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1 THROOP BOROUGH COUNCIL
2 THROOP, PENNSYLVANIA
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5 IN RE: REGULAR MONTHLY MEETING
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10 NOVEMBER 29, 2005
11 7:00 P.M.
12 THROOP MUNICIPAL BUILDING
13 436 SANDERSON AVENUE
14 THROOP, PENNSYLVANIA
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19 COUNCIL MEMBERS:
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21 THOMAS LUKASEWICZ, PRESIDENT
22 JAMES BARNICK, VICE-PRESIDENT
23 JOSEPH BARONE
24 JOHN MUSEWICZ
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1 announcements you want to bring up now?
2 Okay.
3 The first thing we'll do is we'll
4 entertain questions from the audience
5 regarding agenda items. Before we do that,
6 are there any motions that any council would
7 like to add to this agenda?
8 MR. BARNICK: No, just the
9 adjustments we have to make to that motion
10 number two.
11 MR. LUKASEWICZ: Motion number two
12 is a motion to allow Throop Borough Council
13 president Thomas Lukasewicz to execute a sales
14 agreement contemporaneous with the deposit of
15 \$5,000 to purchase the CADCOST property.
16 Closing will be within 30 days, and the
17 borough will be responsible for an independent
18 title search. The borough solicitor will
19 direct the title search through whatever he
20 feels is competent. That will be paid for by
21 the capital improvement project fund. This
22 fund was taken over two years ago.
23 MR. BARONE: I'd like to make a
24 motion to put Charlene Tomasovich, Lenore
25 Dolan, Frank Galli, Russell Tanner, Dave

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1 (Whereupon the Pledge of Allegiance
2 was recited.)
3 MR. LUKASEWICZ: Mr. Hegedus, roll
4 call, please.
5 MR. HEGEDUS: Ms. Johnson? Mr.
6 Barnick?
7 MR. BARNICK: Here.
8 MR. HEGEDUS: Mr. Musewicz?
9 MR. MUSEWICZ: Here.
10 MR. HEGEDUS: Mr. Marushock? Mr.
11 Barone?
12 MR. BARONE: Here.
13 MR. HEGEDUS: Mayor Lukowski? Ms.
14 Menichetti? Attorney Cimini? Mrs. Hartshorn?
15 Mr. Hegedus is here. Mr. Lukasewicz?
16 MR. LUKASEWICZ: Present. First of
17 all, God bless our borough and our military
18 service stateside and abroad. I have a few
19 announcements to make.
20 An executive session was held to
21 discuss the police contract negotiations and
22 personnel. I believe that was held the 22nd
23 of November. This evening another executive
24 session was held to discuss personnel
25 matters. Anyone on council have any

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1 Morrell and Millie Rabel on the civic center
2 committee. They do need it over there.
3 MR. LUKASEWICZ: We'd like to
4 re-establish the civic center committee.
5 MR. BARONE: Yes.
6 MR. BARNICK: That's six.
7 MR. LUKASEWICZ: You should have an
8 odd number.
9 MR. BARONE: Anybody else that wants
10 to be on that committee? It doesn't pay
11 anything.
12 MR. LUKASEWICZ: A member of
13 council. Do you want it?
14 MR. BARONE: Yeah, I will.
15 MR. LUKASEWICZ: That motion will be
16 motion number 16. That would be a motion to
17 re-establish the civic center -- that would be
18 number 12 to re-establish the civic center
19 committee. Joe, do you want to put a limit on
20 the members, how long a period of time? Or do
21 you just want to leave it as is?
22 MR. BARONE: Leave it as it is now.
23 It's going good.
24 MR. LUKASEWICZ: Anything else?
25 Let's take audience comments on all written

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1 agenda items.

2 MR. BARNICK: Before you go on, how
3 close are you on the budget right now? These
4 numbers we have without going in the past. We
5 don't carry forward. We have to have numbers
6 for all the departments. We have to get a
7 tentative budget passed right away.

8 MR. HEGEDUS: Civic center, we have
9 the police, DPW is ready. You know, 80
10 percent complete.

11 MR. BARNICK: Get us a rough draft.

12 MR. LUKASEWICZ: When can we meet?
13 The beginning of next week? Robert, can you
14 have everything ready for us for the beginning
15 of next week? We can meet Monday, December 5.
16 That would be to discuss our -- a work session
17 for a budget and we can actually -- if we can
18 put it together in time we can adopt. So
19 schedule it as a meeting also to adopt a
20 tentative budget. This way it will give us
21 more than enough time to pass it by the end of
22 the year. Robert, beginning at 6:00.
23 December 5 at 6:00 there will be a budget work
24 session followed by a meeting to adopt a
25 tentative budget.

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1 MR. BARONE: I want to say one
2 thing. I like to see a nice, big crowd here.
3 I wish you people would keep coming. This is
4 what we need, more people coming. Thank you.

5 MR. LUKASEWICZ: First row, state
6 your name for the record, please.

7 (Frank Galli inquired as to motion
8 number 5, paying police officers.)

9 MR. BARNICK: I'm not sure exactly
10 when they were paid.

11 MR. LUKASEWICZ: Robert, who found
12 this, Elaine or Lenore or you? Who did?

13 MR. HEGEDUS: I would say Elaine and
14 Lenore found it.

15 MR. LUKASEWICZ: Can you both
16 comment?

17 MS. DOLAN: What happened was, in
18 '04 -- let me put it this way, it's a mess.
19 There really is. We go to look for something
20 in '05 we find ourselves going back to '04.
21 And what we discovered in '04 is Gavigan and
22 Gavigan did a bank statement, a bank
23 reconciliation December 31 of '04. They had
24 a list of outstanding checks that was given to
25 them by whoever was here in charge. It must

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1 be Mr. Novak and Christine Hartshorn.

2 MR. LUKASEWICZ: Outstanding
3 checks?

4 MS. DOLAN: There's always
5 outstanding checks at the end of the year, but
6 what they failed to give them was the voided
7 checks. So these checks were carried
8 forward. Now I'm going into -- I'm at June of
9 '05. So I decided to look into these checks
10 that I've been carrying for months and months
11 and months so I went back to '04. What I
12 discovered in '04 was that these checks were
13 voided but were never, ever, ever given to ADP
14 to take out off of the people's earnings. So
15 they paid income tax on this amount so they
16 are entitled to this money because it was in
17 their W-2.

18 MRS. MORRELL: That reason and
19 another reason, Chuck Reed's was marked void.
20 There was a note on it by Christine Hartshorn
21 stating that he was out on sick time. The
22 check was for 40 hours sick pay. And she put
23 a note to the then treasurer, Amy, saying to
24 void the check because Chuck was out on sick
25 time.

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1 First of all, Amy was the
2 treasurer. She did not do payroll. ADP
3 certainly did the payroll. And John Musewicz
4 was here last night when we found the physical
5 check with a note on it. We checked Chuck's
6 sick hours from the beginning from '04 right
7 through the end. When he received that check
8 he had 134 and a half sick hours remaining.
9 The check was cut for 40 hours. He still had
10 remaining 94 and a half sick hours.

11 Mr. Reed was in the hospital at the
12 time. He never received that check.
13 Christine Hartshorn wrote a note that he was
14 over his limit. The check was thrown in the
15 drawer. He never got it. It was cut through
16 ADP payroll, it was on his W-2.

17 We checked from the beginning of the
18 year through the end of the year on all his
19 sick hours, all his time, and his earned
20 wages. He is entitled to that money.

21 MR. LUKASEWICZ: These are monies
22 that he earned that were not paid for.

23 MRS. MORRELL: Hours were taken away
24 from him and never paid. Jamie still is owed
25 since October. Jamie's was an October check

1 of '04. There was no reason, it was just
2 marked void. We check back to see when
3 Jamie -- Jamie was usually hired to do the
4 park from springtime, whenever the weather was
5 good enough, whether it would be, like, April
6 sometime. But he was hired to work through
7 the end of October. This check was in around
8 the 14th. I'm not sure. It's just marked
9 void, never given to him, and we don't know
10 why. He was hired to work through that.

11 MR. LUKASEWICZ: Aside from these
12 three checks that were from 2004, do you
13 foresee any other ones for 2004?

14 MS. DOLAN: Not outstanding.

15 MR. LUKASEWICZ: You're up to the
16 end of 2004 at this point?

17 MS. DOLAN: Yes.

18 MR. LUKASEWICZ: So you've been able
19 to get somewhat of 2004 done and now you're
20 into 2005.

21 MS. DOLAN: We have to go back to
22 '04. That bank rec made me go back to '04 to
23 see where these checks I keep on carrying
24 for. We had a policy here before that we
25 don't keep checks more than 60 days. After 60

1 Street.)

2 MR. LUKASEWICZ: Yes. And his
3 written proposal, if anybody wants to review
4 it, it will be available in the borough
5 offices for review. He's been very lenient in
6 what he expects to receive. The borough will
7 pay the consultant at the rate of \$1,000 for
8 each grant application rprepared. That's not
9 very much money to prepare a grant
10 sufficiently. And then in the second year of
11 the contract it will just be \$1,001.

12 I know he's been doing grants up and
13 down northeastern Pennsylvania for other
14 communities and he's got a vast amount of
15 knowledge, so hopefully he will help us to
16 gain some grant money. It's all up to the
17 borough which ones we want him to go after,
18 but he'll evaluate what is out there
19 potentially of value to the borough and make
20 recommendations, and then we can try to secure
21 whatever he recommends.

22 So I would assume in the future, in
23 the next year or two, we should be able to get
24 some grant money in here which we've never
25 gotten before.

1 days we look into where that check is, who has
2 that check, and why it isn't cashed. This is
3 going on a year. Over a year.

4 MR. MUSEWICZ: Why didn't the firm
5 pick this up, the accounting firm that was in
6 here?

7 MS. DOLAN: They were never given a
8 list of the voided checks. They just thought
9 the check was issued and the person never
10 cashed it.

11 MRS. MORRELL: And it truly wasn't
12 voided. The only thing that was voided was
13 the physical check and thrown in a drawer in a
14 mess of stuff.

15 MS. DOLAN: The computer still had
16 that it was given. We found the check, the
17 physical check. That's what made us look into
18 it.

19 MRS. MORRELL: That was as
20 outstanding, like the check was never cashed.

21 MR. LUKASEWICZ: Anyone else in that
22 row? The next row? The next row? Anyone
23 seated?

24 (Betty Goreschack commented that
25 motion number nine should read Charles

1 (Joe Wargo inquired as to who will
2 be authorized to use the defibulators.)

3 (Jack Dolan inquired about the DPW
4 pickup truck and box.)

5 (Chris Krout from Hughes Telecom
6 inquired as to payment of his past-due
7 invoices.)

8 MR. LUKASEWICZ: All right, we will
9 proceed with the agenda. First motion, motion
10 to adopt resolution number 14 of 2005, an
11 agreement of sale of vacant land as advertised
12 to purchase the CADCOST property.

13 MR. BARNICK: I'll make it.

14 MR. LUKASEWICZ: Motion by Mr.
15 Barnick.

16 MR. BARONE: I'll second.

17 MR. LUKASEWICZ: Second by Mr.
18 Barone. On the question?

19 MR. BARNICK: Maybe next year we'll
20 have a DPW garage.

21 MR. LUKASEWICZ: I believe the total
22 cost was 165, 160. Roll call, please.

23 MR. HBGEDUS: Mr. Barnick?

24 MR. BARNICK: For.

25 MR. HBGEDUS: Mr. Barone?

1 MR. BARONE: For.
 2 MR. HEGEDUS: Mr. Musewicz?
 3 MR. MUSEWICZ: For.
 4 MR. HEGEDUS: Mr. Lukasewicz?
 5 MR. LUKASEWICZ: For.
 6 MR. BARNICK: Just so everybody
 7 understands, approximately seven acres. If
 8 you're not aware where it's at, it's up around
 9 the old Yellow Freight. That's the property.
 10 MR. LUKASEWICZ: Motion number two,
 11 motion to allow Throop Borough Council
 12 president Thomas Lukaswicz to execute a sales
 13 agreement contemporaneous with the deposit of
 14 \$5,000 to purchase the CADCOST property. The
 15 sale will be executed within 30 days. The
 16 borough will be responsible to do an
 17 independent title search, and that will be
 18 handled by borough solicitor Louis Cimini.
 19 MR. BARNICK: I'll make the motion.
 20 The money will come out of the capital fund.
 21 MR. LUKASEWICZ: Money will come out
 22 of the capital improvement project fund.
 23 MR. BARONE: I'll second.
 24 MR. LUKASEWICZ: Motion by Mr.
 25 Barnick, seconded by Mr. Barone. On the

1 question? Roll call.
 2 MR. HEGEDUS: Mr. Barnick?
 3 MR. BARNICK: For.
 4 MR. HEGEDUS: Mr. Barone?
 5 MR. BARONE: For.
 6 MR. HEGEDUS: Mr. Musewicz?
 7 MR. MUSEWICZ: For.
 8 MR. HEGEDUS: Mr. Lukasewicz?
 9 MR. LUKASEWICZ: For.
 10 MR. BARONE: I want to say one
 11 thing, I hope this is the final time we get
 12 our boys out of the bad weather.
 13 MR. LUKASEWICZ: Next is the
 14 treasurer's report.
 15 MR. HEGEDUS: The unpaid bills, items
 16 for payment, \$51,953.63. The revenue as of
 17 November 29, 2005 remains at \$102,361.39. And
 18 when I went online to get the balance before
 19 the meeting, their site's been down all day.
 20 I don't have today's.
 21 MR. LUKASEWICZ: On the treasurer's
 22 report, our consultants Lenore and Elaine,
 23 these figures --
 24 MS. DOLAN: We're in June of '05.
 25 MR. LUKASEWICZ: We don't even know

1 if these numbers are correct?
 2 MS. DOLAN: Oh, gosh, no. We're
 3 just starting June.
 4 MR. BARNICK: I'll make it.
 5 MR. LUKASEWICZ: Motion will be by
 6 Mr. Barnick.
 7 MR. MUSEWICZ: I'll second.
 8 MR. LUKASEWICZ: Second by
 9 Mr. Musewicz. On the question?
 10 MR. BARNICK: On the question, are
 11 we up to date pretty much with paying all the
 12 vendors back?
 13 MR. HEGEDUS: We're pretty close,
 14 yeah. Letters have been going out.
 15 MS. DOLAN: I called him and I told
 16 him in that forgiveness letter to send us a
 17 statement, a current statement so we can match
 18 up the invoices. I don't know if he got
 19 anything.
 20 MR. HEGEDUS: I haven't received
 21 anything back.
 22 MS. DOLAN: I also told him that
 23 he's to pay all utilities, all insurances, all
 24 gas every Friday, weekly.
 25 MR. LUKASEWICZ: That's the way we

1 did it in the past. We didn't wait for a
 2 meeting to approve that.
 3 MR. HEGEDUS: Like Lenore said,
 4 there was never a designation on what was
 5 paid.
 6 MRS. MORRELL: Also the major credit
 7 cards.
 8 MR. LUKASEWICZ: To avoid any
 9 problem. We will do it that way, then,
 10 Robert.
 11 MR. HEGEDUS: Yes.
 12 MR. LUKASEWICZ: Roll call?
 13 MR. HEGEDUS: Mr. Barnick?
 14 MR. BARNICK: For.
 15 MR. HEGEDUS: Mr. Musewicz?
 16 MR. MUSEWICZ: For.
 17 MR. HEGEDUS: Mr. Barone?
 18 MR. BARONE: For.
 19 MR. HEGEDUS: Mr. Lukasewicz?
 20 MR. LUKASEWICZ: For. Next motion
 21 is a motion to pay all Throop Borough
 22 employees.
 23 MR. BARNICK: I'll make it.
 24 MR. LUKASEWICZ: Motion by Barnick.
 25 Second?

1 MR. MUSEWICZ: I'll second.
 2 MR. LUKASEWICZ: On the question?
 3 Roll call, please.
 4 MR. HEGEDUS: Mr. Barnick?
 5 MR. BARNICK: For.
 6 MR. HEGEDUS: Mr. Musewicz?
 7 MR. MUSEWICZ: For.
 8 MR. HEGEDUS: Mr. Barone?
 9 MR. BARONE: For.
 10 MR. HEGEDUS: Mr. Lukasewicz?
 11 MR. LUKASEWICZ: For. The next
 12 motion, motion to pay the following borough
 13 employees: Charles Reed, \$585.90; Chad Rebar,
 14 \$20.25; Jamie Shevchick, \$102.89. The
 15 previous employees were charged for taxes but
 16 did not receive the paychecks. These
 17 paychecks were issued in 2004 but never
 18 distributed to the individuals listed. A stop
 19 payment has been issued for 2004 paychecks.
 20 MR. BARNICK: I'll make it.
 21 MR. LUKASEWICZ: Motion by Mr.
 22 Barnick.
 23 MR. BARONE: I'll second.
 24 MR. LUKASEWICZ: Second by Mr.
 25 Barone. On the question?

1 MR. BARNICK: Just on these payments
 2 and fees and stuff, I know in the paper, just
 3 trying to --
 4 MS. DOLAN: It was a misprint. It
 5 should have been \$800 and \$500. I'm not,
 6 again, the borough administrator either.
 7 MR. LUKASEWICZ: Roll call, please.
 8 MR. HEGEDUS: Mr. Barnick?
 9 MR. BARNICK: For.
 10 MR. HEGEDUS: Mr. Barone?
 11 MR. BARONE: For.
 12 MR. HEGEDUS: Mr. Musewicz?
 13 MR. MUSEWICZ: For.
 14 MR. HEGEDUS: Mr. Lukasewicz?
 15 MR. LUKASEWICZ: For. Motion number
 16 six, a motion to pay stenographer Mark Wozniak
 17 in the amount of \$408 for services rendered.
 18 MR. BARNOE: I'll make it.
 19 MR. LUKASEWICZ: Motion by Barone.
 20 MR. MUSEWICZ: I'll second it.
 21 MR. LUKASEWICZ: Second by
 22 Mr. Musewicz. On the question?
 23 MR. BARNICK: On the question,
 24 you're doing the work. Get a copy of what the
 25 minutes are supposed to be.

1 MR. LUKASEWICZ: Roll call, please.
 2 MR. HEGEDUS: Mr. Barone?
 3 MR. BARONE: For.
 4 MR. HEGEDUS: Mr. Musewicz?
 5 MR. MUSEWICZ: For.
 6 MR. HEGEDUS: Mr. Barnick?
 7 MR. BARNICK: For.
 8 MR. HEGEDUS: Mr. Lukasewicz?
 9 MR. LUKASEWICZ: For. This next
 10 motion, I'm not even aware of what it is.
 11 MR. HEGEDUS: This is the piggyback
 12 program. The reason I put it on the agenda
 13 was to try -- because of the pickup truck
 14 issue. The county has negotiated prices with
 15 particular venders whereas we can by police
 16 cars, light-duty equipment trucks. The bucket
 17 truck, for example, the hopper spreader, you
 18 can get that at a discounted price. They've
 19 contacted all these venders and we have the
 20 information available to us now where it would
 21 be different. If you purchase a police car
 22 from Warnock, it's \$174, I believe, over cost
 23 would be our cost. That's negotiated through
 24 Lackawanna County to eliminate the bidding
 25 process.

1 MR. LUKASEWICZ: So this would be
 2 above and beyond the piggyback program?
 3 MR. BARNICK: This is the county.
 4 MR. LUKASEWICZ: Run this past the
 5 solicitor. If we vote on it and approve it
 6 pending the borough of Throop's solicitor's
 7 approval.
 8 MR. MUSEWICZ: I'll make the
 9 motion.
 10 MR. BARONE: I'll second it.
 11 MR. LUKASEWICZ: Second by Mr.
 12 Barone. If it can save the borough, that's
 13 what we're interested in. Roll call, please.
 14 MR. BARNICK: Wait, on the question,
 15 what resolution number is it? Are you
 16 following the book?
 17 MR. HEGEDUS: Yes, I'm following the
 18 book. We have a sample resolution that the
 19 county provided me with this morning.
 20 MR. LUKASEWICZ: It would be 15,
 21 then.
 22 MR. HEGEDUS: You're right.
 23 MR. LUKASEWICZ: CADCOST is 14.
 24 Make sure it's posted in the book properly.
 25 Roll call, please.

1 MR. HEGEDUS: Mr. Musewicz?
 2 MR. MUSEWICZ: For.
 3 MR. HEGEDUS: Mr. Barone?
 4 MR. BARONE: For.
 5 MR. HEGEDUS: Mr. Barnick?
 6 MR. BARNICK: For.
 7 MR. HEGEDUS: Mr. Lukasewicz?
 8 MR. LUKASEWICZ: For. Before we go
 9 to number eight I want to have Elaine and
 10 Lenore state something for the people. I
 11 asked about minutes and ledgers and all that
 12 stuff we've always kept in the past. Was
 13 anything done like that, like resolutions put
 14 in place, motions of meetings, minutes put in
 15 the proper books?
 16 MRS. MORRELL: The minutes are
 17 absolutely not put in the proper place. In
 18 fact, Mr. Musewicz wanted to look at the
 19 minute book and they haven't been posted
 20 since, I believe it was, March of '04.
 21 MR. LUKASEWICZ: So the minutes
 22 haven't been done.
 23 MRS. MORRELL: Not in the minute
 24 ledger. I don't even know where the minutes
 25 are.

1 MR. MUSEWICZ: I'll second.
 2 MR. LUKASEWICZ: Second by Mr.
 3 Musewicz. On the question? Roll call.
 4 MR. HEGEDUS: Mr. Barnick?
 5 MR. BARNICK: For.
 6 MR. HEGEDUS: Mr. Musewicz?
 7 MR. MUSEWICZ: For.
 8 MR. HEGEDUS: Mr. Barone?
 9 MR. BARONE: For.
 10 MR. HEGEDUS: Mr. Lukasewicz?
 11 MR. LUKASEWICZ: For. The next
 12 motion is a motion to retain Robert Davis from
 13 Charles Street in Throop as a grant writer for
 14 the borough of Throop as per Mr. Davis'
 15 written proposal submitted to council this
 16 past month.
 17 MR. BARONE: I'll make it.
 18 MR. LUKASEWICZ: Motion by Mr.
 19 Barone. Second?
 20 MR. BARNICK: I'll make it.
 21 MR. LUKASEWICZ: Second by Mr.
 22 Barnick. On the question? His written
 23 proposal will be available for review, if
 24 anyone wants to review it, in the borough
 25 administrator's office. Roll call, please.

1 MS. DOLAN: There's no ledger book.
 2 MRS. MORRELL: There's no ledger
 3 books at all.
 4 MR. LUKASEWICZ: In the whole
 5 building?
 6 MS. DOLAN: No, they throw them
 7 away. When they do a check register and the
 8 bills are paid they throw it away. That's why
 9 it's taking us so long.
 10 MR. LUKASEWICZ: It's not done like
 11 we did in the past?
 12 MS. DOLAN: No.
 13 MRS. MORRELL: They don't even have
 14 a binder with the computer printouts in it.
 15 MS. DOLAN: That's what's taking us
 16 so long. We were to redo it. We're redoing
 17 the work.
 18 MRS. MORRELL: They stopped doing it
 19 in the fall of '04.
 20 MR. LUKASEWICZ: Next motion, number
 21 eight, will be tabled.
 22 MR. BARNICK: I will make the motion
 23 to table.
 24 MR. LUKASEWICZ: Motion by Mr.
 25 Barnick to table number eight.

1 MR. HEGEDUS: Mr. Barone?
 2 MR. BARONE: For.
 3 MR. HEGEDUS: Mr. Barnick?
 4 MR. BARNICK: For.
 5 MR. HEGEDUS: Mr. Musewicz?
 6 MR. MUSEWICZ: For.
 7 MR. HEGEDUS: Mr. Lukasewicz?
 8 MR. LUKASEWICZ: For. Number ten,
 9 motion to conduct emergency sewer repairs to
 10 Bert Collins Drive in the vicinity of Ehrlich
 11 after obtaining three telephone quotes.
 12 MR. BARNICK: I'll make the motion.
 13 MR. LUKASEWICZ: Motion by
 14 Mr. Barnick.
 15 MR. MUSEWICZ: I'll second.
 16 MR. LUKASEWICZ: Second by
 17 Mr. Musewicz. On the question?
 18 MR. BARONE: On the question, where
 19 is this at? I know where Bert Collins Drive
 20 is. Is that by Warsaw?
 21 MR. LUKASEWICZ: The Servomation
 22 building. Roll call, please.
 23 MR. HEGEDUS: Mr. Barnick?
 24 MR. BARNICK: For.
 25 MR. HEGEDUS: Mr. Musewicz?

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1 MR. MUSEWICZ: For.
 2 MR. HEGEDUS: Mr. Barone?
 3 MR. BARONE: For.
 4 MR. HEGEDUS: Mr. Lukasewicz?
 5 MR. LUKASEWICZ: For. Motion 11,
 6 motion to pay Phillips Medical in the amount
 7 of \$5,598.92 for three automated external
 8 defibrillators. Motion? They are purchased
 9 and they are here.
 10 MR. BARONE: They want them in the
 11 police cars?
 12 MR. LUKASEWICZ: Where are they?
 13 MR. HEGEDUS: One for the police
 14 car, one is mounted here in the hallway, and
 15 one is over at the civic center hallway.
 16 MR. BARONE: Aren't they supposed to
 17 go in the vehicles?
 18 MR. HEGEDUS: No.
 19 MR. BARONE: I'll make the motion.
 20 MR. LUKASEWICZ: Motion by Mr.
 21 Barone.
 22 MR. MUSEWICZ: I'll second.
 23 MR. LUKASEWICZ: Second by
 24 Mr. Musewicz. On the question?
 25 MR. MUSEWICZ: On the question, Rob,

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1 Mr. Wargo brought up a question concerning
 2 training. I didn't notice, is there
 3 literature above --
 4 MR. HEGEDUS: There are diagrams on
 5 them to show you where to put the two decals.
 6 You apply two decals to shock somebody.
 7 They're made for the general public use.
 8 MR. MUSEWICZ: Something posted
 9 above the unit that it is acceptable to the
 10 general public.
 11 MR. BARNICK: On the question, did
 12 you get three phone quotes?
 13 MR. HEGEDUS: Three phone quotes?
 14 Mr. Novak --
 15 MR. BARNICK: I don't care. It
 16 should be listed.
 17 MR. LUKASEWICZ: Roll call, please.
 18 MR. HEGEDUS: Mr. Barone?
 19 MR. BARONE: For.
 20 MR. HEGEDUS: Mr. Musewicz?
 21 MR. MUSEWICZ: For.
 22 MR. HEGEDUS: Mr. Barnick?
 23 MR. BARNICK: For.
 24 MR. HEGEDUS: Mr. Lukasewicz?
 25 MR. LUKASEWICZ: For. Motion number

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1 12 will be to re-establish the civic center
 2 committee. It will consist of seven members.
 3 Members to be appointed are Charlene
 4 Tomasovich, Lenore Dolan, Frank Galli, Russell
 5 Tanner, David Morrell, Milli Rabel, and there
 6 will be a council representative, Mr. Joe
 7 Barone. Motion?
 8 MR. BARNICK: I'll make that motion.
 9 MR. MUSEWICZ: I'll second.
 10 MR. LUKASEWICZ: Motion by
 11 Mr. Barnick, second by Mr. Musewicz. On the
 12 question?
 13 MR. BARNICK: On the question, when
 14 you meet the first time or whatever review
 15 documents, review the responsibilities and
 16 directives for the civic center director, and
 17 whatever we have to amend so the committee's
 18 involved between the president, you know, so
 19 everybody jibes.
 20 MR. BARONE: The committee will be
 21 the boss over there.
 22 MR. LUKASEWICZ: The boss is right
 23 here.
 24 MR. MUSEWICZ: On the question, I
 25 think most of the meetings were open to the

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1 public.
 2 MR. LUKASEWICZ: Yes.
 3 MR. BARONE: It's not a requirement
 4 but they're always open to the public.
 5 MR. LUKASEWICZ: They should be
 6 advertised. Correct?
 7 MR. BARNICK: No, you don't have to
 8 advertise them because there's only one
 9 council member.
 10 MR. LUKASEWICZ: Roll call on the
 11 civic center committee.
 12 MR. HEGEDUS: Mr. Barnick?
 13 MR. BARNICK: For.
 14 MR. HEGEDUS: Mr. Musewicz?
 15 MR. MUSEWICZ: For.
 16 MR. HEGEDUS: Mr. Barone?
 17 MR. BARONE: For.
 18 MR. HEGEDUS: Mr. Lukasewicz?
 19 MR. LUKASEWICZ: For. Motion number
 20 13, a motion to contact Representative Gaynor
 21 Cawley to request a \$30,000 grant to be used
 22 for DPW equipment.
 23 MR. BARNICK: I'll make it.
 24 MR. LUKASEWICZ: Motion by Mr.
 25 Barnick.

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1 MR. BARONE: I'll second.
 2 MR. LUKASEWICZ: Second by Mr.
 3 Barone. On the question? Roll call.
 4 MR. HEGEDUS: Mr. Barnick?
 5 MR. BARNICK: For.
 6 MR. HEGEDUS: Mr. Barone?
 7 MR. BARONE: For.
 8 MR. HEGEDUS: Mr. Musewicz?
 9 MR. MUSEWICZ: For.
 10 MR. HEGEDUS: Mr. Lukasewicz?
 11 MR. LUKASEWICZ: For. Motion number
 12 14 would be to pay the monthly bills.
 13 MR. BARNICK: I'll make that
 14 motion.
 15 MR. LUKASEWICZ: Motion by Mr.
 16 Barnick.
 17 MR. MUSEWICZ: I'll second it.
 18 MR. LUKASEWICZ: Second by
 19 Mr. Musewicz. That would be the items on this
 20 list. Audience comment on paying monthly
 21 bills?
 22 MR. BARNICK: Were these posted?
 23 MR. HEGEDUS: Yes.
 24 MR. LUKASEWICZ: Anyone on audience
 25 comments on paying the monthly bills? Because

1 of reviewing it. We'll turn it over to the
 2 audience now for new business.
 3 MR. BARONE: Do you have any
 4 business with the civic center director?
 5 MR. LUKASEWICZ: We have a committee
 6 now so he can coordinate things with the civic
 7 center committee.
 8 New business, first row?
 9 MR. CARR: I was told by one of the
 10 coaches today that was instrumental in getting
 11 the new uniform for the basketball teams for
 12 the civic center that the actual uniforms are
 13 ready to be picked up, we just need to go
 14 ahead and have them paid for.
 15 MR. LUKASEWICZ: We just approved to
 16 pay them tonight.
 17 MR. CARR: Also, I found out that
 18 the cheerleading coach had gone and talked to
 19 somebody and purchased the bows for the
 20 cheerleaders. She got a sum total \$153, I
 21 believe it was, all together. She had even
 22 contacted me at the time but she had gone
 23 ahead and contacted the person. She said the
 24 bows would be ready about the second week in
 25 December and that we would have to have a

1 it was on the agenda. If not, then we'll have
 2 a motion, which will be motion number 14, to
 3 pay the monthly bills as listed on the invoice
 4 prepared by Mr. Hegedus dated 11/29/05.
 5 MR. BARNICK: I'll make it.
 6 MR. MUSEWICZ: I'll second.
 7 MR. LUKASEWICZ: Motion by
 8 Mr. Barnick, second by Musewicz. On the
 9 question? Roll call.
 10 MR. HEGEDUS: Mr. Barnick?
 11 MR. BARNICK: For.
 12 MR. HEGEDUS: Mr. Musewicz?
 13 MR. MUSEWICZ: For.
 14 MR. HEGEDUS: Mr. Barone?
 15 MR. BARONE: For.
 16 MR. HEGEDUS: Mr. Lukasewicz?
 17 MR. LUKASEWICZ: For. All right,
 18 Robert, is there anything else that we
 19 missed?
 20 (Joseph Wargo inquired about
 21 securing grants.)
 22 MR. BARONE: Cindy Johnson didn't
 23 show up tonight. That motion we made last
 24 week, did Mr. Cimini get it?
 25 MR. LUKASEWICZ: He's in the process

1 check cut for the \$153 at that time so that
 2 she can pay for the bows.
 3 MR. BARNICK: Explain, though,
 4 before they do like that --
 5 MR. CARR: They need to contact me.
 6 MR. BARNICK: They can't just go out
 7 and order what they want, purchase what they
 8 want to purchase. We can approve it right now
 9 by the purchasing committee.
 10 MR. LUKASEWICZ: You have a new
 11 committee over there.
 12 MR. CARR: Mr. Barone -- and I agree
 13 with him also very much about the floors over
 14 there.
 15 MR. LUKASEWICZ: All right, next
 16 row?
 17 MRS. MORRELL: The general fund
 18 revenue, the only month -- from January until
 19 July the only month that balanced was
 20 January/February. Up until July each and
 21 every month was incorrectly posted into the
 22 general ledger. August and September there
 23 was an entry put in and then reversed.
 24 Therefore, there's no revenue for August,
 25 September or October at this point. We also

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1 stated that the overdraft fees, that there
2 were almost 25 bad checks -- they weren't
3 bad. The bank covered them.

4 In payroll account, the payroll
5 interest for January, February, March and
6 April, the four month, instead of debiting the
7 account, adding the interest to the account,
8 it was subtracted.

9 Those little things are what are
10 really time consuming to find where the errors
11 are. There were journal entries made in the
12 computer from Rainey & Rainey from 2004 on
13 various problems. The issues on revenues that
14 weren't posted, payrolls that were not
15 entered.

16 General fund deposit in May you
17 included a check or checks made out payable to
18 the tax collector from a mortgage company.
19 And the mortgage company writes a letter
20 stating that they did not receive a tax bill,
21 therefore they're going to pay the taxes on
22 the four properties based on the tax from the
23 prior year. This money was deposited in the
24 general fund. We don't have taxes this year
25 in Throop Borough.

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1 First of all, the check or checks
2 should have been given to Adam and he would
3 have taken care of it. That still stays
4 there. That's something you may want to put
5 on as a motion tonight. The mortgage company
6 is called ABN-AMRO Mortgage Company. Four
7 individual property owners in Throop --

8 MR. BARNICK: That's it?

9 MRS. MORRELL: So far up until May.
10 Now, the total was only \$178.54 but the
11 individual amounts were 7448, 4998, 1968,
12 3440. And it stated that this money was taken
13 from the escrow accounts.

14 MR. BARNICK: Write their names down
15 and property address for Monday.

16 MRS. MORRELL: And as we stated, the
17 revenue is really hard to figure out because
18 all the documentation was not there.

19 There are a few bad checks that came
20 back to the civic center, and the original bad
21 check was in a folder. Therefore, we didn't
22 know if somebody made good on the check or
23 checks. We did speak to one of the gals
24 across the street and the people did make good
25 for the bad checks. But we used to charge a

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1 bad check fee even if the bank didn't because
2 you're doing extra work. Almost every place
3 charges -- a lot of places charge \$35. We
4 were charging \$20. There were no fees charged
5 for the bad checks. There was also a bad
6 check that came in to the zoning which was
7 covered and no fee charged on that also.

8 On the payroll taxes, actually
9 Lenore found this. Lenore and I did get our
10 first paycheck, and Lenore immediately noticed
11 that the local tax was withheld at a half a
12 percent rather than one. Looking further we
13 found that there are three borough employees
14 who nothing is being withheld for local tax.
15 Zero percent for three borough employees. And
16 there are a few borough employees who one-half
17 percent is withheld for local taxes.

18 We also have an employee who is a
19 police officer and is on heart and lung act,
20 and we used to issue the check to the employee
21 of heart and lung -- and heart and lung, if
22 you're not familiar with it, worker's
23 compensation covers, like, approximately
24 two-thirds of the wage. Police officers and
25 paid firemen are entitled to 100 percent of

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1 their pay. The heart and lung act, the
2 borough has to cover that other one-third or
3 have an insurance policy to cover it.

4 This particular employee on the
5 heart and lung, it's not going through the
6 computer, it's not going through the general
7 ledger. A little note on a register tape --
8 because he has direct deposit with his pay. A
9 little note is there's an additional amount
10 transferred to the credit union that he always
11 used for his pay but no documentation that
12 that money is coming out of the account or
13 being posted to heart and lung.

14 He had some other withholdings also,
15 and those couple other little withholdings are
16 being paid too and no documentation. It's
17 just being added. And I couldn't even get to
18 see where they're posting it. I have no idea
19 where they're posting that. And this has gone
20 on for over one year. This is over one year
21 this is going on.

22 So when I first looked at that, X
23 amount of money is handwritten, a little note
24 added to a deposit to credit union. So you
25 had to go digging to find out what that was

1 about. So there's no tracking. There's no
2 information on that. No documentation
3 whatsoever.

4 As we stated before, there are no
5 ledgers. The borough used to have a
6 handwritten ledger that kept the amount of
7 checks by batch. Checks, x amount of money,
8 and all deposits. And you constantly carried
9 the balance forward if you voided a check.
10 It's a handwritten ledger very similar to your
11 own personal checkbook.

12 Besides the ledgers the computer
13 printouts of the check registers would be
14 pasted in a journal. And they're bound
15 journals, prenumbered, and all computer
16 transactions were in that. And we kept
17 binders. There was a binder for all accounts
18 payable, there was a binder for all the
19 transactions for the general ledger, any
20 posting.

21 There are no books. There are
22 binders for ADP payroll and one little binder
23 for a few transactions. There are no books
24 for the accounts payable at all. They stopped
25 around October, 11/04. They just stopped

1 dead. Everything. How could you balance
2 anything when you don't have books? Nothing.
3 It's no wonder checks were bouncing and
4 everything. How would you know what you were
5 doing?

6 And anytime there were electronics,
7 either an electronics, ACH withdrawal from
8 ADP, for instance, for taxes, there was a
9 letter that came in from ADP stating that the
10 Pa. UCM, employment comp, had increased, so
11 they were going to be deducting \$3,900, \$3,600
12 more from the payroll account. That was never
13 documented and it was never transferred from
14 the general fund to payroll.

15 There's checks that come in from the
16 state electronically. I think there were
17 state police fines. They are not posted.
18 They're clearly on the bank statement. I
19 don't think anybody looked at a bank statement
20 since '04.

21 All these little transactions aren't
22 being done. Any electronic fees, any service
23 charges, anything like that, nothing. There
24 is no documentation in the computer.

25 MR. BARONE: Is it confusing dealing

1 with three banks?

2 MS. DOLAN: No.

3 MRS. MORRELL: I came across -- in
4 fact, a couple weeks ago when council approved
5 payment for checks written, there was a check
6 written to the police pension -- no, a check
7 was written to Michael Cummings. Like,
8 Pennsylvania Municipal Pension Services. That
9 is supposed to be paid from the assets of the
10 pension fund. When I looked back, the last
11 time we paid it we paid it from the general
12 fund. It was not paid. We voided this
13 check. And I'm not sure if a letter was sent
14 to the pension fund saying that you have to
15 pay through the assets of the fund. That's
16 all I have right now.

17 MS. DOLAN: I'd like to explain to
18 council why you have so many service charges
19 for the bank and your payroll account.
20 Gavigan & Gavigan did the bank rec in December
21 of '04. Like Elaine stated before, there was
22 a negative balance. It wasn't high but it
23 still was a negative balance.

24 Now, come January ADP charged the
25 borough \$498 to do W-2s and were never

1 reported. So now the overdrafts went a little
2 bit higher. Then come February the state
3 unemployment sent a letter. We found the
4 letter and all. They saw the letter telling
5 them that they were going to take \$3,200 and
6 that was never taken out of payroll. That's
7 why the deficit kept on getting higher and
8 higher. They can't find all these checks.
9 There was overdrafts getting higher and
10 higher, and yet they're transferring the taxes
11 and they weren't looking at these letters.

12 MRS. MORRELL: I have one more
13 thing. The last few month this individual
14 officer who was on heart and lung was now
15 changed to being paid from the payroll account
16 but it was listed as tax exempt. So ADP is
17 paying payroll wages -- it's being direct
18 deposited to the credit union, but payroll
19 wages where this individual is going to
20 receive a W-2 and is going to have to pay
21 taxes on this. Every one of those checks I
22 mentioned to Robert, ADP has to be notified
23 and every payroll that this officer was on
24 have to be voided. Heart and lung are tax
25 exempt. You get a W-2, marking your payroll

1 as exempt is not going to take care of
2 anything when your W-2 comes or when you file
3 your quarterly reports.

4 MS. DOLAN: This isn't easy. We
5 left here last night 11:30.

6 MR. LUKASEWICZ: Next row? Anyone
7 else.

8 (Domonic Rocco inquired about
9 council members not attending meetings.)

10 MR. BARNICK: I'm not signing the
11 next check. As soon as we do what we got to
12 do go, then we'll let the judge decide it.

13 MR. LUKASEWICZ: If they don't want
14 to come they should resign. Anyone in the
15 next row? Back row? Next, in the back, the
16 open doorway?

17 (Ray Jarosh inquired if there was
18 any tracking system for checks.)

19 (Charlene Tomasovich inquired about
20 the unauthorized employee health insurance
21 benefit.)

22 MR. LUKASEWICZ: That's being
23 investigated. It's being held in executive.
24 The information is not to be discussed
25 publicly at this time on the advice of our

1 solicitor.

2 MS. DOLAN: We want something done.
3 It's taxpayers' money.

4 MR. LUKASEWICZ: I would assume that
5 every citizen in town would totally agree with
6 you.

7 MR. LUKASEWICZ: Motion to adjourn.

8 MR. BARONE: Motion to adjourn.

9 MR. LUKASEWICZ: Second. Meeting
10 adjourned.

11 (Whereupon the meeting was
12 adjourned.)
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C E R T I F I C A T E

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3
4 I hereby certify that I attended the foregoing
5 proceeding, took stenographic notes of the same, that
6 the foregoing, consisting of 42 pages, is a true and
7 correct copy, done to the best of my ability, of same
8 and the whole thereof.
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Mark Wozniak
Official Court Reporter