basically for developments. And you put it on the developer now I just heard you read it off in there and stuff like that. You realize you lost \$60,000.00 towards a park up there?

J Barnick: 84.

Barnick: or 84. This borough lost 84,000 because most of these people coming in buying these lots are people running, running away from Scranton to get away from the tax. They are running to get away from that tax and they'd pay anything and not only that the developer would've had to them that they'd have to pay this \$1000.00 so it would be a negotiation factor for them. But \$84,000.00 for a park he promised he was going to put up there originally. And gave you a piece of land instead now. But that would've paid for most of it. It's really upsetting, I put that in place just to protect them. All them kids up there in schoolside because all them people were complaining that they didn't have a park up there.

Magliocchi: It's a 3 quarter million dollar park to put up there. \$400,000.00 in site work.

Barnick: Don't matter what it is, it is \$84,000.00 that was inaudible.

Magliocchi: It is 60,000 or 59,000

Barnick: 24-26 units in the other part. In the townhouses.

Magliocchi: That's already phase I that wasn't enforced in phase I. So that wouldn't even

Barnick: What do you mean Phase I? It's any developer, any developer. You killed it.

Magliocchi: The problem I have with it, in my own opinion, is we want people to come into the town and charging people this amount of money you have to realize you also put, now here's a question for you, you also put that ordinance in place then you put a \$2000.00 sewer connection fee ordinance in place correct? So you guys put that in place but yet

Barnick: It pays for the line going down

Magliocchi: Right but you were actually here this meeting and you argued for that guy to be a curb hook up \$5,000.00 the borough paid to hook up this guy curb hook up but yet we are charging somebody \$2000.00 how is that even fair?

Barnick: Because that line had to be put in specifically for Schoolside.

Magliocchi: Well that line was put in specifically for that guy and we paid 5 grand.

Barnick: No that line was specifically for him

Magliocchi: We gave him a curb hook up right.

Barnick: Edgar St had sewers. If you go back in the Borough Code everybody was supposed to be tapped into the sewer. By the old ordinance in 1968 if you read back everybody had to pay that then so they already paid way back in the 60's.

Magliocchi: When my house was built I didn't have a curb hook up and I was told I'm on my own *inaudible*

Barnick: If you were more than 150 feet from a main sewer you did not hook up you ran your own

Talking at once.

Magliocchi: I don't know how you can justify making somebody pay 2 grand but yet the Borough is funding out \$5000.00 of tax payers money to, for a hook up.

Barnick: For something that should've been done 50 years ago.

Magliocchi: It doesn't matter though you still did it. So now wait just look at you have the

Barnick: No. You're wrong.

Both talking at once.

Barnick: *Inaudible*, then people also paid *inaudible* and everything else when all them sewers were put in up there.

Magliocchi: Ok so let's just look at it this way, so you have \$2000.00 for a sewer hook up and then you have a \$1000.00 recreational fee. Just to move into this town you have to pay \$3000.00 just to the borough and you get nothing out of it.

Barnick: What do you mean get nothing out of it.

Talking at once.

Magliocchi: So that means if I pay 3 grand to move into this town now, I pay more taxes than you did in your lifetime in Throop.

Barnick: Maybe. Hopefully.

Talking at once.

Magliocchi: I thought we were here for the people.

Barnick: *Inaudible* Scranton. They should be happy. You are here for the people. Do you realize a development costs this Borough money. You don't make money on this. You don't make money here. On developments.

Magliocchi: We don't make liquid fuels charges, more tonnage for the landfill

Barnick: No if you add, let me finish, if you add everything up, your fire service, your police service, your garbage service, your paving, your plowing, all that stuff you add all that up and then see what this borough pulls in. The whole borough in property taxes. What is it \$140,000.00 for the whole year? Is it up to 140,000 for the whole year?

Cimini: I think it is 130 something.

Barnick: That's what I'm saying. That's what you collect for the whole year in the whole Borough. That's all you collect.

Kucharski: Look this was well debated at the last meeting, I was against it but whatever, it passed and it passed.

Barnick: I'm just saying it was just a lot a big loss of money for kids that should have a park.

Magliocchi: Ok if you are looking at it that way, let's say we got the 80 grand are you still ok spending \$700,000.00 of the boroughs money

Barnick: Why would you have to?

Magliocchi: It was \$750,000.00.

Barnick: Because some Engineer said ok spend this much. That's it. That's asinine.

Kucharski: 550.

Magliocchi: 550?

Barnick: An engineer says ok spend this much, this is what we want up there. You can't put in pieces and make it work? Or you have to go right out and spend all the money in the Borough. I mean you are already talking about going into the sunny day fund come on. You need a super majority I hope you know that.

Tomasovitch: We don't need another park in Throop. I don't think we need another park.

Kucharski: Alright. Any other comments on the agenda?

**1. Motion by Williams**

**Seconded by Tanana**

To authorize Council President to execute the DEP Grant Agreement-Environmental Stewardship and Watershed Protection Grant Program.

**All in favor**

**Motion carried**

**2. Motion by Tanana** **Seconded by Tomasovitch**

To donate \$100.00 to Mid Valley Elementary Center Drama Club.

**All in favor** **Motion carried**

**3. Motion by Tanana** **Seconded by Williams**

To donate \$100.00 to the Dickson City American Legion Post 665 Baseball Team for the 2018 season.

**All in favor** **Motion carried**

**4. Motion by Tanana** **Seconded by Williams**

To authorize Council President to execute the Memorandum of Understanding between Teamsters Local Union # 229 and Throop Borough.

**All in favor** **Motion carried**

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

To advertise for a full time Assistant Director at the Civic Center, rate of pay \$14.00 an hour with benefits after 90 day probation.

On the question:

Barnick: We already have an assistant director.

Magliocchi: temporary.

Barnick: So now you just want to give him benefits?

Magliocchi: No this is to advertise for an assistant director.

Barnick: But he's going to be here for awhile. Correct?

Magliocchi: He's probably as soon as summer starts he's going to be gone shortly so if she doesn't find somebody now she is going to be right where she started and have nobody. So the whole purpose to have him originally was to have him as a temporary until she found a strong AD where so could have him working on hand and determine if he is bad and if he's not working

she could get rid of him or her and then she still has one in place until she finds a strong one.

Barnick: But why add the benefits all of a sudden?

Magliocchi: This is for the new assistant not the previous assistant.

Barnick: I understand that.

Magliocchi: The benefits because it is the only full time position in the Borough that doesn't have benefits. It was previously offered before and the pay rate difference between is a dollar before and now *inaudible* working on second shift picking up a lot more responsibility and to be honest away with you I think that is getting away cheap.

All talking at once.

Dolan asked if it is for second shift.

*Inaudible.*

Magliocchi: That was her wishes to find somebody strong. So I figure now she has time to do it but she is running out of time.

**6 in favor, Barnick against**

**Motion carried**

**Motion #6 is on hold.**

**6. Motion by**

**Seconded by**

To begin the process to amend the Throop Subdivision Land Development Ordinance, Ordinance #8 of 1990, by submitting a letter to the Throop Planning Commission, for review and comment, notifying them that Throop Borough Council will amend section 8.2 (Administration and Enforcement), so that Throop Borough Council shall be charged with the authority to approve or reject any and all subdivision and land development plans. All other provisions will remain the same. A Public Hearing will be scheduled in accordance with section 8.07 of the Subdivision Land Development Ordinance.

**7. Motion by Magliocchi**

**Seconded by Williams**

To accept the proposal received from Mesko Glass to install a office door in the front office at a cost of \$2,230.00.

On the question:

Barnick: I thought this was going in the hallway.

Magliocchi: It is.

Barnick: This says front office.

Magliocchi: It's going to be I guess I don't know how it was labeled but that's it would be if you



want to call it the second office.

Barnick: *Inaudible*, a lot more area in the front office rather than in the hallway. So wouldn't be cheaper to put the door in the hallway?

Magliocchi: No. The door costs the same either way. That's not anything inaudible. DPW is going to build the wall so it's either cut a hole in the wall or build a wall either way the door doesn't cost any different with installation with Mesko.

Barnick: Ok. But is this in the front office or is this in the hall?

Magliocchi: this is, you have Robin's then you walk through the glass door and then it will be on the left because they are going to divide that office in half. You know that partition wall that goes in there now, so run that wall right through and now you created 2 offices. So it's just another doorway to *inaudible*. You know what I mean?

Barnick: So right in the middle right past the desk. The 2 desks in the front straight back to the wall with *inaudible*.

Magliocchi: As soon as you walk in, you're standing there, there's that desk there, there's a wall that comes out about 5 feet or something like that. Just run that continuous right through to the other end down by Robin's desk.

Chorba: Do we have anymore quotes on this? That just seems high. We have to cut the hole right?

Magliocchi: We have to cut the hole - unless you know someone else we can't find anybody that also installs these doors. Everybody uses Mesko.

Barnick: You don't necessarily need glass.

Magliocchi: Well I mean if you want it to match. That would be the only difference I mean that's your guys call. I called around even helping and I couldn't find anybody. All the door companies that I deal with say to use Mesko because they don't deal with that stuff. And that's who installed them all previously before.

Chorba: That just seems high for a glass door.

Magliocchi: Well that's with the frame and everything, installed. Honestly I don't think it is personally. But. Because you're full view glass so you're temperament. I don't any other company that does full glass doors like these. Everybody defers you to Mesko Glass.

Barnick: And they're expensive.

Magliocchi: That's probably why because there is noone else.

**5 in favor, Chorba & Barnick against      Motion carried**  
(Chorba would like to see another quote)

**8.      Motion by Williams      Seconded by Magliocchi**

To authorize the DPW to build a partition wall with window in the front office at an approximate cost of \$600.00.

**6 in favor, Barnick against      Motion carried**

**9. Motion by Magliocchi**

**Seconded by Williams**

To authorize We Pay to include "Void after 30 Days" on payroll checks.

Tomasovitch questioned if on payroll checks or all checks.

Galli: Payroll. 120 are on the other ones.

On the question:

Barnick: Yes. What is this about?

Kucharski: Essentially what it is, there is one employee that doesn't cash the checks and I don't know Robin you can tell the story.

Galli: It causes problems. It was a check that was dated 2017 and we're redoing it in 2018.

Dolan: The beginning of 17.

Galli: We Pay charges us for it.

Dolan: Basically they are holding checks for 11 months.

Magliocchi: They are basically banking them and saving them. It is messing up the accounts.

Then we have to reissue and we have to pay the payroll company to reissue the checks - just because - I don't know if they don't need the cash or if they are just banking them and using it as a little savings instead of cashing them and then

Dolan: Every time they reissue a check, they charge you.

Barnick asked how much it is.

Dolan: Alot.

Barnick: Is it more than \$25.00?

Dolan: No a little bit more, yea it's more than 25.

**All in favor**

**Motion carried**

**10. Motion by Williams**

**Seconded by Tanana**

To charge a \$25 fee for any payroll check reissued.

On the question:

Barnick: We get charged more of a fee for this to happen so why won't they match?

Dolan: We get charged by We Pay but we do not get charged by the bank.

Magliocchi: Do you know how much We Pay is? Is it more than this?

Dolan: We Pay - when they reissue a new check they get us a different bill. They charge us for that. Now the bank, because we are in good standing, if we were anyone other than the Borough than we would get charged. The people have to know this stuff. I mean because there are a lot of checks in there that I'm doing bank recs for that are 10-11 months old. Like don't they want their money?

Magliocchi: Is it more than \$25.00 though?

Dolan: It's nothing. The bank doesn't charge us anything. We Pay, I don't know.  
Galli: Added that she doesn't think it's more than 25.  
Magliocchi: I would actually do - everybody this week in the paycheck or next week I would issue a letter that this took place.  
Galli: Everybody who isn't direct deposit we are going to put in.  
Kucharski: That we encourage them to do direct deposit.  
Galli: Right and we'll give them a slip.  
Conversation about making it mandatory.  
Magliocchi: Federal you can but the state you can't.  
Cimini: In Pennsylvania you need the employee's authorization.  
Kucharski: Well it's funny the State made it mandatory for all employees.  
All talking at once.

**All in favor**

**Motion carried**

**11. Motion by Tanana**

**Seconded by Williams**

To adopt Resolution #3 of 2018, a resolution to file for the "PA Small Water and Sewer - Small Projects to Improve Public Water Supply and Sanitary Sewer Systems" for the Pearl Street Sanitary Sewer Improvements Project.

**All in favor**

**Motion carried**

**12. Motion by Tanana**

**Seconded by Magliocchi**

To authorize Council President to execute Throop Boroughs commitment letter, committing \$50,000 for the Local Share Monroe County Grant - PA Small Water and Sewer Program Grant.

**All in favor**

**Motion carried**

**13. Motion by Magliocchi**

**Seconded by Tomasovitch**

To authorize Robert Kalinoski to purchase an infield groomer machine for the baseball fields pending the review and recommendation of Louis Cimini.

On the question:

Barnick: Do we really need this?

Magliocchi: Absolutely. Personally

Barnick: I mean we've gone this far without one.

Kucharski: *Inaudible*, 2 years really.

Magliocchi: I think the biggest issue is safety wise. To be honest with you. I think what is going to happen with this one is he is going to free up a lot of time and possibly get done a lot faster. Rob was against it in the beginning too until he started to see them in action. They did demos and he was blown away by it.

Tomasovitch: Blown away by it.

Magliocchi: I think it's definitely a huge asset.

Denise Brown: You said 19 is that 1900 or 19,000?

Galli: thousand

**6 in favor, Barnick against**

**Motion carried**

**14. Motion by Magliocchi**

**Seconded by Tomasovitch**

To accept the Gold package proposal from Appel Technology Solutions for a managed services agreement for systems and services at the Police Department at a cost of \$5,600.00.

On the question:

Cimini questioned that the term is one year.

Appel: Yes. One year contract.

Barnick: Do we have to advertise or

Cimini: We don't have to advertise for professional services. The cost is 56 so you're well under the threshold for bidding.

**All in favor**

**Motion carried**

**15. Motion by Magliocchi**

**Seconded by Chorba**

To hire an architect to do a rendering of a new borough building on the 522 Sanderson Street property and a new centralized fire house on the 436 Sanderson Street property to mimic the design of the Throop Civic Center.

On the question:

Barnick: Thinks it is a waste of money. What happens with the fire companies - that's the start of something here.

Kucharski: I do too but

**5 in favor, Barnick and  
Kucharski against**

**Motion carried**

**16. Motion by Magliocchi**

**Seconded by Tanana**

To authorize the Borough Engineer to prepare a bid package for sidewalks with street scape lighting on Dunmore Street from Murray Street to Line Street.

On the question:

Barnick: Lou do I have to abstain on this being I am a resident on Dunmore Street?

Cimini: No.

Kucharski: Why Adams Court? As I'm thinking I don't think there is a sidewalk on both sides but I believe on the one side

Magliocchi: Inaudible.

Tanana: Murray Street it is on the one side but it's not on the - when you're coming up it's not on the right hand side where you turn is it's on the left.

Magliocchi: It's on the right, right after Jones' moms. Then you get into that easement so you can start it from the sidewalk at Murray Street.

Kucharski: I think, I mean it's just a block.

Magliocchi: I agree.

All talking at once.

**6 in favor, Barnick against**

**Motion carried**

17. **Motion by Williams**

**Seconded by Tomasovitch**

To accept the proposal received from American Janitor to repair the floor cleaner at the Civic Center at a cost of \$405.00.

**All in favor**

**Motion carried**

There were no audience comments.

The meeting was adjourned.

Meeting minutes by Renee O'Malley  
Borough Secretary