

1 THROOP COUNCIL  
 2 THROOP, PENNSYLVANIA  
 3  
 4 IN RE: BI-MONTHLY MEETING  
 5  
 6  
 7 AUGUST 18, 2005  
 8 7:00 P.M.  
 9 THROOP MUNICIPAL BUILDING  
 10 436 SANDERSON STREET  
 11 THROOP, PENNSYLVANIA  
 12  
 13 COUNCIL MEMBERS:  
 14  
 15 DARYL MENICHETTI, PRESIDENT  
 16 CINDY JOHNSON, VICE PRESIDENT  
 17 JOSEPH BARONE  
 18 JAMES BARNICK  
 19 THOMAS LUKASEWICZ  
 20 GEORGE MARUSHOCK  
 21 SUSAN SHORTZ  
 22 MAYOR STANLEY LUKOWSKI  
 23 JOHN BRAZIL, ESQUIRE, SOLICITOR  
 24  
 25 Mark Wozniak

1 MR. NOVACK: Mrs. Hartshorn?  
 2 MRS. HARTSHORN: Here.  
 3 MR. NOVACK: Mr. Hegedus?  
 4 MR. HEGEDUS: Here.  
 5 MS. MENICHETTI: We have an agenda  
 6 in front of us. You see the motions on the  
 7 agenda. Is there anyone else who has any  
 8 other motions? I want you to give them to us  
 9 at this present time so we can have audience  
 10 comments that precede the meeting.  
 11 MR. MARUSHOCK: Yes. Madam  
 12 Chairman, I'm asking to have you put a motion  
 13 on. I guess to motion number seven. It would  
 14 be a motion to rescind motion number 25 of  
 15 January 13 --  
 16 MS. MENICHETTI: Of January what?  
 17 MR. MARUSHOCK: Thirteen, 2005,  
 18 which was a motion to purchase the Chorba  
 19 property.  
 20 MS. MENICHETTI: Okay. Anyone  
 21 else?  
 22 MR. MARUSHOCK: Yes, next, if I can  
 23 continue. Next would be a motion to purchase  
 24 the Rinaldi property for the DPW complex at a  
 25 price of \$180,000 as per agreement of sale.

1 MS. MENICHETTI: This meeting will  
 2 now come to order. Please stand for the  
 3 Pledge of Allegiance.  
 4 (Whereupon the Pledge of Allegiance  
 5 was recited.)  
 6 MS. MENICHETTI: May I have roll  
 7 call, please.  
 8 MR. NOVACK: Ms. Menichetti?  
 9 MS. MENICHETTI: Present.  
 10 MR. NOVACK: Ms. Johnson?  
 11 MS. JOHNSON: Here.  
 12 MR. NOVACK: Mr. Barone?  
 13 MR. BARONE: Here.  
 14 MR. NOVACK: Mr. Barnick?  
 15 MR. BARNICK: Here.  
 16 MR. NOVACK: Mr. Lukasewicz?  
 17 MR. LUKASEWICZ: Present.  
 18 MR. NOVACK: Mr. Marushock?  
 19 MR. MARUSHOCK: Present.  
 20 MR. NOVACK: Mrs. Shortz?  
 21 MRS. SHORTZ: Here.  
 22 MR. NOVACK: Mayor Lukowski?  
 23 MAYOR LUKOWSKI: Here.  
 24 MR. NOVACK: Attorney Brazil?  
 25 MR. BRAZIL: Here.

1 Also with attorney Brazil's recommended  
 2 changes to the agreement of sale.  
 3 MS. MENICHETTI: What changes are  
 4 they?  
 5 MR. MARUSHOCK: What I have is an  
 6 agreement from 2004, and then attorney Brazil  
 7 recommended the changes to that in attorney  
 8 Brazil's letter dated November 19, 2004, and  
 9 I've got a final revised agreement ready for  
 10 August 29, 2005.  
 11 MS. MENICHETTI: Agreement ready  
 12 for?  
 13 MR. MARUSHOCK: August 29, which  
 14 would be our end of the month meeting for  
 15 August of this year. That price, just for the  
 16 record, of \$180,000 includes site prep, which  
 17 was in the original agreement.  
 18 MS. MENICHETTI: Anything else?  
 19 MR. MARUSHOCK: Attorney Brazil, do  
 20 we need any other stipulations in what I'm  
 21 trying to do here for the final purchase of  
 22 the Rinaldi property?  
 23 MR. BRAZIL: It's got to be done by  
 24 ordinance.  
 25 MR. MARUSHOCK: Needs to be done by

1 ordinance?  
 2 MR. BRAZIL: Right, has to be done  
 3 by ordinance. Obviously it's got to be  
 4 advertised seven days.  
 5 MR. MARUSHOCK: Okay.  
 6 MS. MENICHETTI: Seven days before  
 7 the meeting.  
 8 MR. BRAZIL: You will have to  
 9 readvertise to do the process again. To  
 10 approve the purchase of this you have to do it  
 11 by ordinance.  
 12 MR. MARUSHOCK: All right. Should  
 13 that become part of the motion or should we do  
 14 a separate motion?  
 15 MR. BRAZIL: I would do that as a  
 16 separate one to advertise this ordinance at  
 17 the next meeting.  
 18 MR. MARUSHOCK: To advertise the  
 19 ordinance -- don't we already have one placed  
 20 on that?  
 21 MR. BRAZIL: You probably do. I  
 22 mean, it's been so long.  
 23 MR. MARUSHOCK: We need to  
 24 readvertise?  
 25 MR. BRAZIL: You do have to

1 There are utilities all around this property  
 2 just like they're around Chorba. They're not  
 3 in the center of the Chorba property. They've  
 4 got to be brought over just like here.  
 5 MR. MARUSHOCK: Number one, our  
 6 electric and our phone service can be used as  
 7 an existing building. We will not need a  
 8 separate line for that over there. Attorney  
 9 Brazil, one other thing. I have to advertise  
 10 necessary information for the purchase of this  
 11 property. The motion being to readvertise for  
 12 the ordinance for the Rinaldi property, are we  
 13 okay on that?  
 14 MR. BRAZIL: You have to advertise  
 15 the ordinance.  
 16 MR. MARUSHOCK: Okay. Next I'm  
 17 asking for a motion to be put on to authorize  
 18 an engineer to design a new DPW complex  
 19 immediately. If Spott is not able to start  
 20 this immediately we will hire another engineer  
 21 to do it. The goal behind this is to try and  
 22 get this thing done once and for all. We have  
 23 approximately a \$170,000 packer outside right  
 24 now that's already here on site and we need to  
 25 make this DPW complex become a reality once

1 readvertise.  
 2 MR. MARUSHOCK: Should the motion  
 3 read to readvertise?  
 4 MR. BRAZIL: Right, readvertise the  
 5 ordinance.  
 6 MR. MARUSHOCK: Readvertise the  
 7 ordinance for purchase of the Rinaldi  
 8 property.  
 9 MR. BRAZIL: Right.  
 10 MR. BARONE: What's the price on the  
 11 Rinaldi property?  
 12 MR. MARUSHOCK: It's \$180,000, Joe,  
 13 which includes clearing of the site.  
 14 MR. BARONE: That's still a hell of  
 15 a lot more than Rinaldi. There's no utilities  
 16 down there. You were trying to tell me last  
 17 week that Chorba was a lot more expensive.  
 18 MRS. SHORTZ: It is. It's at  
 19 least --  
 20 MR. BARONE: How can it be more  
 21 expensive? It's \$160,000 for six acres.  
 22 Those utilities are there. There's none over  
 23 here.  
 24 MR. SHORTZ: There's utilities all  
 25 around there, just like there is around that.

1 and for all.  
 2 MS. MENICHETTI: Authorize the  
 3 engineer to design new DEP complex  
 4 immediately, and what was the rest of your  
 5 motion?  
 6 MR. MARUSHOCK: If Spott, who is our  
 7 current engineer, is not able to start this  
 8 immediately I'm recommending we hire another  
 9 engineer to do this.  
 10 MS. JOHNSON: Can we ask to have  
 11 Spott give us in writing whether they can do  
 12 it or not by August 29?  
 13 MR. MARUSHOCK: That would be my  
 14 recommendation, that we get something, that we  
 15 try to make this a priority. Also a lot of  
 16 information regarding the design for this site  
 17 is already in place. We've been down the road  
 18 before with this property so a lot of the leg  
 19 work is already done.  
 20 MR. BARONE: Mr. Marushock, I want  
 21 to ask you a question. Getting back to that  
 22 Rinaldi property, how much did we pay -- the  
 23 borough of Throop pay to have that dump  
 24 removed and how much is it going to cost?  
 25 MR. MARUSHOCK: According to the

1 original agreement it was \$180,000 which was  
2 the purchase price, which included clearing  
3 the premises. Part of that is going to come  
4 back to the borough. The \$25,000 that comes  
5 back --

6 MR. BARONE: I know all that. I  
7 just want to know what the borough is going to  
8 pay to move that dump. That's what I want to  
9 know.

10 MR. MARUSHOCK: I think it's  
11 somewhere around \$60,000, if I'm correct.

12 MR. BARONE: I think it's \$80,000.  
13 That was the last price.

14 MR. MARUSHOCK: I do know we had  
15 this done for the landowner's proposals for  
16 the site clearing.

17 MR. BARONE: When you pay this  
18 money -- and I don't care if it's \$10 -- to  
19 move that dump, he should have moved that dump  
20 himself 25 years ago. So why should Throop be  
21 paying for it?

22 MR. MARUSHOCK: Well, I'm asking  
23 that this be put on as --

24 MR. BARONE: I'm asking you for an  
25 answer. Any one of you four. I don't care.

1 Chorba property is he going to clear it and  
2 prepare it for nothing or are you going to pay  
3 for it? I said, if you purchase the Chorba  
4 property is he going to clear it and prepare  
5 it for building at no cost or is the borough  
6 going to pay for that? That's part of --

7 MR. BARONE: There's no dump on  
8 Chorba's property. He doesn't have to clear  
9 it.

10 MRS. SHORTZ: He doesn't have a dump  
11 but it's still going to cost us \$30,000 at  
12 least to prepare it.

13 MR. BARONE: You're 180 and you're  
14 only getting 3 down here. You're getting six  
15 up there.

16 MS. MENICHETTI: Ladies and  
17 gentlemen, Ms. Johnson has a motion she'd like  
18 to place on the floor.

19 MS. JOHNSON: I'd like to add a  
20 motion to direct our engineer to have in  
21 writing the final remedy for the Gangi  
22 flooding problem on George Street, ready for  
23 design no later than noon, August 29 -- let me  
24 restate this. Direct our engineer to have in  
25 writing the final remedy for the Gangi

1 MR. MARUSHOCK: I tried to get the  
2 latest agreement. This is what we have on  
3 file.

4 MR. BARONE: Don't try to twist  
5 everything. All I want to know is what it's  
6 going to cost to move the dump. That's all  
7 I'm asking.

8 MR. MARUSHOCK: That total that I  
9 have that's specified in the motion is for  
10 clearing the site with some coming back to the  
11 borough.

12 MR. BARONE: Twenty-five thousand  
13 dollars?

14 MR. MARUSHOCK: Correct. That's  
15 item number 19 on page four of --

16 MR. BARONE: Did you ever talk to  
17 him and say look, we will pay you a hundred  
18 thousand, you move the dump, or nothing?

19 MR. MARUSHOCK: That's not going to  
20 happen.

21 MR. BARONE: Sure it's not going to  
22 happen. It shouldn't happen with us paying  
23 for it either. When he bought that he was  
24 required to move that.

25 MRS. SHORTZ: If you bought the

1 flooding and to have the property ready for  
2 design no later than noon, August 29.

3 MR. LUKASEWICZ: You can't have it  
4 that fast, Cindy. I met with them down there  
5 on two Thursdays ago. I met down there with  
6 Betsy and Carl from Ghangi's and I explained  
7 to them what was brought before the borough  
8 and it seemed he was pretty much in agreement  
9 with matters. Betsy said they had to get  
10 things marked and pull some records. They've  
11 been doing some surveys.

12 MS. JOHNSON: Yeah, the surveyors  
13 have already been there and Carl has had his  
14 property surveyed.

15 MR. LUKASEWICZ: They've been  
16 surveying it and getting other information on  
17 other lines in the area so they can come up  
18 to --

19 MS. JOHNSON: Well, that would be  
20 about a month since they were -- Carl was at  
21 the meeting on August 4, so a month would be  
22 just a general remedy of what they want to  
23 do. I don't think it's asking too much to put  
24 his mind at piece. He's been flooded there  
25 after that again.

1 MR. LUKASEWICZ: As a matter of  
2 fact, I stopped there yesterday and I spoke to  
3 him and I told him where everything is --

4 MS. JOHNSON: Well, I talked to Carl  
5 today and he didn't tell me that you were  
6 there yesterday.

7 MR. LUKASEWICZ: I've been there and  
8 I was there to explain everything, tell him we  
9 came up with a game plan.

10 MS. JOHNSON: Well, that's not what  
11 he told me at about 6:00.

12 MR. LUKASEWICZ: Okay, whatever.

13 MS. MENICHETTI: Sue, do you have  
14 anything that you would like to add?

15 MRS. SHORTZ: Not the next motion.  
16 However, I think everybody got notice that EPA  
17 is coming on Monday. And the letter that was  
18 in my packet didn't have a time frame. My  
19 understanding is the meeting is at 6:00. And  
20 I guess it's going to --

21 MS. MENICHETTI: Do we have to  
22 advertise for that or are they going to  
23 advertise?

24 MS. SHORTZ: We could. I don't know  
25 if they are or not. It was Kanjorski's office

1 that set the meeting up and I don't know if  
2 they notified anyone.

3 MR. BARONE: In the packet there's a  
4 request from Lackawanna College. They want to  
5 use the baseball field for a fall baseball  
6 program. They take care of all the liability  
7 insurance, everything. They maintain the  
8 field. So I'd like to put that on on a motion  
9 to let them use it.

10 MS. MENICHETTI: All right, Joe.  
11 I'd like to add to that motion. I'd like to  
12 also add that we should allow Bishop O'Hara to  
13 use it also because they've asked in the  
14 past. They've asked me and I told them to see  
15 Jim Kerrigan, and he told them that, you know,  
16 the field was being utilized and they went up  
17 and there was no one there. So I don't know.

18 MR. BARONE: If those two schools  
19 can get together and maybe they can figure out  
20 a schedule.

21 MR. LUKASEWICZ: I believe the  
22 problem with Bishop O'Hara was that they play  
23 baseball in the spring and that's when Mid  
24 Valley uses the field and there's a conflict.  
25 They don't play in the fall. This is a fall

1 league for Lackawanna Junior College.

2 MS. MENICHETTI: I know what it is.  
3 I read the letter.

4 MR. LUKASEWICZ: I think they just  
5 want to use it in the fall for a couple --

6 MS. MENICHETTI: It's Lackawanna  
7 College. Is it still junior?

8 MR. LUKASEWICZ: I'm not sure, but  
9 from what I gather in the letter it's just for  
10 a few games in the fall. It wasn't for the  
11 springtime. That's where the conflict comes  
12 in.

13 MR. BARONE: That's all they're  
14 asking.

15 MR. LUKASEWICZ: It's not for the  
16 springtime, it's just for now.

17 MR. BARONE: For September and  
18 October. That's what he's saying, Lackawanna  
19 College.

20 MS. MENICHETTI: I would rather just  
21 let them use it.

22 MS. SHORTZ: Also I think everyone  
23 got in a letter from Kanjorski concerning a  
24 breakfast meeting Saturday, August 27, at 10  
25 a.m. at the Woodlands regarding the \$160000

1 federal transportation grant that the  
2 communities will be eligible for. I myself am  
3 unable to attend, but I'm just wondering do we  
4 need to find out who can attend and do that by  
5 motion or just let Ken know?

6 MS. JOHNSON: I think you can have  
7 somebody call Kanjorski's office and let his  
8 office know if you can come.

9 MS. MENICHETTI: When is that?

10 MS. SHORTZ: The meeting itself is  
11 Saturday, August 27 at the Woodlands. You  
12 have to RSVP by Thursday, August 25 to  
13 Kanjorski's office. I, myself, can't, but if  
14 anyone's interested I think we should have  
15 someone there.

16 MS. JOHNSON: That's guaranteed  
17 money for our town?

18 MRS. SHORTZ: I don't know if it's  
19 guaranteed but at least you have to have the  
20 information supplied --

21 MR. LUKASEWICZ: It's guaranteed to  
22 all communities in the constituency.

23 MRS. SHORTZ: A community or --

24 MR. LUKASEWICZ: To each individual  
25 community. There was a many billion dollar

1 grant, 40 or 50 billion dollar highway  
2 proposal signed by President Bush and it goes  
3 on down to every one of those congressmen to  
4 have money to distribute. So it's guaranteed  
5 money. So someone should go there. If I'm  
6 available I will.

7 MS. MENICHETTI: Have Mr. Novak to  
8 be sure to respond.

9 MR. MARUSHOCK: Mr. Novak, is this  
10 tied into the streets and schools program?

11 MR. NOVACK: No.

12 MS. MENICHETTI: Anyone else have  
13 any other motions? All right, if not we're  
14 going to take audience comments on the agenda  
15 only. Please proceed to the podium, state  
16 your name and address for the stenographer.

17 MR. ROCCO: Dominick Rocco, 110  
18 Sanderson Street, Throop. I'd like to know  
19 why the majority is pushing this Rinaldi  
20 property so much. Hundred and 80 thousand  
21 dollars for three acres of land that is  
22 nothing but solid rock underneath. You're  
23 going to run into all kinds of problems. You  
24 get that other property, Chorba's, for  
25 \$160,000 for seven acres. Don't make sense to

1 MR. ROCCO: That's for spite work.

2 MS. JOHNSON: Well, if that's how  
3 you feel.

4 MR. ROCCO: All the residents are  
5 against it that come to this meeting. You got  
6 seven acres instead of three and a half. You  
7 can use all seven acres.

8 MS. MENICHETTI: Anything else, Mr.  
9 Rocco?

10 MR. ROCCO: Yeah. That Mr. Carr,  
11 where is he from?

12 MR. BARONE: Dunmore.

13 MS. MENICHETTI: Dunmore.

14 MR. ROCCO: Throop is out again.  
15 Right?

16 MS. MENICHETTI: Anyone else on the  
17 agenda, please?

18 MR. HARTSHORN: Yes, Larry  
19 Hartshorn, 140 Dimmick Street, Throop. Again,  
20 I got -- the only thing, I got to stick up for  
21 Mr. Rocco. This property over there is not  
22 the place for your department over there. You  
23 people -- one of the biggest mine disasters  
24 happened there on that property. You don't  
25 definitely know what's underneath that

1 me.

2 And all the residents that come to  
3 this meeting is totally against building over  
4 at Rinaldi's. Are you doing it for spite work  
5 or what?

6 MS. MENICHETTI: I can only answer  
7 for myself. I'm not doing it for spite work.  
8 Originally this was our plan. I mean, we had  
9 started out four years ago -- or two years ago  
10 trying to get the property.

11 MR. ROCCO: But you get a better  
12 deal. You got seven acres without solid rock  
13 underneath and you could use all seven acres,  
14 which I hear you can't even use the three and  
15 a half acres that you have here. It don't  
16 make sense.

17 MS. JOHNSON: According to the  
18 newspaper this has been going on for ten  
19 years. It just hasn't been --

20 MR. ROCCO: That's because you've  
21 been putting it off for two years.

22 MS. JOHNSON: Maybe. Sometimes it  
23 takes that long to make a decision.

24 MR. ROCCO: It takes that long?

25 MS. JOHNSON: Yes.

1 property. You're paying a man money that's  
2 going to have to move the dump that he was  
3 supposed to have out of that dump. But you  
4 walk over to a piece of property where you're  
5 not going to have that much to work with.  
6 It's a lot more. You're going to have  
7 something -- runoff. You're going to have to  
8 have the proper stuff for runoff, drainage.  
9 What are you going to do, take it down the  
10 boulevard again? This thing's the things you  
11 people got to look at. The sewerage. We have  
12 problems down there with the sewerage now,  
13 you're going to put something else over  
14 there. It's running down into the housing  
15 project and we're having problems again. But  
16 it gets down to -- it will get down to the  
17 little league. There's no telling me the  
18 runoff won't get down there.

19 So I don't know why you people are  
20 so much wanting to give Mr. Rinaldi over there  
21 a deal. You got a dump on it. There's  
22 garbage underneath it. You people didn't have  
23 that checked out. I think you should go up to  
24 Mr. Chorba's land where you're not going to  
25 have a problem, or at least go up -- that's

1 all.  
 2 MS. MENICHETTI: Thank you, Mr.  
 3 Hartshorn. Anyone else? All right, we'll  
 4 begin the meeting. Motion number one, to hire  
 5 Brian Carr as per the recommendation of the  
 6 borough manager as civic center director at a  
 7 salary of \$26,985.92 with full benefits and to  
 8 start immediately. May I have a motion,  
 9 please?

10 MRS. SHORTZ: I'll make that motion.

11 MS. MENICHETTI: Motion by Mrs.  
 12 Shortz. Second?

13 MR. MARUSHOCK: I'll second that.

14 MS. MENICHETTI: Second by Mr.  
 15 Marushock. On the question?

16 MR. BARNICK: Yeah, on the question,  
 17 this Brian Carr is from Dunmore, from what I  
 18 understand just now. And you have a very  
 19 qualified person already working at the civic  
 20 center, Mary Ruth Tanner. I can't understand  
 21 why you would go outside of this borough,  
 22 outside of your own taxpayers to hire outside  
 23 when you have a person doing the job right  
 24 now. It's unbelievable the bitterness you  
 25 must hold yourself that you have to do this.

1 It's just --

2 MR. MARUSHOCK: If I can respond --

3 MR. BARNICK: I'm not done. It's a  
 4 disgrace to this town, what you're doing.  
 5 It's two years of pure hell, is what you're  
 6 putting these people through with all this  
 7 really ignorant and bitterness -- ignorance  
 8 and bitterness that you're doing here.

9 But you have a perfectly good person  
 10 over there. Strong willed, everything else.  
 11 We're going to have to go to another person  
 12 out of town. I understand he's a veteran, but  
 13 this is not a civil service position so it  
 14 doesn't apply. So don't even try to twist  
 15 that into the game.

16 MS. MENICHETTI: Yes, it does.

17 MR. BARNICK: It doesn't apply.  
 18 It's not civil service, it's an appointment  
 19 made by council. And no matter what kind of  
 20 crap Mr. Brazil tries to bring forward with  
 21 this stuff, it doesn't apply.

22 MS. MENICHETTI: And you got your  
 23 law degree where, Mr. Barnick?

24 MR. LUKASEWICZ: Your know, I wish  
 25 we really wouldn't get into specifics of the

1 candidates in an open forum because it's dead  
 2 wrong. So just vote how you want to vote and  
 3 just hope that it won't be talked about.  
 4 Let's vote.

5 MS. MENICHETTI: Who brought it up  
 6 about the civil service? I didn't bring it  
 7 up.

8 MR. LUKASEWICZ: I have a lot of  
 9 problems with it anyway but I'm going to bite  
 10 my tongue just for the benefit of the borough  
 11 and lawsuits. Just let it go.

12 MR. BARNICK: I don't see nothing in  
 13 here that says confidential.

14 MR. LUKASEWICZ: At our last council  
 15 meeting when our prior director resigned I  
 16 asked that if we were going to get  
 17 applications if I could see the applications  
 18 and if I could sit in on the interviews.  
 19 Well, thank God I walked into to borough  
 20 building two days ago and Kenny says to me we  
 21 have a meeting on Thursday. We're going to  
 22 hire a civic center director.

23 I said well, did we get any  
 24 applications?

25 He said yeah. I'm putting a pack

1 together now.

2 I said were there interviews?

3 He said well, we've narrowed it down  
 4 to a few, whatever.

5 So evidently my input or whatever  
 6 didn't have any play in this. And I'm kind of  
 7 upset about that but I understand when you  
 8 have a majority you can do what you want.  
 9 Evidently that's what they plan on doing right  
 10 until the end, and it's a shame that someone  
 11 from Throop wasn't hired.

12 MS. MENICHETTI: Did you ever  
 13 consider maybe he's the most qualified person  
 14 being hired?

15 MR. LUKASEWICZ: The individual that  
 16 works there now has been there for years and  
 17 she's a very good worker. You know, for once  
 18 do what's right.

19 MS. MENICHETTI: Anyone else on the  
 20 question? Roll call, please, Mr. Novak. Mrs.  
 21 Shortz made the motion, Mr. Marushock  
 22 seconded.

23 MR. NOVACK: Mrs. Shortz?

24 MRS. SHORTZ: For.

25 MR. NOVACK: Mr. Marushock?

1 MR. MARUSHOCK: For.  
 2 MR. NOVACK: Mr. Lukasewicz?  
 3 MR. LUKASEWICZ: Against.  
 4 MR. NOVACK: Mr. Barnick?  
 5 MR. BARNICK: Against.  
 6 MR. NOVACK: Mr. Barone?  
 7 MR. BARONE: Against.  
 8 MR. NOVACK: Ms. Johnson?  
 9 MS. JOHNSON: For.  
 10 MR. NOVACK: Ms. Menichetti?  
 11 MS. MENICHETTI: For.  
 12 MR. LUKASEWICZ: Is that effective  
 13 immediately.  
 14 MS. MENICHETTI: Yes. I'd just like  
 15 to say one thing. I didn't meet Mr. Carr but  
 16 I read his resume and it's very impressive.  
 17 The man has a master's degree. He's been a  
 18 teacher for 25 years. He's been involved in  
 19 all kinds of sports. He is more than  
 20 qualified, more than qualified for this  
 21 position.  
 22 And unfortunately that's what I'm  
 23 looking for. I'm looking for someone to take  
 24 care of that building and do a good job over  
 25 there without interference.

1 Motion number two, to accept the  
 2 proposal from Hughes Telecom for a new phone  
 3 system in the borough building. The total  
 4 price is \$9,975 which involves voice labor,  
 5 materials, training, and rewiring for both  
 6 voice and data. May I have a motion?  
 7 MS. JOHNSON: I'd make the motion.  
 8 MS. MENICHETTI: Motion that by Ms.  
 9 Johnson. Second?  
 10 MR. MARUSHOCK: I'll second.  
 11 MS. MENICHETTI: Second by Mr.  
 12 Marushock. On the question?  
 13 MR. LUKASEWICZ: Yeah, on the  
 14 question, maybe what we have is a little  
 15 antiquated but it's not that antiquated as  
 16 some of the other towns and municipalities out  
 17 there. This is a lot of money that doesn't  
 18 need to be spent.  
 19 MR. BARNICK: I understand we spent  
 20 a bunch of money just to fix up some of the  
 21 phone systems. There hasn't been any problem  
 22 all these years. Why all the sudden do we  
 23 need this \$10,000 worth of phones systems?  
 24 MS. MENICHETTI: That's really not a  
 25 lot of money to spend.

1 MR. BARNICK: It is a lot of money  
 2 to spend if it's not needed. You got a few  
 3 people in the borough building at one time and  
 4 you have a system that works. I mean, what is  
 5 the problem here you have to go spend  
 6 \$10,000? It's ridiculous.  
 7 MS. MENICHETTI: Mr. Barnick, I  
 8 would like to bring this borough building into  
 9 the 20th century, let alone the 21st century.  
 10 MR. BARNICK: You need to start by  
 11 remodeling the place and include the phone  
 12 system.  
 13 MS. MENICHETTI: The employees have  
 14 to have proper equipment to work and do their  
 15 jobs.  
 16 MR. BARNICK: You can't get the  
 17 microphones to work. What are you talking  
 18 about?  
 19 MS. MENICHETTI: We will. That's  
 20 next on the agenda. Mrs. Hartshorn, did you  
 21 want to --  
 22 MRS. HARTSHORN: I just want to  
 23 comment on it. One of the major reasons why  
 24 we do need the new phone system is because a  
 25 phone breaks -- and we do have phones that are

1 broken, do not work properly -- we have no  
 2 option to go out and purchase a phone because  
 3 the wiring is outdated. So we're stuck with  
 4 the phones that --  
 5 MS. MENICHETTI: I know the cable is  
 6 this thick.  
 7 MR. MARUSHOCK: I'd like to comment  
 8 on this also. I think it was 2004 or 2003  
 9 when lightning had struck. I know all the  
 10 phones were interrupted over the civic center  
 11 for approximately a full day. And the  
 12 gentleman came in -- and I was here when he  
 13 did the repair -- and said the phone service  
 14 for the civic center comes in to the borough  
 15 building and the DPW garage, and he, himself,  
 16 said this is outdated. This is something that  
 17 should have been done. It's evidently the  
 18 original system that came with this place back  
 19 in 1968 or 1970 and it's time to make the  
 20 improvement. I agree it's a very stiff price,  
 21 but evidently that is the price that -- that's  
 22 the amount of money that we need to spend to  
 23 upgrade the system.  
 24 MR. BARNICK: In other words, nobody  
 25 is in jeopardy here when the phones go out

1 because they all had cell phones here.  
 2 MR. MARUSHOCK: Their own.  
 3 MR. BARNICK: So why do you need  
 4 this? That was his safety latch. It's a  
 5 waste of money.  
 6 MR. MARUSHOCK: It should have been  
 7 done and finally we're going to do it.  
 8 MS. MENICHETTI: Anyone else on the  
 9 question? Roll call, please.  
 10 MR. NOVACK: Ms. Johnson?  
 11 MS. JOHNSON: For.  
 12 MR. NOVACK: Mr. Marushock?  
 13 MR. MARUSHOCK: For.  
 14 MR. NOVACK: Mrs. Shortz?  
 15 MRS. SHORTZ: For.  
 16 MR. NOVACK: Mr. Lukasewicz?  
 17 MR. LUKASEWICZ: Against.  
 18 MR. NOVACK: Mr. Barnick?  
 19 MR. BARNICK: Against.  
 20 MR. NOVACK: Mr. Barone?  
 21 MR. BARONE: Against.  
 22 MR. NOVACK: Ms. Menichetti?  
 23 MS. MENICHETTI: For. Four in  
 24 favor, motion carried.  
 25 Motion number three, to change the

1 MS. MENICHETTI: That's right, until  
 2 now. It makes you wonder.  
 3 MS. JOHNSON: Somebody put their  
 4 foot through that door, Mr. Barnick.  
 5 MR. BARNICK: That only happened  
 6 recently.  
 7 MS. JOHNSON: I always thought you'd  
 8 be concerned about that.  
 9 MR. BARNICK: Please, can I finish,  
 10 Ms. Johnson, Blanchard, whatever you call  
 11 yourself?  
 12 MS. JOHNSON: It's Johnson, Mr.  
 13 Barnick.  
 14 MS. MENICHETTI: Enough.  
 15 MR. BARNICK: \$1,295 a door? How  
 16 many doors are we getting here?  
 17 MS. MENICHETTI: Two.  
 18 MR. BARNICK: Where?  
 19 MS. MENICHETTI: The two outside  
 20 doors. The two that we use.  
 21 MR. BARNICK: And councilmen and  
 22 police are not going to have keys no more? Or  
 23 what's going to happen?  
 24 MS. MENICHETTI: Yes, everyone's  
 25 going to have access. I don't know, how does

1 security system on the outside doors of the  
 2 borough rebuilding due to the recent break-in  
 3 at the borough manager's office. Hillman  
 4 Security has quoted a price of \$1,295 per door  
 5 as per the proposal that was enclosed this  
 6 evening. Motion, please?  
 7 MR. MARUSHOCK: I'll make that  
 8 motion.  
 9 MS. JOHNSON: I'll second it.  
 10 MS. MENICHETTI: Motion by  
 11 Mr. Marushock, seconded by Ms. Johnson. On  
 12 the question?  
 13 MR. BARNICK: Yeah, on the question  
 14 again, why do we need this? This is the  
 15 outside door.  
 16 MS. JOHNSON: Someone broke into our  
 17 office. Does that not bother you?  
 18 MR. BARNICK: What was taken?  
 19 MS. JOHNSON: You're concerned all  
 20 the other times, Mr. Barnick. Why aren't you  
 21 about our offices broken into.  
 22 MR. BARNICK: I'm on the question.  
 23 Now, I've been here for almost eight years.  
 24 We never had a problem like this until the  
 25 four of you been involved.

1 it work?  
 2 MR. MARUSHOCK: Card system.  
 3 MS. JOHNSON: It will tell you who  
 4 was in and out.  
 5 MR. BARNICK: What about in the back  
 6 in the DPW garage?  
 7 MS. JOHNSON: Add that to the  
 8 motion.  
 9 MR. BARNICK: What about the two on  
 10 the sides and the one in back?  
 11 MR. LUKASEWICZ: One in the  
 12 basement.  
 13 MR. BARNICK: Are they all going to  
 14 be changed --  
 15 MR. LUKASEWICZ: Or are we going to  
 16 have a selective thief that's only going to  
 17 come through one or two doors?  
 18 MS. JOHNSON: I think that's what  
 19 happened to begin with.  
 20 MR. BARNICK: Probably. Now, what  
 21 options are you taking here? Is this the pin  
 22 badge reader, according to this quote, or are  
 23 you adding on another three -- I mean, under  
 24 option A, that pin badge, you're adding  
 25 another \$395. Require a reader interface

1 module. The cost per door would be \$395  
2 each.

3 MS. MENICHETTI: What is the price  
4 quoted to you, Mr. Novack?

5 MR. NOVACK: Touch digitals would be  
6 \$1,250. If you wanted the badge it's, I  
7 believe, \$4.50 each. You have to order 50.

8 MR. BARNICK: How much is that?

9 MR. NOVACK: Two hundred-some  
10 dollars.

11 MR. BARNICK: Besides this other  
12 \$1,295 per door?

13 MR. NOVACK: It's \$1,250 if you  
14 wanted to go with that. If not, just use a  
15 four digit number. That's all you'd have to  
16 do.

17 MR. BARNICK: It says \$1,295 per  
18 door, and that's a pin badge reader, according  
19 to this. You go over to option B, if option A  
20 is taken each door will require a reader  
21 interface module. If you go with the pin  
22 badge the cost per door would be \$395 each.  
23 Are you saying we're going to go two thousand  
24 bucks per doors? These got to be one hell of  
25 a door. We got a nuclear power plant or

1 MS. MENICHETTI: Roll call, Mr.  
2 Novack.

3 MR. NOVACK: Mr. Marushock?

4 MR. MARUSHOCK: For.

5 MR. NOVACK: Ms. Johnson?

6 MS. JOHNSON: For.

7 MR. NOVACK: Mrs. Shortz?

8 MRS. SHORTZ: For.

9 MR. NOVACK: Mr. Lukasewicz?

10 MR. LUKASEWICZ: Against.

11 MR. NOVACK: Mr. Barnick?

12 MR. BARNICK: Against.

13 MR. NOVACK: Mr. Barone?

14 MR. BARONE: Against.

15 MR. NOVACK: Ms. Menichetti?

16 MS. MENICHETTI: For. Four in

17 favor. Motion carried.

18 MR. ROCCO: How many are you  
19 buying?

20 MS. MENICHETTI: Two doors.

21 MR. ROCCO: They have three more  
22 doors they can break into.

23 MS. MENICHETTI: Motion number four,  
24 to upgrade the audio in council chambers so  
25 that we can run the air conditioner during

1 something?

2 MR. JOHNSON: Aren't you concerned  
3 who was in our office, the borough office, and  
4 what they could have taken?

5 MR. BARNICK: Sure I'm concerned,  
6 but we're not going to find out nothing with  
7 you four sitting here.

8 MS. MENICHETTI: What were you going  
9 to do that was any different?

10 MR. BARNICK: The problem wouldn't  
11 have happened because now everything's kept  
12 and hidden. I can't even get a phone call for  
13 a meeting.

14 MS. JOHNSON: It was in the paper, I  
15 think.

16 MR. BARNICK: Oh, it was in the  
17 paper.

18 MS. JOHNSON: That's how I --

19 MR. BARNICK: We're lucky to get a  
20 pencil up here. They even cut us off on  
21 that. We're saving money.

22 MS. MENICHETTI: Do you want to call  
23 the question?

24 MS. JOHNSON: I'll call the  
25 question.

1 meetings by Endeavor Audio at a price of  
2 \$2,217.90. Motion, please?

3 MR. MARUSHOCK: I'll make that  
4 motion.

5 MS. MENICHETTI: Second?

6 MRS. SHORTZ: I'll second.

7 MS. MENICHETTI: Second by Mrs.  
8 Shortz. On the question?

9 MR. LUKASEWICZ: Why don't we just  
10 look into central air?

11 MR. BARNICK: Throughout the  
12 building.

13 MR. LUKASEWICZ: Throughout the  
14 building. The \$2,000 can go a long way  
15 towards that.

16 MS. MENICHETTI: I was told by Mr.  
17 Kalinoski we can't put central air in because  
18 the place is not insulated. Anyone else on  
19 the question?

20 MR. BARONE: Yes. Where did you get  
21 this price from?

22 MS. MENICHETTI: Endeavor Audio.

23 MR. BARONE: Did you ask Mr. Vidal  
24 for a price?

25 MS. MENICHETTI: No.

1 MR. BARONE: Maybe all it needs is a  
 2 little update here and it won't even cost that  
 3 much. He's the one who put these in.  
 4 MR. MARUSHOCK: This is another  
 5 outdated piece of equipment, too.  
 6 MR. BARONE: Well, if they're not  
 7 working you should call him back. He's the  
 8 guy who installed them. Maybe he can find a  
 9 simple problem.  
 10 MR. BARNICK: If the settings are  
 11 set properly they work.  
 12 MS. MENICHETTI: Anyone else on the  
 13 question? Roll call, please.  
 14 MR. NOVACK: Mr. Marushock?  
 15 MR. MARUSHOCK: For.  
 16 MR. NOVACK: Mrs. Shortz?  
 17 MRS. SHORTZ: For.  
 18 MR. NOVACK: Mr. Lukasewicz?  
 19 MR. LUKASEWICZ: Against.  
 20 MR. NOVACK: Mr. Barnick?  
 21 MR. BARNICK: Against.  
 22 MR. NOVACK: Mr. Barone?  
 23 MR. BARONE: Against.  
 24 MR. NOVACK: Ms. Johnson?  
 25 MS. JOHNSON: For.

1 MR. NOVACK: Ms. Menichetti?  
 2 MS. MENICHETTI: For. Four in  
 3 favor. Motion carried.  
 4 Motion number five, to ask Christine  
 5 Hartshorn to transcribe as well as she  
 6 possibly can the minutes that are still  
 7 outstanding from the tapes we have. This will  
 8 be done on her own time and she will be paid  
 9 by the hour at the rate she is presently  
 10 receiving. We are asking that she transcribe  
 11 all motions, questions on the motion, and  
 12 audience comment. Motion, please?  
 13 MRS. SHORTZ: I'll make that motion.  
 14 MS. MENICHETTI: Motion by Mrs.  
 15 Shortz. Second?  
 16 MR. MARUSHOCK: I'll second that.  
 17 MS. MENICHETTI: Second by  
 18 Mr. Marushock. On the question?  
 19 MR. LUKASEWICZ: Yeah, on the  
 20 question, I believe it should be done by an  
 21 outsider for mainly one reason. Not saying  
 22 Christine, but if someone internally does it  
 23 and the minutes are prepared the way she  
 24 prepared them and the majority of council  
 25 votes four to three, like it is here now, then

1 basically the minority members of council have  
 2 no will in the say of the minutes from the  
 3 last year and a half.  
 4 MR. MARUSHOCK: I think we have the  
 5 tape to back up whatever Mrs. Hartshorn would  
 6 be --  
 7 MR. LUKASEWICZ: The tape isn't the  
 8 official record. The official record of the  
 9 minutes is the written minutes in a printed  
 10 book. So that's the official record. So  
 11 whatever four council members vote we have the  
 12 official record forever.  
 13 MR. MARUSHOCK: If we have  
 14 Mrs. Hartshorn put this in writing from the  
 15 tapes that we have in our possession we still  
 16 keep the tapes. Then upon acceptance of the  
 17 minutes in Mrs. Hartshorn's writing we have  
 18 the tape to go by and listen to it again. If  
 19 you had any discrepancies please note that  
 20 prior to the acceptance of the written.  
 21 MR. LUKASEWICZ: What I just said is  
 22 it doesn't make a difference if I do have a  
 23 discrepancy. It's going to be a four to three  
 24 vote anyway.  
 25 MR. MARUSHOCK: Not necessarily.

1 MS. MENICHETTI: May I please  
 2 interject just one minute? If you have people  
 3 from the outside trying to transcribe these  
 4 tapes, it's very difficult because they're not  
 5 at these meetings, they don't recognize the  
 6 voices, they can't really tell who is saying  
 7 what. I think it's best if we have Christine  
 8 do it now. I know Mark has tried and he said  
 9 it's almost impossible. He didn't know who  
 10 was saying what. And I think Christine can  
 11 recognize voices a lot easier because she is  
 12 at all the meetings.  
 13 MR. LUKASEWICZ: Is the meeting that  
 14 we basically have minutes from -- well, we  
 15 have minutes that weren't accepted from  
 16 prior --  
 17 MS. MENICHETTI: No, these are the  
 18 tapes that were never transcribed.  
 19 MR. LUKASEWICZ: The one I'm talking  
 20 about that's never been done. What's going to  
 21 be done with that, nothing?  
 22 MS. MENICHETTI: What? I don't  
 23 understand.  
 24 MR. LUKASEWICZ: April, the one that  
 25 the majority didn't like how Christine

1 Sullivan --  
 2 MS. MENICHETTI: Oh, no.  
 3 MR. LUKASEWICZ: What's going to be  
 4 done with them, nothing?  
 5 MRS. SHORTZ: That wasn't April's  
 6 meeting.  
 7 MS. MENICHETTI: It's my  
 8 understanding we accepted the two sets and  
 9 they were both accepted. We did. We accepted  
 10 both sets. We accepted the draft and we  
 11 accepted the final copy.  
 12 MR. MARUSHOCK: Do we have any idea  
 13 of how many meetings we have outstanding?  
 14 MS. MENICHETTI: There's about six.  
 15 MR. BARNICK: These are the latest,  
 16 in the last year, here?  
 17 MR. MARUSHOCK: Why don't we have  
 18 Mrs. Hartshorn at least do two for right now  
 19 and then get them back and see what our  
 20 standing is on this? At least we're going to  
 21 get the minutes once and for all.  
 22 MS. MENICHETTI: At least we'll get  
 23 started on finishing them. Anyone else on the  
 24 question? Roll call, please, Mr. Novack.  
 25 MR. NOVACK: Mrs. Shortz?

1 MS. JOHNSON: I'll second it.  
 2 MS. MENICHETTI: Seconded by Ms.  
 3 Johnson. On the question?  
 4 MR. LUKASEWICZ: Yes. Did we get  
 5 any cost estimates?  
 6 MS. MENICHETTI: No. I asked the  
 7 engineer for it over a month ago and I never  
 8 received anything.  
 9 MR. MARUSHOCK: Madam Chairman, can  
 10 we check with the water company to see if they  
 11 can do this for us?  
 12 MS. MENICHETTI: You can contact  
 13 anyone you want. That's fine with me.  
 14 MR. LUKASEWICZ: Along with this  
 15 one, are we going to look into the other fire  
 16 hydrants that are similar to the nature of  
 17 this one?  
 18 MS. MENICHETTI: If we get a request  
 19 from the owner, yes, because I did.  
 20 MR. LUKASEWICZ: I know of one down  
 21 on the Boulevard by the fire house that's  
 22 right in the middle of a parking lot for  
 23 people coming out of the beautician's place.  
 24 I know when I go to get a hair cut I have to  
 25 watch. It's been hit many times. Can we

1 MRS. SHORTZ: For.  
 2 MR. NOVACK: Mr. Marushock?  
 3 MR. MARUSHOCK: For.  
 4 MR. NOVACK: Mr. Lukasewicz?  
 5 MR. LUKASEWICZ: Against.  
 6 MR. NOVACK: Mr. Barnick?  
 7 MR. BARNICK: Against.  
 8 MR. NOVACK: Mr. Barone?  
 9 MR. BARONE: Against.  
 10 MR. NOVACK: Ms. Johnson?  
 11 MS. JOHNSON: For.  
 12 MR. NOVACK: Ms. Menichetti?  
 13 MS. MENICHETTI: For. Four in  
 14 favor. Motion carried.  
 15 Motion number six, to move the fire  
 16 hydrant on George Street located in front of  
 17 Junior's old store to make it easier for  
 18 business to move into the town and alleviate  
 19 the parking problem there. The move would be  
 20 to Center Street, right across the street from  
 21 where it currently is.  
 22 MR. MARUSHOCK: I'll make that  
 23 motion.  
 24 MS. MENICHETTI: Motion by Mr.  
 25 Marushock. Second?

1 include that one also?  
 2 MS. MENICHETTI: I don't know where  
 3 you mean.  
 4 MR. BARNICK: Boulevard Avenue?  
 5 MR. LUKASEWICZ: The first street up  
 6 from Boulevard, on Brick Street, right behind  
 7 Lori Roczkowski's beauty shop. It's right in  
 8 her driveway. People have to pull in and pull  
 9 out. If we're going to do one I'd like to  
 10 have the other one done.  
 11 MS. MENICHETTI: Mr. Marushock and  
 12 Ms. Johnson have the motion on the floor.  
 13 What is your pleasure?  
 14 MR. MARUSHOCK: I have no objection  
 15 if it can help our businesses in the town.  
 16 MR. LUKASEWICZ: It will definitely  
 17 help this one.  
 18 MS. MENICHETTI: Brick Street?  
 19 MR. LUKASEWICZ: The first fire  
 20 hydrant on Brick Street.  
 21 MR. HARTSHORN: How about the one  
 22 above my house?  
 23 MR. LUKASEWICZ: I know this one was  
 24 hit many times coming out of the place.  
 25 MS. MENICHETTI: Okay, anyone else

1 on the question?  
 2 MR. BARNICK: On the question,  
 3 myself, I mean, there's going to be illegal  
 4 parking and it has to be done throughout the  
 5 borough. The streets are not big enough,  
 6 period. I mean, there's never been a problem  
 7 with Hegedus. Nobody ever really went after  
 8 anybody for parking in front of that fire  
 9 hydrant when they used to run in and out of  
 10 the store when it was open. I can't see going  
 11 through a major cost for something like this  
 12 when you have problems throughout the whole  
 13 town, not only with this fire hydrant.  
 14 MS. MENICHETTI: Well, this is a  
 15 start.  
 16 MR. BARNICK: I'd like to know what  
 17 the cost is.  
 18 MS. MENICHETTI: Well, if our  
 19 engineer had gotten it to me I would have had  
 20 it for this evening but she didn't.  
 21 MR. BARNICK: You're going to vote  
 22 on something without a cost. You're just  
 23 going to go ahead and do it. It could be over  
 24 ten grand.  
 25 MR. MARUSHOCK: We have to do what's

1 MR. NOVACK: Mr. Lukasewicz?  
 2 MR. LUKASEWICZ: For.  
 3 MR. NOVACK: Mr. Barnick?  
 4 MR. BARNICK: Against.  
 5 MR. NOVACK: Mr. Barone?  
 6 MR. BARONE: Against.  
 7 MR. NOVACK: Ms. Menichetti?  
 8 MS. MENICHETTI: For. Five in  
 9 favor. Motion carried.  
 10 The next motion is motion number  
 11 seven, the motion to rescind motion number 25  
 12 of January 13, 2005, which is the motion to  
 13 purchase the Chorba Property. May I have a  
 14 motion, please?  
 15 MR. MARUSHOCK: I'll make that  
 16 motion.  
 17 MS. MENICHETTI: Motion by Mr.  
 18 Marushock. Second?  
 19 MRS. SHORTZ: I'll second.  
 20 MS. MENICHETTI: Second by Mrs.  
 21 Shortz. On the question? Roll call, please.  
 22 MR. NOVACK: Ms. Johnson?  
 23 MS. JOHNSON: For.  
 24 MR. NOVACK: Mrs. Shortz?  
 25 MRS. SHORTZ: For.

1 proper to have it done.  
 2 MR. LUKASEWICZ: The two will be  
 3 included in this motion?  
 4 MS. MENICHETTI: If Mr. Marushock  
 5 and Ms. Johnson agree to it, yes.  
 6 MS. JOHNSON: I'm okay with it.  
 7 MR. MARUSHOCK: Yes.  
 8 MS. MENICHETTI: Roll call, please,  
 9 Mr. Novak.  
 10 MR. HARTSHORN: How about my house?  
 11 MR. MARUSHOCK: That's on.  
 12 MR. BARNICK: Three of them?  
 13 MS. MENICHETTI: You're doing Mr.  
 14 Hartshorn's also?  
 15 MR. MARUSHOCK: The one on Center  
 16 Street, the one Brick Street, and the one  
 17 across from Larry Hartshorn's house.  
 18 MS. MENICHETTI: Okay, it's a start.  
 19 Roll call, please.  
 20 MR. NOVACK: Mr. Marushock?  
 21 MR. MARUSHOCK: For.  
 22 MR. NOVACK: Ms. Johnson?  
 23 MS. JOHNSON: For.  
 24 MR. NOVACK: Mrs. Shortz?  
 25 MRS. SHORTZ: For.

1 MR. NOVACK: Mr. Marushock?  
 2 MR. MARUSHOCK: For.  
 3 MR. NOVACK: Mr. Lukasewicz?  
 4 MR. LUKASEWICZ: Against.  
 5 MR. NOVACK: Mr. Barnick?  
 6 MR. BARNICK: Against.  
 7 MR. NOVACK: Mr. Barone?  
 8 MR. BARONE: Against.  
 9 MR. NOVACK: Ms. Menichetti?  
 10 MS. MENICHETTI: For. Four in  
 11 favor. Motion carried.  
 12 Motion number eight. Do you want to  
 13 read that?  
 14 MR. MARUSHOCK: Motion to purchase  
 15 the Rinaldi property as per the agreement in  
 16 the amount of \$180,000 with attorney Brazil's  
 17 recommendations attached to that. That we  
 18 have that in our hands with the final  
 19 agreement by August 29, 2005.  
 20 The next one will be a motion to  
 21 advertise.  
 22 MR. LUKASEWICZ: You have to  
 23 advertise it first.  
 24 MR. MARUSHOCK: That will be the  
 25 next motion.

1 MR. BARNICK: You can't purchase it  
2 and then advertise it.  
3 MR. LUKASEWICZ: You have to  
4 advertise it first to see if you're going to  
5 have input into it come in.  
6 MR. BRAZIL: Just maybe a motion to  
7 authorize preparation of agreement for the  
8 August 29 meeting.  
9 Then the next one would be to  
10 advertise the purchase of the property and  
11 agreement --  
12 MS. MENICHETTI: It's a motion to  
13 purchase. Right?  
14 MR. BRAZIL: Well, the purchase is  
15 going to be the ordinance. If council passes  
16 the ordinance that's the document that  
17 authorizes the purchase, and attached to the  
18 ordinance is going to be a copy of the  
19 agreement of sale. So maybe the better avenue  
20 would be just a motion to prepare an agreement  
21 of sale at 180 with those prior  
22 recommendations.  
23 MS. MENICHETTI: Mr. Marushock, are  
24 you placing this motion on the floor?  
25 MR. MARUSHOCK: Yes, I am, and Mr.

1 So it's the wrong thing to do, and  
2 it's been going on for too long. It's not the  
3 right area. It's a residential area and this  
4 is wrong. It's just pure bitterness by you  
5 people.  
6 MS. MENICHETTI: On the question, as  
7 far as the rock goes, we are not putting in a  
8 basement so we do not need to be concerned  
9 with that. I think the rock makes an  
10 excellent --  
11 MR. BARNICK: Underground retention  
12 system needs the rock to be removed.  
13 MS. MENICHETTI: We went through all  
14 of this with the engineers and they said it's  
15 not insurmountable.  
16 MR. MARUSHOCK: It's doable.  
17 MR. BARNICK: Oh, it's doable but  
18 you got to pay. You're going to pay through  
19 the nose for an underground retention system.  
20 MS. MENICHETTI: The Chorba property  
21 also has mine voids.  
22 MR. LUKASEWICZ: No, it doesn't have  
23 mine voids. It did not state that it had mine  
24 voids.  
25 MR. BARNICK: No, it did not.

1 Brazil's recommendation.  
2 MS. MENICHETTI: May I have a  
3 second?  
4 MS. JOHNSON: I'll second it.  
5 MS. MENICHETTI: Seconded by Ms.  
6 Johnson. On the question?  
7 MR. BARNICK: On the question, it's  
8 the wrong thing to do and it's the wrong area  
9 to put it in. Most people along that area are  
10 against it. You're paying for a dump to be  
11 removed which was required back in the '70s by  
12 Mr. Rinaldi to remove it himself. This was  
13 part of the deal that was made by the Throop  
14 Borough when they sold it to him. You have  
15 garbage under there, Mr. Hartshorn. I know for  
16 a fact he used to store all garbage over  
17 there. It's all rock. The ambulance company,  
18 which is right across the road from it, had to  
19 blast and they only got half a basement.  
20 There's a mine shaft right behind  
21 the ambulance building which is directly maybe  
22 30 yards in front of that property. And it  
23 was also stated by the engineers that 1.5  
24 acres of that three and a half acres of land  
25 cannot be used.

1 MR. LUKASEWICZ: It stated that the  
2 ground would have to be prepared like any  
3 other site. It did not say mine voids. No  
4 mine voids.  
5 On the question, the mine spoils  
6 that would be removed from the Rinaldi  
7 mountain, where will they be relocated?  
8 MRS. SHORTZ: It's my understanding  
9 it has to do --  
10 MR. LUKASEWICZ: It's very  
11 important. Where will they go? Will they  
12 be --  
13 MS. MENICHETTI: That was discussed  
14 previously.  
15 MR. BARNICK: No, it was not.  
16 MS. MENICHETTI: Yes, it was.  
17 MR. LUKASEWICZ: I want to have  
18 something on the record. Will they be taken  
19 off site or will they be moved in preparation  
20 of the Rinaldi development? What's going on  
21 here? That's what I'm trying to ask. You  
22 have a mountain that has to be moved. Will it  
23 be moved and taken somewhere else or will it  
24 be moved onto his property in site preparation  
25 of his development?

1 MS. MENICHETTI: "Seller shall  
2 remove the coal piles and/or earth in  
3 accordance with applicable federal and state  
4 laws and regulations."

5 MR. BARNICK: Where is it going to  
6 be moved?

7 MR. LUKASEWICZ: At this time does  
8 any --

9 MR. BARNICK: Where is the culm  
10 going to be moved?

11 MR. LUKASEWICZ: Does anyone on  
12 council know that those spoils will be moved  
13 to his property, is the question I'm asking?

14 MR. MARUSHOCK: We don't have an  
15 answer to that.

16 MR. LUKASEWICZ: Does anybody know  
17 that at this time?

18 MR. SHORTZ: My understanding was,  
19 when the engineers were looking at that site,  
20 some of it would remain on that site as part  
21 of the preparation. What couldn't remain  
22 there would be removed. They would have to  
23 meet the regulations and they would have to  
24 meet the zoning and planning and all that  
25 preparation.

1 MR. BARNICK: Who would be meeting  
2 it? We're going to meet it for our side or  
3 he's going to meet it for his side? And we're  
4 going to prepare his site for his benefit.  
5 That's all culm.

6 MRS. SHORTZ: What are we preparing  
7 on his site?

8 MR. BARNICK: You start moving that  
9 culm from there and leveling out his site you  
10 have to go through an E and S plan. He's got  
11 to follow through his whole development.

12 MR. MARUSHOCK: That's  
13 understandable.

14 MR. BARNICK: Is that being over --  
15 so then what you're saying is you're going to  
16 give that man a deal to benefit him.

17 MR. MARUSHOCK: I don't know that.

18 MR. BARNICK: With our deposit  
19 that's over there, is what you're saying. I  
20 want this part of the record. That's all I  
21 want to know, that he's going to benefit from  
22 this removal of culm. That's what I want to  
23 know.

24 MS. JOHNSON: You probably have to  
25 ask him.

1 MR. BARNICK: No, no, it should be  
2 specific in that agreement. Is he benefitting  
3 from the removal of this? That's what I want  
4 to know. Because he's already being paid  
5 \$80,000. Is he benefitting from the removal  
6 for having his site prepared for development?

7 MR. MARUSHOCK: You'll have to call  
8 him.

9 MS. MENICHETTI: John, where's the  
10 agreement of sale that we had?

11 MR. BRAZIL: My understanding with  
12 the agreement of sale is the culm bank there,  
13 part of the agreement was he was to remove  
14 that. I did not get into discussions with  
15 him, where are you taking that, what are you  
16 going to do, are you going to make money off  
17 it. I don't know if he's going to use it on  
18 his site, if he's going to sell it to somebody  
19 else. That's not proper in a discussion with  
20 him, what's he going to do. When this was put  
21 together --

22 MR. BARNICK: Well, we need to know  
23 because we also have to direct traffic  
24 patterns and stuff like that. Them trucks are  
25 going to be running in and out of here with

1 all that culm. We have to know this because  
2 you have people that are going to be  
3 aggravated with all the trucks coming in and  
4 out.

5 MR. BRAZIL: But I'm assuming when  
6 he removes it, normally he has to come in for  
7 a permit, there's restrictions on the trucks.  
8 But in response to your question, I didn't go  
9 in to him what are you going to do with this?  
10 Are you going to make money on it? Are you  
11 going to use it here? My understanding was,  
12 when I talked to put this together, the goal  
13 was to remove it. It wasn't tell us where  
14 you're removing it, tell us what you're  
15 doing. No, I didn't ask him those questions.

16 The only thing I addressed on it was  
17 that if he removed -- wherever it's removed to  
18 it comply with all local, state and federal  
19 laws. So like anybody else, if he's putting  
20 it somewhere he's got to go to ENS, he's got  
21 to get whatever appropriate approvals are  
22 required.

23 MR. MARUSHOCK: No matter which site  
24 we would pick we would have truck traffic on  
25 our borough roads to make improvements to any

1 of the sites that we've ever discussed.  
 2 MR. BARNICK: Not really. Not  
 3 really.  
 4 MR. LUKASEWICZ: How many trucks  
 5 there? You're a trucker. How many --  
 6 MR. BARNICK: How many trucks you  
 7 got there?  
 8 MR. LUKASEWICZ: Don't play stupid.  
 9 It's a mountain. Jed, that's a mountain.  
 10 MS. MARUSHOCK: Basically have  
 11 access --  
 12 MR. LUKASEWICZ: You don't know?  
 13 MR. MARUSHOCK: You try to enter the  
 14 Chorba property from Sanderson Street, you  
 15 come down Cypress Street you're not going to  
 16 make that turn. You're not going to make that  
 17 turn. I call the question, please.  
 18 MS. MENICHETTI: The question has  
 19 been called. May I --  
 20 MR. BARONE: Excuse me one second.  
 21 Getting back to that dump, I know you're  
 22 calling the question, but I understand -- did  
 23 you have that dump checked for chemicals? I  
 24 understand 22 percent of that dump has  
 25 chemicals. Now, if this guy, whether he moves

1 MR. BARNICK: Against.  
 2 MR. NOVACK: Mr. Barone?  
 3 MR. BARONE: Against.  
 4 MR. NOVACK: Ms. Menichetti?  
 5 MS. MENICHETTI: For. Four in  
 6 favor. Motion carried.  
 7 Motion number nine, to readvertise  
 8 the ordinance to purchase the Rinaldi  
 9 property. We'd like it in the paper tomorrow  
 10 because it has to be seven days prior to the  
 11 next meeting. May I have a motion, please?  
 12 MR. MARUSHOCK: So move.  
 13 MS. MENICHETTI: Motion by Mr.  
 14 Marushock. Second?  
 15 MR. MARRAZZO: I'm attorney Mike  
 16 Marrasso. I represent the Chorbas. It  
 17 puzzles me -- I'm not going to comment on what  
 18 you're voting on, but I'd like to know how you  
 19 can advertise the purchase of a property when  
 20 you haven't even looked at an agreement of  
 21 sale.  
 22 MR. MARUSHOCK: We have an agreement  
 23 of sale.  
 24 MR. MARRAZZO: You have not looked  
 25 at an agreement of sale. You just said now

1 it all or he moves it in his own property  
 2 you're going to have contamination on his  
 3 property.  
 4 MS. MENICHETTI: It was checked by  
 5 EPA. That was the first thing we did.  
 6 MS. JOHNSON: The last meeting  
 7 someone wanted to keep that mountain there.  
 8 They said it was good to even be there. Like,  
 9 what is it?  
 10 MR. LUKASEWICZ: The people wanted  
 11 it there it because it was a wind barrier.  
 12 MS. JOHNSON: But if it's full of  
 13 chemicals now, like, what is it? Which way  
 14 here?  
 15 MS. MENICHETTI: All right, roll  
 16 call, please, Mr. Novack.  
 17 MR. NOVACK: Mr. Marushock?  
 18 MR. MARUSHOCK: For.  
 19 MR. NOVACK: Ms. Johnson?  
 20 MS. JOHNSON: For.  
 21 MR. NOVACK: Mrs. Shortz?  
 22 MRS. SHORTZ: For.  
 23 MR. NOVACK: Mr. Lukasewicz?  
 24 MR. LUKASEWICZ: Against.  
 25 MR. NOVACK: Mr. Barnick?

1 you authorize for the revised final agreement  
 2 of sale to be put before council, and you're  
 3 going to advertise the purchase of the  
 4 property when you haven't even voted on -- you  
 5 haven't even voted on the agreement of sale.  
 6 MS. MENICHETTI: We had an agreement  
 7 of sale before, sir.  
 8 MR. MARRAZZO: I can assure you --  
 9 MS. MENICHETTI: This is not the  
 10 first time we're going around with this.  
 11 MR. MARRAZZO: But I can assure you  
 12 as I'm sitting here that I will challenge you.  
 13 MR. BARNICK: Thank you.  
 14 MR. MARRAZZO: You will not pass. I  
 15 can sure you. You have to follow proper  
 16 procedure and you're not.  
 17 MS. JOHNSON: We have the revised  
 18 edition. Right, Mr. Brazil?  
 19 MR. BRAZIL: Yes.  
 20 MS. JOHNSON: We have the revised  
 21 contract.  
 22 MR. MARRAZZO: You just authorized  
 23 for a revised contract to be put before  
 24 council. That's what you did in the motion.  
 25 Attorney Brazil suggested you make that

1 motion, you made that motion. And all I'm  
2 saying is how do you now pass a motion without  
3 having looked at an agreement of sale,  
4 approved an agreement of sale, and you're now  
5 going to advertise --

6 MS. MENICHETTI: We passed a motion  
7 to prepare an agreement of sale.

8 MR. MARRAZZO: And you're also  
9 looking to pass a motion now to advertise the  
10 purchase of the property before you have a  
11 chance to look at the agreement of sale.

12 MS. MENICHETTI: We did the same  
13 thing for the Chorba property. I don't  
14 recall -- I never saw an agreement of sale.

15 MR. MARRAZZO: If you didn't, that  
16 was wrong, too. Two wrongs don't make a  
17 right. All I'm saying is you have to look at  
18 the agreement of sale, review it and approve  
19 it.

20 MR. MARUSHOCK: We had an agreement  
21 of sale.

22 MR. BARNICK: What's the date on  
23 that agreement of sale? Two years ago?

24 MS. MENICHETTI: Let the solicitor  
25 speak, please.

1 MR. BRAZIL: It was the agreement to  
2 be voted on.

3 MR. MARUSHOCK: I know the agreement  
4 that came through, the first one, attorney  
5 Brazil reviewed it, he made his  
6 recommendation. The revised agreement as per  
7 attorney Brazil's recommendations came through  
8 with attorney Brazil's recommendations as part  
9 of that agreement, not an addendum to it.  
10 That's what I'm being asked if that was done  
11 that we're voting on, that was voted on. I  
12 tried to make that clear, that tonight I did  
13 not have that final agreement before me. Am I  
14 correct, attorney Brazil?

15 MR. BRAZIL: That's right.

16 MR. MARUSHOCK: Because it was done  
17 already.

18 MS. JOHNSON: Is there another way  
19 we should word it?

20 MR. BRAZIL: No, you're fine.

21 MR. BARNICK: One thing I'm asking,  
22 when you advertise this please don't place  
23 just a general statement to purchase real  
24 estate. In other words, specify where this  
25 piece of property is so these people have a

1 MR. BRAZIL: If I can, this purchase  
2 of the Rinaldi property was advertised back in  
3 December or January with the agreement of sale  
4 that this council had gone over for four or  
5 five months. It's the same agreement. Okay?

6 MS. MENICHETTI: It hasn't changed  
7 at all.

8 MR. BRAZIL: Right. So --

9 MR. BARNICK: You just said you were  
10 going to revise it.

11 MR. BRAZIL: It's the same agreement  
12 that --

13 MR. BARNICK: You said you were  
14 going to revise it.

15 MR. MARUSHOCK: Can I add to this?  
16 I did mention in that motion that it would  
17 be --

18 MR. BRAZIL: With the revision, and  
19 that was part of the agreement.

20 MR. MARUSHOCK: Correct. And that's  
21 all I had in my file right now that we're  
22 voting on tonight, and that's why I put  
23 attorney Brazil's recommendations when that  
24 agreement came in. I don't have the latest  
25 agreement in my possession.

1 right to request a hearing and come over here  
2 to this meeting and put their opinions on the  
3 record. There's a whole lot a people that do  
4 not want that over there.

5 MR. BRAZIL: Okay.

6 MR. BARNICK: The thing to purchase  
7 real estate, that could be anywhere.

8 MR. BRAZIL: How was that advertised  
9 the last time, Ken?

10 MR. NOVACK: To purchase real  
11 estate. Did you have any specific --

12 MR. BRAZIL: That's fine. Put on to  
13 purchase real estate so and so. You know? I  
14 don't do that. Okay? But that's fine.

15 MR. BARNICK: With a location.

16 MR. MARUSHOCK: I'm sure attorney  
17 Brazil will do whatever is legally necessary  
18 on behalf of the borough.

19 MS. MENICHETTI: All right. We have  
20 a motion on the floor. Motion number nine by  
21 Mr. Marushock. May I have a second, please,  
22 on motion number nine?

23 MRS. SHORTZ: I second it.

24 MS. MENICHETTI: Second by Mrs.  
25 Shortz. On the question? Roll call, please,

1 Mr. Novack.  
 2 MR. NOVACK: Mr. Marushock?  
 3 MR. MARUSHOCK: For.  
 4 MR. NOVACK: Ms. Johnson?  
 5 MS. JOHNSON: For.  
 6 MR. NOVACK: Mrs. Shortz?  
 7 MRS. SHORTZ: For.  
 8 MR. NOVACK: Mr. Lukasewicz?  
 9 MR. LUKASEWICZ: Against.  
 10 MR. NOVACK: Mr. Barnick?  
 11 MR. BARNICK: Against.  
 12 MR. NOVACK: Mr. Barone?  
 13 MR. BARONE: Against.  
 14 MR. NOVACK: Ms. Menichetti?  
 15 MS. MENICHETTI: For. Four in  
 16 favor. Motion carried.  
 17 Motion number ten, to authorize the  
 18 engineer to design a new DPW complex  
 19 immediately. If current engineer cannot start  
 20 immediate, hire a new engineering firm and  
 21 have it in writing. Is that what you wanted,  
 22 Jed?  
 23 MR. MARUSHOCK: Yes. We take this  
 24 to our engineer and we try to get this thing  
 25 done and all finalized so we can start on site

1 prep ASAP. As I mentioned earlier, we have a  
 2 new -- I think it's a \$170,000 packer that's  
 3 probably going to sit out there until --  
 4 MR. LUKASEWICZ: Do you realize it's  
 5 almost September? Do you have any idea what  
 6 time of year it is to start construction?  
 7 MR. MARUSHOCK: They can start on  
 8 site prep, then move forward when the weather  
 9 allows for construction of the building and  
 10 get it done once and for all.  
 11 MR. LUKASEWICZ: You have no idea  
 12 what you're doing. No idea.  
 13 MR. MARUSHOCK: We've been planning  
 14 both on different sites for years.  
 15 MR. LUKASEWICZ: The snow will be  
 16 flying and you won't even have any approval.  
 17 MS. JOHNSON: Would that change if  
 18 we purchased somewhere else --  
 19 MR. LUKASEWICZ: It's too late  
 20 anywhere now. Why do you have to ram it now?  
 21 You've got a lot to do in January --  
 22 MS. MENICHETTI: May I have a second  
 23 on the motion, please?  
 24 MS. JOHNSON: You never know, do  
 25 you, Tom?

1 MRS. SHORTZ: I'll second.  
 2 MS. MENICHETTI: Second by Mrs.  
 3 Shortz. Now on the question you can discuss  
 4 it.  
 5 MRS. SHORTZ: My comment on this -  
 6 and it was brought up before -- it's our  
 7 fault. For two years we've been dragging our  
 8 feet. I've been coming to council meetings  
 9 for years, they've been trying to put this  
 10 building through. The three of you were all  
 11 in favor of the 48 acres for a year. At one  
 12 point, Mr. Barone, you were pushing for  
 13 Mr. Rinaldi's property. The Rinaldi property  
 14 was passed, we returned around, then it was  
 15 the Servomation was passed, and it was turned  
 16 around and the 40 acres was back and forth,  
 17 and then Rinaldi's, now Chorba's.  
 18 The bottom line is the three of you  
 19 have been sitting on council while all these  
 20 ten years the delays have taken place. It's  
 21 time to get this thing moving forward. Until  
 22 something starts to move forward it's never  
 23 going to take place.  
 24 MR. BARONE: I told you about  
 25 Rinaldi. I talked to Rinaldi. I didn't go

1 alone. Cimini was with me and so wasn't  
 2 Robbie. Let me finish. He was almost going  
 3 to move that for nothing until you people  
 4 stepped in.  
 5 MRS. SHORTZ: No, no.  
 6 MR. BARONE: Yes.  
 7 MRS. SHORTZ: That was voted on long  
 8 before I even ran for council.  
 9 MR. BARONE: I'll talk to him  
 10 myself.  
 11 MRS. SHORTZ: Pull out the minutes  
 12 of the meeting and you'll see --  
 13 MR. BARONE: That's why I changed my  
 14 mind.  
 15 MRS. SHORTZ: I wasn't even running  
 16 for council at that point when you changed  
 17 your mind. As a matter of fact, an agreement  
 18 of sale was voted and passed and was to be  
 19 signed. President of council, Mr. Lukasewicz,  
 20 refused, called a special meeting, you changed  
 21 your vote, and that's when it got turned  
 22 around.  
 23 MS. MENICHETTI: Exactly.  
 24 MR. BARONE: I changed my vote for  
 25 this Rinaldi property --

1 MRS. SHORTZ: That had nothing to do  
2 with me or with this majority. That had  
3 nothing to do with this majority sitting here  
4 currently. So if anyone's delaying it --

5 MR. BARONE: You're not always  
6 right.

7 MRS. SHORTZ: And neither are you,  
8 Mr. Barone.

9 MR. MARUSHOCK: This situation --

10 MR. BARONE: You, too. You're  
11 another guy.

12 MR. MARUSHOCK: Yeah, I know that.

13 MR. BARONE: I think it's time the  
14 four of you resigned already.

15 MS. MENICHETTI: Anyone else on the  
16 question? Roll call, please.

17 MR. NOVACK: Mr. Marushock?

18 MR. MARUSHOCK: For.

19 MR. NOVACK: Mrs. Shortz?

20 MRS. SHORTZ: For.

21 MR. NOVACK: Mr. Lukasewicz?

22 MR. LUKASEWICZ: Against

23 MR. NOVACK: Mr. Barnick?

24 MR. BARNICK: Against.

25 MR. NOVACK: Mr. Barone?

1 give me an answer as to what we can do for  
2 Mr. Gangi to help him out, and she said she  
3 would. Well, what is this, the 18th today? I  
4 have heard nothing. It wasn't mentioned in  
5 her minutes.

6 MR. LUKASEWICZ: Have you called  
7 her?

8 MS. MENICHETTI: No.

9 MS. JOHNSON: Have you?

10 MR. LUKASEWICZ: No, but I took the  
11 initiative to meet down there with her and  
12 Carl.

13 MS. JOHNSON: Right, but nothing's  
14 been done, so let's make sure something gets  
15 done.

16 MR. BARNICK: How do you know  
17 nothing's been done?

18 MR. LUKASEWICZ: They have gone out  
19 there and surveyed and they've been pulling  
20 the records of all the storm sewer systems  
21 around there and something's going to be  
22 placed --

23 MS. JOHNSON: Well, let's see it on  
24 paper.

25 MR. BARNICK: It doesn't matter.

1 MR. BARONE: Against.

2 MR. NOVACK: Ms. Johnson?

3 MS. JOHNSON: For.

4 MR. NOVACK: Ms. Menichetti?

5 MS. MENICHETTI: For. Four in  
6 favor. Motion carried.

7 Motion number II, to direct the  
8 engineer to do a final remedy for Gangi's  
9 property and have it ready for the August 29  
10 meeting. Motion, please?

11 MS. JOHNSON: I'll make the motion.

12 MS. MENICHETTI: Motion by Ms.  
13 Johnson.

14 MR. MARUSHOCK: I'll second.

15 MS. MENICHETTI: Second by Mr.  
16 Marushock. On the question, please?

17 MR. LUKASEWICZ: Am I in the same  
18 world? Is today the 18th of August?

19 MS. JOHNSON: Yes, it is.

20 MR. MARUSHOCK: This has to be done  
21 before there's any further damage to that  
22 site.

23 MS. MENICHETTI: I asked -- over a  
24 month ago I asked Betsy, she sat right there.  
25 I said Betsy, I want you to go down there and

1 MR. LUKASEWICZ: If it doesn't get  
2 done here have someone else do it.

3 MS. MENICHETTI: All right, anyone  
4 else on the question? Roll call, please,  
5 Mr. Novack.

6 MR. NOVACK: Ms. Johnson?

7 MS. JOHNSON: For.

8 MR. NOVACK: Mr. Marushock?

9 MR. MARUSHOCK: For.

10 MR. NOVACK: Mrs. Shortz?

11 MRS. SHORTZ: For.

12 MR. NOVACK: Mr. Lukasewicz?

13 MR. LUKASEWICZ: Abstain.

14 MR. NOVACK: Mr. Barnick?

15 MR. BARNICK: Abstain. Why not.

16 MR. NOVACK: Mr. Barone?

17 MR. BARONE: I'll vote for.

18 MR. NOVACK: Ms. Menichetti?

19 MS. MENICHETTI: For. Five-four  
20 motion carried. And, Mr. Barnick, every time  
21 I've abstained you always asked me why.

22 MR. BARNICK: Why? Because I think  
23 it's ridiculous the time constraint you're  
24 trying to put on the engineer. That's why.

25 MR. LUKASEWICZ: You want to ask

1 me? Because of the ignorance of the majority.

2 MS. JOHNSON: The man came to us at  
3 the end of July.

4 MR. MARUSHOCK: Your opinions don't  
5 mean much. I don't value your opinion  
6 whatsoever.

7 MR. BARNICK: I can tell you that.

8 MS. MENICHETTI: Motion number 12,  
9 to give permission to Lackawanna College and  
10 Bishop O'Hara for the Washington Street Park  
11 ball field as availability provides.

12 MR. BARONE: What motion number was  
13 that?

14 MS. MENICHETTI: Number 12. Who  
15 would like to place that motion on the floor?

16 MR. BARONE: I will.

17 MS. MENICHETTI: Mr. Barone.  
18 Second?

19 MS. JOHNSON: I'll second it.

20 MS. MENICHETTI: Second by Ms.  
21 Johnson. On the question?

22 MR. LUKASEWICZ: The question is per  
23 availability.

24 MS. MENICHETTI: That's what I  
25 said. Okay. Anyone else on the question?

1 been on TV, especially purchasing the  
2 property.

3 MR. MARUSHOCK: You probably scared  
4 him enough the last couple meetings.

5 MR. BARNICK: Only your family that  
6 says that because they said that was great  
7 what you did with Mr. Bolus. I think it's  
8 great what you did. I'm glad. But we should  
9 have --

10 MS. MENICHETTI: Mr. Barnick, only  
11 people just like you liked that.

12 MR. BARNICK: You should have the  
13 person here doing the video about this land  
14 and see what kind of deals you're trying to  
15 cut.

16 MR. MARUSHOCK: People saw what was  
17 going on. I said he was behaving because the  
18 tape was running. You should hear without the  
19 tape.

20 MR. LUKASEWICZ: Will there be a  
21 video recording of the next meeting?

22 MS. MENICHETTI: If we can get him.  
23 It's on availability.

24 MR. BARNICK: We need that.

25 MR. ROCCO: Dominick Rocco, 110

1 Roll call, please.

2 MR. NOVACK: Mr. Barone?

3 MR. BARONE: For.

4 MR. NOVACK: Ms. Johnson?

5 MS. JOHNSON: For.

6 MR. NOVACK: Mrs. Shortz?

7 MRS. SHORTZ: For.

8 MR. NOVACK: Mr. Marushock?

9 MR. MARUSHOCK: For.

10 MR. NOVACK: Mr. Lukasewicz?

11 MR. LUKASEWICZ: For.

12 MR. NOVACK: Mr. Barnick?

13 MR. BARNICK: For.

14 MR. NOVACK: Ms. Menichetti?

15 MS. MENICHETTI: For. All in  
16 favor. Motion carried.

17 MR. MARUSHOCK: How did that  
18 happen? How did we all vote on something?

19 MS. MENICHETTI: That concludes the  
20 agenda part of our program. We'll now go to  
21 audience comment. Who would like to speak?  
22 Please go to the podium and state your name  
23 for the record.

24 MR. ROCCO: Where is the video  
25 tape? This is one meeting that should have

1 Sanderson Street in Throop. Why don't you  
2 hold a public meeting on that Rinaldi  
3 property, you know? They already told you  
4 they didn't want it but you don't want to hear  
5 it.

6 MR. BARNICK: Dominick, you have the  
7 right to request a hearing.

8 MR. ROCCO: I request a hearing on  
9 this. Oh, yes, I definitely do.

10 And the Bellman Street playground  
11 what about the lighting down there? It's over  
12 a year now.

13 MS. JOHNSON: Mr. Rocco asked for  
14 lighting down there and still nothing has been  
15 done. Robbie was supposed to look into it.

16 MS. MENICHETTI: Wasn't that another  
17 thing we gave to the engineer?

18 MS. JOHNSON: Do you remember,  
19 Rocco, was that Mr. Kalinoski who was supposed  
20 to look into that for you?

21 MR. ROCCO: That was over a year ago  
22 he's suppose to look at it.

23 MS. JOHNSON: It's at least a good  
24 six months that I know of, that I could  
25 remember.

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1 MR. ROCCO: I just keep bringing it  
2 up and nothing's being done.

3 MS. JOHNSON: Can we talk to Robbie  
4 about that for the end of the month, at  
5 least?

6 MS. MENICHETTI: We'll discuss it  
7 with Robbie.

8 MS. JOHNSON: And have that for  
9 Rocco. He's been asking for that. He really  
10 has been.

11 MR. ROCCO: Thank you.

12 MS. MENICHETTI: Anyone else like to  
13 speak?

14 MS. GORESCHAK: Betty Goreschak.  
15 What happened to the plan for the DPW building  
16 that was made before?

17 MR. MARUSHOCK: We should still have  
18 it.

19 MS. GORESCHAK: Well, why do you  
20 need a new one?

21 MS. MENICHETTI: It's not the  
22 building itself that we have to design, it's  
23 the entire complex. It has to be designed  
24 with the roads and the --

25 MR. MARUSHOCK: There's a lot design

1 you remember, all council voted in favor of  
2 that not being there.

3 MR. LUKASEWICZ: I misstated this.  
4 I'm sorry. That wasn't the one that I was  
5 alluding to. There's another zoning decision  
6 that had been overridden by the majority of  
7 council, and I'm just stating for the record  
8 what if a zoning ruling comes back and the  
9 borough commissioner says they're not  
10 agreeable to the area? Is council going to do  
11 basically the same thing like they did with  
12 the other decision of the zoning board of  
13 Throop and just override it?

14 MR. MARUSHOCK: Don't you think  
15 they'd need a legitimate reason --

16 MR. BARNICK: You didn't have one  
17 the last time.

18 MS. MENICHETTI: It was a  
19 settlement.

20 Mr. Hartshorn, would you like to  
21 speak, please?

22 MR. HARTSHORN: Larry Hartshorn, 140  
23 Dimmick Street. I don't know whose side you  
24 stand on, but I'm telling you this, people,  
25 Rinaldi's property is not the place for that

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1 that's already -- Betty, you should be aware  
2 of that. Something come before planning,  
3 before zoning. There's a lot of stuff already  
4 in place for this site.

5 MS. GORESCHAK: No, there's not.  
6 There's nothing --

7 MS. MENICHETTI: I remember KBA did  
8 a plan. I remember the trucks coming in a  
9 certain way, going out a certain way. I sat  
10 here and looked at them.

11 MR. MARUSHOCK: Mr. Kalinoski has  
12 maps of all of that.

13 MS. GORESCHAK: We never saw  
14 nothing. Sorry.

15 MR. MARUSHOCK: Cost estimates and  
16 everything for the water runoff. Everything  
17 was addressed.

18 MR. LUKASEWICZ: What if the  
19 planning commission or the zoning board  
20 decided that's not a good area, similar to  
21 what just happened with this four-family  
22 building down there? Is council going to  
23 override zoning again? Just a thought.

24 MRS. SHORTZ: The four-family  
25 building, council did not override that. If

1 complex. I was practically raised in Warsaw.  
2 Prior to that there was dumps there behind  
3 there. Let me tell you what's underneath  
4 there. There's no mine under there. There  
5 was a breaker over to the right. Underneath,  
6 whatever, behind Bolus' and all up in there  
7 that was a big dump. When they took that dump  
8 down there was nothing but dirt, dirt  
9 underneath that. You're not going to run into  
10 that problem over here. I'm telling you,  
11 you're going to run into that problem. You  
12 can't use all the land, first of all.

13 Second of all, the preparation is  
14 going to cost a lot of money.

15 Third, you go right up to Chorba's  
16 and I'll bet you there's a spot up there where  
17 you can put the borough building right now  
18 without moving nothing.

19 MRS. SHORTZ: The engineer says you  
20 can't.

21 MS. MENICHETTI: The engineer said  
22 that you had to prepare this site.

23 MR. LUKASEWICZ: Yes, \$20,000 or  
24 \$30,000. You spent that money today for doors  
25 and phones. We could have prepped the site.

1 We had no money in the budget last week --  
 2 MR. HARTSHORN: You people haven't  
 3 started the work. You people are not trying  
 4 to settle vendettas and won't do it because  
 5 you don't like it or he don't like it. Let's  
 6 do it for the people. Let's do something  
 7 right up there.

8 MS. MENICHETTI: You know, Larry, we  
 9 wanted the old Servomation building up there  
 10 in the Keystone Industrial Park. It was 3.5  
 11 acres, or close to that, anyway. It was the  
 12 perfect site. We were thrilled with it. We  
 13 had the whole thing ready to go and, of  
 14 course, it didn't go. It fell through. That  
 15 was an ideal site. It was out of the way. It  
 16 would not interfere with any residential  
 17 area. The building wasn't perfect but it was  
 18 serviceable. It wasn't a Taj Mahal, but we  
 19 didn't need a Taj Mahal. It was serviceable.  
 20 That didn't go through.

21 Finally we decided on the Rinaldi  
 22 property. Well, that went back and forth for  
 23 a while and that fell through eventually for  
 24 various reasons.

25 Then we went to the Chorba -- then

1 we went to the 48 acres, excuse me, and  
 2 everyone wanted that. I was always against  
 3 the 48 acres because of its location. I just  
 4 thought it would be difficult to get in and  
 5 out of there in the wintertime.

6 But, you know, as time went on --  
 7 and I just felt that the Chorba property was  
 8 kind of costly. You know, it's a lot of  
 9 money. I know it's seven acres of land. It's  
 10 costly. And I just felt that after we do all  
 11 the prep and everything -- and, you know, this  
 12 is only prepping the building itself. This is  
 13 not prepping the land.

14 So I said let's just go for the 48  
 15 acres, put the DPW complex up there, start to  
 16 develop it, maybe we can put something else up  
 17 there. Like, people were talking about a  
 18 swimming pool, or I wanted to do a residence  
 19 for seniors or something else. Well, no, we  
 20 had a public meeting on it and there was no  
 21 input. Everybody sat there. Nobody said  
 22 anything. So then I figured well, I guess  
 23 that's the end of that.

24 Then the Chorba property came into  
 25 being. I don't know, it just came. All the

1 sudden there it was. And I went up there, I  
 2 walked around the property, I saw it. It is  
 3 residential. There are a lot of homes around  
 4 there. You have a brand new home right  
 5 there. You're talking about interfering with  
 6 the people. What about the people up there?

7 MR. HARTSHORN: What about the  
 8 people over here?

9 MS. MENICHETTI: I know they're used  
 10 to a lot more traffic because of Marshwood  
 11 Road, there, but still, I mean, it's still a  
 12 residential area in there.

13 MR. MARUSHOCK: How about if the  
 14 Chorba property brought in something that  
 15 would be within the zoning guidelines, such as  
 16 light manufacturing or light industrial, with  
 17 access from the industrial park? That back of  
 18 the building could face the homes. That would  
 19 be a noise barrier. We're not going to  
 20 disturb any other neighborhoods there, and  
 21 perhaps the local people could work on that  
 22 site.

23 MR. LUKASEWICZ: That's not going to  
 24 happen. You have a steep incline. You've got  
 25 to come in through private property to get in

1 that way. It's not going to happen.

2 MR. HARTSHORN: It's still no  
 3 answer. That's been the problem here with  
 4 certain people. You didn't let no residential  
 5 properties in there. Why? Because it will  
 6 make a little bit of noise. Them people up in  
 7 Warsaw knew all along that that was an  
 8 industrial park and all around up through  
 9 there. I know. I was born and raised up  
 10 there. They were happy when they built  
 11 Johnson's Towing place and everything else  
 12 there.

13 MR. MARUSHOCK: How many meetings  
 14 did we go to where we get residents from  
 15 Warsaw come down and they were complaining  
 16 about the noise from the trucking company.  
 17 They were on their way out to construct a  
 18 facility down the line. But I remember  
 19 numerous meetings where the residents come up  
 20 there, came to voice complaints regarding the  
 21 noise --

22 MR. HARTSHORN: Well, what you're  
 23 saying now is these people over here and us  
 24 people down on the boulevard have nothing to  
 25 say about you putting it on Rinaldi's

1 property.  
 2 MR. MARUSHOCK: We're keeping the  
 3 borough --  
 4 MR. HARTSHORN: All you people up  
 5 there, seven people, can't agree on one way or  
 6 another because maybe Joe done something to  
 7 Ms. Johnson or vice versa. Let's get together  
 8 and work together rather than trying to settle  
 9 your personal vendettas.  
 10 MR. MARUSHOCK: I feel this is the  
 11 right move, Mr. Hartshorn, once and for all.  
 12 MS. MENICHETTI: And the trucks have  
 13 been coming and going in and out of this  
 14 building for years now. They're used to this  
 15 traffic.  
 16 MR. MARUSHOCK: We're not increasing  
 17 truck traffic here whatsoever. We're going to  
 18 be digging at this site without disturbing any  
 19 of the neighborhood. If we dig it up on the  
 20 Chorba property, we dig it up on the 48 acres  
 21 we're going to be disturbing other people.  
 22 But we're still going to keep the borough  
 23 complex here, we're still going to keep the  
 24 civic center here. We're sill going to have  
 25 basically the same amount of traffic. All the

1 decisions why I don't want Mr. Rinaldi. I  
 2 worked for this borough for 25 years. I know  
 3 what's on that property down there. You got a  
 4 damn dump down there. Nobody done nothing  
 5 about that I brought up. You got one right  
 6 out here where we used to park our trucks.  
 7 MR. MARUSHOCK: Who put the stuff  
 8 there?  
 9 MR. HARTSHORN: The borough.  
 10 MR. MARUSHOCK: The borough should  
 11 be responsible for it, then.  
 12 MS. MENICHETTI: So we should be the  
 13 ones to move it, then. We put it there, we  
 14 should move it.  
 15 MR. BARONE: Why? It's his  
 16 property. He bought the property. He bought  
 17 it, it was there.  
 18 MR. HARTSHORN: That dump was  
 19 supposed to have been out of there. When you  
 20 buy a piece of property it's your fault. If  
 21 you don't check the deed on it it's your fault  
 22 for whatever you pay.  
 23 MR. LUKASEWICZ: That's a good  
 24 question. Attorney Brazil, depending on what  
 25 is found when that dump is moved, if there are

1 DPW complex traffic is held during normal  
 2 business hours Monday through Friday. Yes, if  
 3 there's an emergency, if a sewer is blocked or  
 4 during a storm we disturb the quietness of the  
 5 neighborhood under those circumstances. But  
 6 the disturbing is limited and the people are  
 7 already here been used to that --  
 8 MR. BARNICK: So haven't the people  
 9 up there. They're used to it for three  
 10 shifts. Now it's only going to be one shift.  
 11 MR. HARTSHORN: Do you know what my  
 12 honest belief is -- and you can take it for  
 13 what it's worth -- I'm getting -- and I don't  
 14 even get involved anymore. But anything that  
 15 these people say them four is not going to  
 16 vote for. And anything them four vote for,  
 17 them three's not voting for it. Ask the  
 18 people in here. That's how the votes go.  
 19 Look at your records.  
 20 MR. MARUSHOCK: Mr. Hartshorn,  
 21 you've been on the record when you personally  
 22 are very much upset with Mr. Rinaldi, whatever  
 23 differences exist. I didn't consider that  
 24 when I made my decisions.  
 25 MR. HARTSHORN: That's not one of my

1 illegal substances or garbage or whatever,  
 2 whose responsibility will it be to dispose of  
 3 those by-products, the borough of Throop or  
 4 the individual that owns the property? That  
 5 should be discussed with the owner of the  
 6 property and listed in the agreement of sale.  
 7 MR. BRAZIL: If there's hazardous  
 8 substances on there everybody's responsible.  
 9 The buyer, the seller, the seller before the  
 10 seller. I mean, they follow a chain --  
 11 MR. LUKASEWICZ: Let's just say if  
 12 there's 200 tons, just a number, of garbage.  
 13 Say there's garbage there. When he's going to  
 14 move the dump and if he starts digging and he  
 15 finds a lot of garbage, at that point when we  
 16 come back and say to the borough of Throop  
 17 this has to be disposed of properly, it's your  
 18 responsibility, you have to take it to the  
 19 landfill. It's something that we should  
 20 discuss with him.  
 21 MR. BRAZIL: I mean, my  
 22 understanding on the agreement was that he's  
 23 got to remove it to bring it down to grade  
 24 level at his cost.  
 25 MR. LUKASEWICZ: So if he finds

1 anything it's going to be his baby?  
 2 MR. BRAZIL: His obligation to bring  
 3 it down to grade level.  
 4 MR. LUKASEWICZ: He should be made  
 5 aware of that.  
 6 MR. BRAZIL: That was the  
 7 understanding.  
 8 MR. MARUSHOCK: Mr. Hartshorn, where  
 9 did the borough dump? I realize there's a  
 10 couple swimming pools --  
 11 MR. HARTSHORN: Right behind the  
 12 swimming pool, that bank, you dig in there.  
 13 It's all garbage in there. It goes down the  
 14 bottom of the hill below the housing project  
 15 there. There used to be a stripping up  
 16 through there. That's all filled with our  
 17 garbage.  
 18 MR. MARUSHOCK: That's down the red  
 19 ash. Correct? That's down towards your house  
 20 by Grove Street?  
 21 MR. HARTSHORN: Directly right  
 22 alongside of the project. The ditch goes all  
 23 the way back there. All the way to the back.  
 24 That's filled with garbage. I mean garbage.  
 25 We dumped garbage on top of garbage.

1 MRS. SHORTZ: Prior to when all  
 2 these studies were being done and we bent over  
 3 backwards to get everything done that  
 4 everybody on council wanted done -- not just  
 5 us but everybody else -- one of the things  
 6 that was done was an environmental impact  
 7 study, that phase one. And it was stated in  
 8 there if it didn't pass phase one you're  
 9 required a phase two. And it did pass the  
 10 phase one. We were not required a phase two.  
 11 So according to them it's okay to build. They  
 12 didn't find any evidence of a problem.  
 13 MR. HARTSHORN: Sure they didn't  
 14 because everybody was on their side, all the  
 15 councilmen here --  
 16 MRS. SHORTZ: Excuse me, Mr.  
 17 Hartshorn, I resent your implication to that  
 18 and even your comments regarding how it's  
 19 always four against three. There are meetings  
 20 where we pass 35 motions, and if five of them  
 21 are four to three, then what goes into the  
 22 paper and what the comments made are it's the  
 23 majority against the minority. Tonight seven  
 24 of us voted on one together. There were two  
 25 motions, I believe, that it was five to

1 three. So there goes your theory out the  
 2 door. I'm not voting against anybody, I'm not  
 3 trying to be revengeful. I'm voting for what  
 4 I think is best and based on -- and please,  
 5 Mr. Barnick, keep your comments to yourself.  
 6 MR. BARNICK: Bull.  
 7 MRS. SHORTZ: Keep your comments to  
 8 yourself. Mr. Barnick, I want you to remove  
 9 that comment now. I want an apology now.  
 10 MR. BARNICK: I'll be over to do  
 11 that.  
 12 MRS. SHORTZ: I'm speaking and you  
 13 are supposed to be quiet, and I do not like  
 14 your attitude. I'm a woman and my husband  
 15 would not speak to me like that and you will  
 16 not speak to me like that in public.  
 17 MR. BARNICK: Oh, really?  
 18 MRS. SHORTZ: No, you will not.  
 19 MR. BARNICK: That's too bad.  
 20 MS. MENICHETTI: You just hate  
 21 women. You just hate women. You have a thing  
 22 against women.  
 23 MRS. SHORTZ: I don't like men who  
 24 are disrespectful and rude to me.  
 25 MS. MENICHETTI: You hate women.

1 That's your problem.  
 2 MRS. SHORTZ: Getting back to my  
 3 comment, we are not always voting as a  
 4 majority, and there are times when there were  
 5 four voting and three on this side that  
 6 weren't because one or the other went with  
 7 that side. This is not a matter of politics  
 8 except when people want to make it sound that  
 9 way.  
 10 This is the matter of seven people  
 11 on a council who are all elected officials and  
 12 who are voting to their conscience. And if it  
 13 doesn't agree with what somebody else thinks  
 14 that does not mean it's political in nature or  
 15 we're trying to be ignorant or revengeful or  
 16 anything else and I resent those comments.  
 17 MR. LUKASEWICZ: There's 100 percent  
 18 politics.  
 19 MS. MENICHETTI: May I have a motion  
 20 to adjourn?  
 21 MR. MARUSHOCK: So moved.  
 22 (Whereupon the meeting was  
 23 adjourned.)  
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CERTIFICATE

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 92 pages, is a true and correct copy, done to the best of my ability, of same and the whole thereof.

  
Mark Wozniak  
Official Court Reporter