

**Minutes
Throop Borough Council
Special Monthly Meeting
for General Purposes
Thursday, December 12, 2002
following the 6:30 p.m. Work Session**

The meeting opened with the Pledge of Allegiance.

ROLL CALL:

Members Of Council:

Anthony Chrzan-A

James Barnick-P

Vice President- Thomas Lukasewicz-P

President-James Mellody Jr.-P

George Marushock-A

Daryl Menichetti-P

Joseph Barone-P

Mayor - Stanley Lukowski-P

Solicitor - Attorney Louis Cimini-A

Treasurer - Lenore Dolan-A

Administrator/Secretary - Elaine Morrell-P

Announcements:

An Executive Session was not held this evening at 6:00 p.m. regarding personnel matters due to a "Lack of Quorum".

Throop Civic Center "Lunch with Santa" - Throop Residents Only - Sunday, December 15th from 12:00 p.m. to 2:00 p.m.

The monthly work session and meeting will be held Mon., Dec. 30, 2002 beginning at 6:30 p.m.

Throop Borough Officials and Employees would like to wish everyone a Merry Christmas and Happy New Year.

Audience comments on tonight's agenda:

Jack Dolan, 941 S. Valley Ave.: On that sanitary sewer or storm drain they're putting through my yard. Robbie was talking about 200 ft. in and I think I had Jimmy down there and a couple guys and I was showing them where it is now, there's probably a 20 ft hole right along side my property and any kind of water that comes down that hill or it rains there's a pond there and the pond lays there for weeks. And also, there's a lot of kids that play around there now which is a couple of neighbors down the road, there's always playing by (it). If they fall and get hurt one of these days and I don't know who they're going to go after. So I suggested to these guys, to Robbie and them, if they could go buy maybe three or four more lengths of pipe, carry it down farther, past my yard. Down into where it's not as deep because as it goes down there, as the pipe goes down the ground it's a little bit, probably about 10 ft. difference in height.

Barnick: Jack, the main thing is getting it to where it is now, I think if Scranton Craftsmen is moving forward that fast, they're going to handle that problem after that. They're going to have to because they're going to flood out they're own property.

Dolan: Yeah, that's true because they were already down there. They cut all the trees down, they did grading. *Few speaking at once.* **Lukasewicz:** Scranton Craftsmen's cutting trees down?

Dolan: Pardon? **Lukasewicz:** Scranton Craftsmen cut all trees down there already?

Dolan: Well, when my father built the house a guy that owned, *inaudible name*, he built a big trench there. That was back in the 60's. He brought in a D-9 and went all the way back with it, to the end of the bank. And PennDOT, they made some kind of an agreement with PennDOT where PennDOT was supposed to *inaudible*, pipe, it's red ash from up on top of the hill. Somebody made an agreement with PennDOT, *inaudible*, who was in there at the time and they were going to come down and clean the trench out every year for red ash, keep the trees out of it but with *inaudible name*, in there now, it fell behind at the waist side. Nobody knows who or where or why. So I've been fighting with them for probably six years now to try to get somebody to fill that whole in. *Inaudible.* If a car goes by the corner of my yard there, say goodbye to the car. It's gone. And then all the kids. The kids are there all summer long playing in that hole. Somebody's going to get hurt. So it might be worth it to the borough if they buy three, four sections of pipe and just add on to that. *Barone inaudible.* **Lukasewicz:** *Who's property is the hole in?* **Dolan:** It's right on the edge, it's right on my borderline. It's almost right, *inaudible.* **Lukasewicz:** Then it's behind the Scranton Craftsmen.... **Dolan:** Yeah, well, DeNaples but they gave it to Scranton Craftsmen for the project. The pipe's going to run, they're going to change the direction of where the pipe goes now because they're going to cut right through. They're looking at my house, he's going to cut through just to the left of the big Christmas tree by my house. It's going to cut through the front there where I have the rock in the driveway, then they're going to elbow it down and it's going to go halfway between the bottom of the bank and my house. **Lukasewicz:** Jimmy, if Scranton Craftsmen does it they're not going to want to get flooded out, *inaudible.* **Barnick:** *They're going to have to.* **Lukasewicz:** Yeah, and then they have a *inaudible*, and they're going to move as fast as they're going to move. **Barnick:** *I say wait and see.*

Lukasewicz: Wait a little while and see and if they don't move on then we can always get the rest for the spring time and do whatever.

1. Motion by Barnick

Seconded by Lukasewicz

To amend the following motion that was passed on Nov. 25, 2002. The term should state two years as per the Borough Ordinance # 6 of 1997. Mr. Amico's term will expire on Jan. 3, 2005.

*To adopt Throop Borough Resolution # 24 of 2002, re-appointing Anthony Amico to a **three** year term as a member of the Throop Planning Agency. The new term will expire January 3, **2006**.*

All in favor

Motion carried

2. Motion by Lukasewicz

Seconded by Menichetti

To adopt Throop Borough's Proposed Budget for 2003 in the amount of \$3,500,343.89. To advertise the budget is available for inspection and final adoption will be on December 30, 2002.

All in favor

Motion carried

3. Motion by Lukasewicz

Seconded by Barnick

To adopt Throop Borough Ordinances # 1 through 5 of 2003. The ordinances are as follows: re-enacting a realty transfer tax, occupational tax, wage tax, and re-enacting a tax on assessed valuation, setting salaries and bonds relating to officials.

Ordinance # 1, the tax rate on assessed valuation of the Borough of Throop for the year 2003, shall be as follows, for general purposes, the sum of four (4) mills on each dollar of assessed valuation.

Ordinance # 2, the wage tax ordinance, originally enacted in 1947 and re-enacted every year thereafter, imposing a tax of one (1) percent on wages, commissions, etc. earned by the residents of the Borough of Throop, and also, on income earned in the Borough of Throop by non-residents of the Borough of Throop, with one half (½) of said tax to be distributed to the Mid Valley School District by the tax collecting agent designated by the Borough of Throop.

Ordinance # 3, the occupation tax, originally enacted in 1967, imposing a tax of ten (\$10) dollars per person gainfully employed in the Borough of Throop with five (\$5) of that tax to be distributed to the Mid Valley School District by the agent designated by the Borough of Throop for the collection of taxes.

Ordinance # 4, the realty transfer tax, originally enacted in 1968 and every year thereafter, imposing a tax of one-half (½) of one (1%) percent.

Ordinance # 5, the salaries and other compensation and the bonds of the borough officials be fixed as follows: Council - \$1,875.00 per year, Mayor - \$2,500.00 per year. Treasurer's bond - \$300,000.00, Tax Collector's bond \$521,405.00

On the question:

Barnick: I didn't think you have to list these every year like this. You just don't have to.

Morrell: I know you said that and in the Borough Code it's like, confusing.

Barnick: No, you know, once you pass an Ordinance and you don't change it, it's not a requirement.

All in favor

Motion carried

4. Motion by Lukasewicz

Seconded by Barnick

To authorize payment to Scranton Craftsmen for Application # 2 (EPA Funding) for the South Valley Ave. Sanitary Sewer Project in the amount of \$51,250.50.

All in favor

Motion carried

5. Motion by Lukasewicz

Seconded by Barone

To authorize payment to Scranton Craftsmen for Application # 2 (Local Funding) for the South Valley Ave. Sanitary Sewer Project in the amount of \$78,855.75.

All in favor

Motion carried

6. Motion by Barone

Seconded by Menichetti

To reimburse Elaine Morrell the amount of \$872.56 for health coverage for the year 2002 provided through Mr. Morrell's employer, in lieu of the Blue Cross coverage that is provided by the borough.

All in favor

Motion carried

7. Motion by Barone

Seconded by Menichetti

To adopt Resolution #26 of 2002, A Resolution Amending the Investment Policy for the Police Pension Fund and the Non-Uniform Pension Fund. The Investment Policy will be 50-50%, equities and income, with an investment manager discretion to deviate from the policy by 20%, plus or minus, on both policies.

Four in favor - Lukasewicz, Menichetti, Barone, Mellody

One against - Barnick

Motion carried

8. Motion by Barnick **Seconded by Barone**

To approve Change Order #1 (as printed on Application and Certificate of Payment #2, Local Funding) for Scranton Craftsmen for the South Valley Avenue Sanitary Sewer Project in the amount of \$4,030.00, as recommended by the Street Commissioner and Borough Engineer.

All in favor **Motion carried**

9. Motion by Barnick **Seconded by Barone**

To authorize the extension of the South Valley Avenue Project, adjacent to Dolan's property, in conjunction with PennDOT, and to use the \$25,000 letter of intent and \$15,000 grant from Senator Mellow, and to authorize the immediate purchase the pipe at an approximate cost of \$4,000.

All in favor **Motion carried**

10. Motion by Barnick **Seconded by Barone**

To advertise for bid the extension of the Warsaw Project, to use the CDBG money and also the grant money in the amount of \$10,000 from Senator Mellow.

All in favor **Motion carried**

11. Motion by Lukasewicz **Seconded by Barnick**

To authorize Atty. Cimini to secure the final easements from Olyphant Borough (and to find available resources to finance the project).

All in favor **Motion carried**

The meeting was adjourned

Elaine Morrell, Administrator/Secretary

Minutes by Christina Sullivan, Assistant Secretary