

1 THROOP COUNCIL  
2 THROOP, PENNSYLVANIA  
3  
4 IN RE: REGULAR MONTHLY MEETING  
5  
6  
7 FEBRUARY 27, 2006  
8 7:00 P.M.  
9 THROOP MUNICIPAL BUILDING  
10 436 SANDERSON STREET  
11 THROOP, PENNSYLVANIA

## 13 COUNCIL MEMBERS:

14  
15 THOMAS LUKASEWICZ, PRESIDENT  
16 JAMES BARNICK, VICE PRESIDENT  
17 JOSEPH BARONE  
18 GEORGE MARUSHOCK  
19 CINDY JOHNSON  
20 JOHN MUSEWICZ  
21 ANTHONY CHRZAN  
22 MAYOR STANLEY LUKOWSKI  
23 LOUIS CIMINI, ESQUIRE, SOLICITOR  
24  
25 Mark Wozniak

1 (Whereupon the Pledge of Allegiance  
2 was recited.)  
3 MR. LUKASEWICZ: Elaine, roll call  
4 please.  
5 MRS. MORRELL: Ms. Johnson?  
6 MS. JOHNSON: Here.  
7 MRS. MORRELL: Mr. Barnick?  
8 MR. BARNICK: Here.  
9 MRS. MORRELL: Mr. Lukasewicz?  
10 MR. LUKASEWICZ: Present.  
11 MRS. MORRELL: Mr. Chrzan?  
12 MR. CHRZAN: Present.  
13 MRS. MORRELL: Mr. Marushock?  
14 MR. MARUSHOCK: Present.  
15 MRS. MORRELL: Mr. Musewicz?  
16 MR. MUSEWICZ: Present.  
17 MRS. MORRELL: Mr. Barone?  
18 MR. BARONE: Here.  
19 MRS. MORRELL: Mr. Cimini?  
20 MR. CIMINI: Here.  
21 MRS. MORRELL: Mayor Lukowski?  
22 MAYOR LUKOWSKI: Here.  
23 MRS. MORRELL: Mrs. Dolan?  
24 MRS. DOLAN: Present.  
25 MRS. MORRELL: Ms. Sullivan?

1 MS. SULLIVAN: Present.  
2 MR. LUKASEWICZ: Announcements. The  
3 first announcement, there's a resolution  
4 number nine of 2004 that establishes policy  
5 for receiving public comment at meetings.  
6 That was adopted the 24th day of May, 2004,  
7 and it has specific guidelines in there about  
8 public comment and one of the guidelines is  
9 time limit. Each person to address council  
10 shall be provided a maximum of three minutes,  
11 and that's the policy we're going to adhere to  
12 this evening to keep the decorum and to make  
13 business go as proper and quickly as possible  
14 without causing trouble.

15 Now, one of the things, when two  
16 minutes expire the individual speaking will  
17 have to be notified they have one minute  
18 remaining.

19 We'll begin with audience comments  
20 on tonight's agenda.

21 MR. CIMINI: Attorney O'Boyle is  
22 present. He wants to address council.

23 MR. LUKASEWICZ: Attorney O'Boyle,  
24 would you like to address council?

25 (Mr. O'Boyle announced to council

1 that he is a candidate for the office of state  
2 representative.)  
3 MR. LUKASEWICZ: We'll begin with  
4 audience comments on tonight's agenda. Again,  
5 to let everybody know, we will be adhering to  
6 the three-minute policy. I'll start in the  
7 front, I'll work my way back. Please state  
8 your name and address for the record. Address  
9 your concerns to myself. I'll try to answer  
10 it. We can try to do it orderly and  
11 properly. First row? Second row? Third  
12 row? Fourth row?

13 (Dominic Rocco, 110 Sanderson  
14 Street, inquired of Mr. Marushock the reason  
15 for agenda item 19.)

16 MR. MARUSHOCK: I'm just saying,  
17 without naming names and getting into  
18 specifics at this time, leaving myself out on  
19 a limb, that this borough should have a  
20 complete and thorough investigation by all  
21 federal and state offices regarding the  
22 operations of this borough. It should  
23 probably go back from at least 1998 on. I  
24 just want to leave it at that without going  
25 into any more specifics at this time. There

1 is wrongdoing here, what I'm going to say.  
 2 It's not ending. I'm asking for the  
 3 investigation to include the two years that I  
 4 sat in the so-called majority, '98 on. That  
 5 would be including the time I sat here as  
 6 president or vice-president, majority,  
 7 minority. It did not make a difference.  
 8 Complete with the operations of this borough.  
 9 There's been wrongdoing, as an inside  
 10 official, that I'm aware of. I think the  
 11 investigation should start from '98 on.  
 12 That's all I can say at this time until,  
 13 hopefully, I'm subpoenaed by a federal or  
 14 state authority that I can go into depth  
 15 regarding the wrongdoing that I'm aware of in  
 16 this borough.

17 (Dominic Rocco, 110 Sanderson  
 18 Street, inquired about the three-minute rule.)

19 MR. LUKASEWICZ: The three minutes  
 20 is a policy that was adopted by this borough,  
 21 and after last meeting in which I had a heck  
 22 of a time trying to keep order, we're going to  
 23 do it this way to keep order. I would have  
 24 liked to just have it very informal and let  
 25 people speak what they needed to speak to

1 \$265,000. It appears like we have eight  
 2 contractors that want to bid on it, which is a  
 3 good sign. Hopefully we'll get a good price.

4 The first one is Pioneer  
 5 Construction. Their bid bond is in place, and  
 6 their cost is \$350,995.

7 The next one is Ed Krasavage from  
 8 Wyoming, Pennsylvania. Their bid bond is in  
 9 place, and their proposal is for \$328,919.65.

10 The next one is from Multiscope  
 11 General Contracts from Pittston. I don't see  
 12 a bid bond in place. They'll have to be  
 13 reviewed. But their proposal is for  
 14 \$277,603.75. Here's the bid bond -- no --  
 15 okay, it's here.

16 The one is Tru-Line Contractors from  
 17 Perkasi, Pennsylvania. Their bid bond is in  
 18 place. Their proposal is for \$508,971.69.

19 The next one is from Scranton  
 20 Craftsmen, their bid bond is in place,  
 21 \$294,456.

22 The next one is from IWDA, and  
 23 they're from Dunmore. They have a cashier's  
 24 check for the bid bond. Their proposal is  
 25 \$257,748.20.

1 whatever length, but I'm not going to be  
 2 ridiculed and no one else up here is going to  
 3 be ridiculed, and we're not going to have  
 4 discussion between audience members and turn  
 5 this back into a circus like it was. This is  
 6 government business to be done here and  
 7 nothing else. There's no place for any of  
 8 this other -- so I'm going to try it this  
 9 way. That's what we have to do. Anyone else  
 10 in that row? Next row? In the back, coming  
 11 across, towards the open door.

12 (Bob Bolus, Sanderson Street,  
 13 commented that he agreed to have an  
 14 investigation of the borough. He also  
 15 commented on a theft at his building. He also  
 16 commented about councilwoman Johnson being  
 17 paid.)

18 MR. LUKASEWICZ: Thank you,  
 19 Mr. Bolus. Continuing on, anyone on that  
 20 side? Okay. If not, we'll proceed with the  
 21 agenda.

22 The first item this evening is the  
 23 bid opening for the Eddy, Franko, Delaware  
 24 streets sanitary sewer replacement project.  
 25 The engineer's cost estimate is approximately

1 The next one is from Linde  
 2 Enterprises. Their bid bond is in place.  
 3 Their proposal is \$383,922.75.

4 The last one is from Lagana  
 5 Construction from Hazleton. Their bid bond is  
 6 in place. Their total is \$282,118.50.

7 Okay, a motion is in order to accept  
 8 the bids and submit them to the borough  
 9 engineer, solicitor and street commissioner  
 10 for their review.

11 MR. BARNICK: I'll make it.

12 MR. LUKASEWICZ: And to award the  
 13 bid with favorable recommendation. Motion by  
 14 Mr. Barnick.

15 MR. CHRZAN: I'll second it.

16 MR. LUKASEWICZ: Second by Mr.  
 17 Chrzan. On the question? Roll call, please.

18 MRS. MORRELL: Ms. Johnson?

19 MS. JOHNSON: For.

20 MRS. MORRELL: Mr. Barnick?

21 MR. BARNICK: For.

22 MRS. MORRELL: Mr. Chrzan?

23 MR. CHRZAN: For.

24 MRS. MORRELL: Mr. Marushock?

25 MR. MARUSHOCK: For.

1 MRS. MORRELL: Mr. Musewicz?  
 2 MR. MUSEWICZ: For.  
 3 MRS. MORRELL: Mr. Barone?  
 4 MR. BARONE: For.  
 5 MRS. MORRELL: Mr. Lukasewicz?  
 6 MR. LUKASEWICZ: For.  
 7 MRS. MORRELL: All in favor. Motion  
 8 carried.  
 9 MR. LUKASEWICZ: The next item is  
 10 bid openings for George Street storm water  
 11 sewer project. The first one is from Pioneer  
 12 Construction. The estimated cost is \$16,000.  
 13 Their bid bond is in place, and their total is  
 14 \$35,800.  
 15 The next one is from Ed Krasavage.  
 16 Their bid bond is in place. Their total is  
 17 \$38,120.  
 18 The next one is from Multiscape,  
 19 their bid bond is in place, \$23,540.  
 20 The next one is Tru-Line  
 21 Contractors. Their bid bond is in place.  
 22 Their total is \$47,725.  
 23 The next one is from Scranton  
 24 Craftsmen. Their bid bond is in place. Their  
 25 total is \$13,330.

1 The next one is from IWDA. They  
 2 have a certified check here of their bid  
 3 bond. Their total is \$13,428.47.  
 4 The next one is from Linde  
 5 Enterprises. Their bid bond is in place.  
 6 Their total is \$46,235.50.  
 7 The next one is from Lagana  
 8 Construction. Their bid bond is in place.  
 9 Their total is \$33,085.  
 10 The last one is from DelVecchio  
 11 Transport Construction Company from Dunmore.  
 12 Their bid bond is in place, and their total is  
 13 \$84,220.  
 14 MR. CHRZAN: I'll make the motion.  
 15 MR. LUKASEWICZ: Motion is on the  
 16 floor by Mr. Chrzan.  
 17 MR. MUSEWICZ: I'll second.  
 18 MR. LUKASEWICZ: Seconded by Mr.  
 19 Musewicz to accept the bids and submit them to  
 20 the borough engineer, solicitor and street  
 21 commission for their review and to award the  
 22 bid with a favorable recommendation. On the  
 23 question? Roll call, please.  
 24 MRS. MORRELL: Ms. Johnson?  
 25 MS. JOHNSON: For.

1 MRS. MORRELL: Mr. Barnick?  
 2 MR. BARNICK: For.  
 3 MRS. MORRELL: Mr. Chrzan?  
 4 MR. CHRZAN: For.  
 5 MRS. MORRELL: Mr. Marushock?  
 6 MR. MARUSHOCK: For.  
 7 MRS. MORRELL: Mr. Musewicz?  
 8 MR. MUSEWICZ: For.  
 9 MRS. MORRELL: Mr. Barone?  
 10 MR. BARONE: For.  
 11 MRS. MORRELL: Mr. Lukasewicz?  
 12 MR. LUKASEWICZ: For.  
 13 MRS. MORRELL: All in favor. Motion  
 14 carried.  
 15 MR. LUKASEWICZ: Motion number three  
 16 is to accept the zoning reports and  
 17 transcripts/minutes of the December 5, 2005,  
 18 December 15, 2005, and January 12, 2006  
 19 council meetings.  
 20 MR. BARNICK: I'll make it.  
 21 MR. CHRZAN: I'll second.  
 22 MR. LUKASEWICZ: Motion by Barnick,  
 23 second by Mr. Chrzan. On the question? Roll  
 24 call, please.  
 25 MRS. MORRELL: Ms. Johnson?

1 MS. JOHNSON: For.  
 2 MRS. MORRELL: Mr. Barnick?  
 3 MR. BARNICK: For.  
 4 MRS. MORRELL: Mr. Chrzan?  
 5 MR. CHRZAN: For.  
 6 MRS. MORRELL: Mr. Marushock?  
 7 MR. MARUSHOCK: For.  
 8 MRS. MORRELL: Mr. Musewicz?  
 9 MR. MUSEWICZ: For.  
 10 MRS. MORRELL: Mr. Barone?  
 11 MR. BARONE: For.  
 12 MRS. MORRELL: Mr. Lukasewicz?  
 13 MR. LUKASEWICZ: For.  
 14 MRS. MORRELL: All in favor. Motion  
 15 carried.  
 16 MR. LUKASEWICZ: The next would be  
 17 the treasurer and assistant treasurer report.  
 18 Is there anything that needs to be read,  
 19 Elaine?  
 20 MRS. MORRELL: Just what's listed  
 21 there.  
 22 MR. LUKASEWICZ: Okay. Motion  
 23 number four, to accept the treasurer's report  
 24 as posted and to pay the monthly bills against  
 25 the borough as posted. Motion?

1 MR. BARNICK: I'll make it.

2 MR. CHRZAN: I'll second it.

3 MR. LUKASEWICZ: Motion by Mr.  
4 Barnick, second by Mr. Chrzan. On the  
5 question?

6 MR. MARUSHOCK: On the question, Mr.  
7 President, regarding the solicitor's fees, we  
8 have to pay him. I understand he did the  
9 work. But it's kind of ironic that he's back  
10 with more money than what our past solicitor's  
11 gotten. Also with the fact still remaining  
12 open that our current solicitor accepted the  
13 Blue Cross, Blue Shield at the cost of the  
14 borough which he was not entitled to and that  
15 funding for those payments have never been  
16 returned to the borough.

17 MR. LUKASEWICZ: Point noted. Roll  
18 call, please.

19 MRS. MORRELL: Ms. Johnson?

20 MS. JOHNSON: For.

21 MRS. MORRELL: Mr. Barnick?

22 MR. BARNICK: For.

23 MRS. MORRELL: Mr. Chrzan?

24 MR. CHRZAN: For.

25 MRS. MORRELL: Mr. Marushock?

1 MR. MARUSHOCK: For, except as  
2 noted.

3 MRS. MORRELL: Mr. Musewicz?

4 MR. MUSEWICZ: For.

5 MRS. MORRELL: Mr. Barone?

6 MR. BARONE: For.

7 MRS. MORRELL: Mr. Lukasewicz?

8 MR. LUKASEWICZ: For.

9 MRS. MORRELL: All in favor except  
10 as noted by Mr. Marushock.

11 MR. LUKASEWICZ: Motion number five,  
12 to pay all the employees of Throop Borough.

13 MR. CHRZAN: I'll make it.

14 MR. LUKASEWICZ: Motion by Tony.

15 MR. BARONE: I'll second.

16 MR. LUKASEWICZ: By Joe. On the  
17 question?

18 MR. MARUSHOCK: Again,  
19 Mr. President, regarding the employees of the  
20 borough, several employees are back here in  
21 the employment of the borough, some of which  
22 had filed lawsuits against the borough.

23 MR. LUKASEWICZ: I'm going to cut  
24 you short because I'll say something for the  
25 record right here this evening. Some of these

1 people that were let go were let go for the  
2 wrong reason and it came back to bite some  
3 people on the ass, and you're one of them,  
4 George.

5 I tell you one thing, thank God  
6 these people are back here now, because I have  
7 people coming up to me every day Throop is  
8 finally back where it should be. It was to a  
9 certain point we were moving forward for years  
10 and years and years. There was never any of  
11 this, for lack of a good word, bullshit that  
12 happened. And I'll tell you one thing, we're  
13 moving forward and I'm not going to let us go  
14 backward again.

15 MR. MARUSHOCK: Can I ask a question  
16 while we're still on the question regarding  
17 the employees? What was the total amount paid  
18 to Mrs. Morrell and Mrs. Dolan to correct --  
19 and I'll quote --"problems with the borough  
20 bookkeeping," end of quote?

21 MR. LUKASEWICZ: Whatever the total  
22 amounts were --

23 MR. BARNICK: Whatever it was, it  
24 was.

25 MR. LUKASEWICZ: -- we will have

1 that for you. Elaine?

2 MRS. MORRELL: We're still  
3 correcting.

4 MR. LUKASEWICZ: Up to a certain  
5 point in time if you could come up with a  
6 dollar figure. This way --

7 MRS. MORRELL: Wages up to date?

8 MR. LUKASEWICZ: Exactly, so Mr.  
9 Marushock could see what was expended to  
10 correct what was let go astray for a long  
11 period of time. Okay, George?

12 MRS. MORRELL: You want the wages up  
13 until we came back on board? Because we are  
14 still correcting many of the problems.

15 MR. LUKASEWICZ: Right, until you  
16 came back on board, a total of the amount so  
17 they can see.

18 But, George, things are good.  
19 Things are very peaceful in Throop and things  
20 are moving forward, and I just want to see  
21 things go ahead. I think if we all start to  
22 work together things will move forward.

23 MR. MARUSHOCK: I'm not here to  
24 argue, Mr. Lukasewicz. I have some questions  
25 that I feel the public have a right to know.

1 I think I as an elected official I have the  
2 right to know.

3 MR. LUKASEWICZ: Yes, you do.  
4 Understandable. I'm sorry I took such offense  
5 to it, but I hate to see what happened. And  
6 it had to come and do a complete 360 just to  
7 get things back on board to where we were, all  
8 the hard work that was done in this borough  
9 for years and years and years. And nothing  
10 was done. It was just stymied. Stymied.

11 MR. MARUSHOCK: Let me continue, if  
12 you would, please, on a couple other  
13 questions. So as we sit here this evening  
14 there's no known figure to date what's been  
15 expended as far as borough funds to correct  
16 the so-called bookkeeping problems. Am I  
17 correct?

18 MR. LUKASEWICZ: There are numbers  
19 which could be readily given to you, yes. I  
20 would state it that way. Whatever we expended  
21 to have certain individuals come in and to  
22 correct, to review, to analyze and to move  
23 forward, those numbers are here and they can  
24 be readily available to you.

25 MR. MARUSHOCK: I apologize. I did

1 multiple reasons.

2 MR. BARNICK: You could have called  
3 her and asked them.

4 MRS. MORRELL: Evidently before we  
5 came back on board you were not receiving time  
6 sheets.

7 MR. MARUSHOCK: There's nothing I  
8 was aware of that would affect our year-end  
9 balance and our year-beginning balance.

10 MR. LUKASEWICZ: Everything will be  
11 available for you.

12 MR. BARNICK: You were spinning our  
13 wheels, spinning our wheels. He knows bank  
14 recs weren't done, he knows bills weren't  
15 paid, and he's going to keep questioning. He  
16 had a phone. Pick up the phone, call Elaine.  
17 Before you couldn't call up here because you'd  
18 get harassed and all kinds of stuff.

19 MR. MARUSHOCK: I'm entitled,  
20 Mr. Barnick, to make my comments here at the  
21 public meeting. I feel very insecure talking  
22 with the officials at this time due to  
23 accusations and things that have happened in  
24 the past.

25 MR. LUKASEWICZ: If there is

1 miss a couple meetings due to health reasons.  
2 That's all legitimate. I tried to review my  
3 packets that I received. I received all the  
4 communications, I guess, whatsoever. I have  
5 no knowledge at all, no documentation  
6 regarding any payments to the two individuals  
7 in question on anything to date as far as  
8 expenditures: time sheets, hours, checks,  
9 nothing to that nature.

10 MR. LUKASEWICZ: I am very  
11 comfortable to say to you this evening I'm  
12 sure every hour that was expended by these  
13 individuals has been documented and it is here  
14 for you to see and it will be made available  
15 to you tomorrow.

16 MRS. MORRELL: Since the three of us  
17 are back you do get time sheets. Evidently  
18 you're saying you did not get them from when  
19 Lenora and I started in December. You could  
20 get copies of our time sheets if you'd like.  
21 As soon as the corrected W-2s come in we could  
22 give you a wage attachment W-2. We also have  
23 the wages in the payroll record.

24 MR. MARUSHOCK: Like I said, I went  
25 in-depth looking through all the packets for

1 something you need to know and you feel  
2 uncomfortable with calling up here to find  
3 out, if you would put it in a brief note to me  
4 I will gladly find out any information that  
5 you need to know and I would do it as quick as  
6 I could possibly do it.

7 MR. MARUSHOCK: Okay. With that  
8 being said, let me just go through what will  
9 be noted in the record for which you will  
10 receive written communication.

11 Another question is when were these  
12 positions advertised? When were these people  
13 hired? The date that the bonding was put in  
14 place for the above people. Why does the  
15 borough now have an assistant treasurer being  
16 funded in excess of \$500 per month? Were  
17 applicants for all recently filled borough  
18 positions solicited through public  
19 advertisements? I still did not receive a  
20 check register for issued and voided checks  
21 for 2005. I did address that at a previous  
22 meeting.

23 MRS. MORRELL: Not to me, you did  
24 not.

25 MR. MARUSHOCK: It should be in the

1 record of a previous meeting.

2 MRS. MORRELL: I don't think I was  
3 working here at that time.

4 MR. LUKASEWICZ: You have that  
5 readily available. That's available, George.  
6 Finally there's borough accounting as good as  
7 we could do up to this point. There are still  
8 some bills coming in. If you could believe  
9 it, today we paid for an invoice for September  
10 of 2004.

11 MR. MARUSHOCK: For that taillight?  
12 Is that the situation?

13 MR. MARUSHOCK: No, this one is for  
14 something else, where a vender came in and  
15 provided a service and just every time he  
16 would call up here nobody would give him an  
17 answer. So it is ongoing, but I would say 95  
18 percent correct to this point in time, which  
19 is wonderful in the short period of time that  
20 you people have been back.

21 George, I don't think anybody  
22 realizes what these women did in the past,  
23 what they're capable of doing, and where we  
24 would be if it was not for these three women  
25 right now. Because personally you couldn't do

1 with it, and in the best interest of all the  
2 people of the borough of Throop.

3 MR. MARUSHOCK: Okay. And were  
4 those positions that were recently placed into  
5 the union, were they advertised?

6 MR. LUKASEWICZ: I'll again answer  
7 this for you. Everything was done in a way  
8 that is in the best interest of the people of  
9 Throop and everything was done legal.

10 MR. BARNICK: That's all the  
11 questions.

12 MR. LUKASEWICZ: Roll call, please.

13 MRS. MORRELL: Ms. Johnson?

14 MS. JOHNSON: For.

15 MRS. MORRELL: Mr. Barnick?

16 MR. BARNICK: For.

17 MRS. MORRELL: Mr. Chrzan?

18 MR. CHRZAN: For.

19 MRS. MORRELL: Mr. Marushock?

20 MR. MARUSHOCK: As noted, for.

21 MRS. MORRELL: Mr. Musewicz?

22 MR. MUSEWICZ: For.

23 MRS. MORRELL: Mr. Barone?

24 MR. BARONE: For.

25 MRS. MORRELL: Mr. Lukasewicz?

1 it, I couldn't do it, Jimmy couldn't do it,  
2 Cindy, you couldn't do it. I don't think  
3 anyone in this audience -- I don't think  
4 attorney Cimini could do it. Nobody knew what  
5 had to be done. If it wasn't for those three  
6 women right now this borough -- I don't know  
7 what shape we'd be in. It would be so  
8 horrible. They should be commended --

9 MR. MARUSHOCK: That's your opinion,  
10 Mr. Lukasewicz, and I do not agree with that.

11 MR. LUKASEWICZ: You have a right  
12 not to agree.

13 MR. MARUSHOCK: The last question I  
14 have -- again, it will be submitted in  
15 writing -- did the borough recently place two  
16 new people into the Teamsters union?

17 MR. BARNICK: I'm sure you're well  
18 aware of it.

19 MR. MARUSHOCK: What are the names?  
20 It's not in the record.

21 MR. BARNICK: It was voted on.

22 MR. LUKASEWICZ: George, everything  
23 that you have asked here this evening or  
24 discussed here or questioned has been done  
25 properly and legally, that's as far as I'll go

1 MR. LUKASEWICZ: For.

2 MRS. MORRELL: All in favor except  
3 as noted by Mr. Marushock.

4 MR. LUKASEWICZ: Motion number six,  
5 to authorize payment to Carol Kaushas in the  
6 amount of \$919.51, Jennifer Gongliewski in the  
7 amount of \$145.54, and Ann Marie Stoffey in  
8 the amount of \$156.89. This represents time  
9 worked November 2003 through April 2004 and  
10 not paid.

11 MR. MUSEWICZ: I'll make that.

12 MR. BARNICK: I'll second it.

13 MR. LUKASEWICZ: Motion by Mr.  
14 Musewicz, second by Mr. Barnick. On the  
15 question? Roll call.

16 MRS. MORRELL: Ms. Johnson?

17 MS. JOHNSON: For.

18 MRS. MORRELL: Mr. Barnick?

19 MR. BARNICK: For.

20 MRS. MORRELL: Mr. Chrzan?

21 MR. CHRZAN: For.

22 MRS. MORRELL: Mr. Marushock?

23 MR. MARUSHOCK: Against.

24 MRS. MORRELL: Mr. Musewicz?

25 MR. MUSEWICZ: For.

1 MRS. MORRELL: Mr. Barone?  
 2 MR. BARONE: For.  
 3 MRS. MORRELL: Mr. Lukasewicz?  
 4 MR. LUKASEWICZ: For.  
 5 MRS. MORRELL: Six in favor, one  
 6 against. Motion carried.  
 7 MR. LUKASEWICZ: Motion number  
 8 seven, to accept the correspondence as read or  
 9 posted.  
 10 MR. CHRZAN: I'll make it.  
 11 MR. LUKASEWICZ: Motion by Tony.  
 12 MR. BARNICK: I'll second.  
 13 MR. LUKASEWICZ: Second by Jimmy.  
 14 On the question? Roll call.  
 15 MRS. MORRELL: Ms. Johnson?  
 16 MS. JOHNSON: For.  
 17 MRS. MORRELL: Mr. Barnick?  
 18 MR. BARNICK: For.  
 19 MRS. MORRELL: Mr. Chrzan?  
 20 MR. CHRZAN: For.  
 21 MRS. MORRELL: Mr. Marushock?  
 22 MR. MARUSHOCK: For.  
 23 MRS. MORRELL: Mr. Musewicz?  
 24 MR. MUSEWICZ: For.  
 25 MRS. MORRELL: Mr. Barone?

1 MR. LUKASEWICZ: Roll call, please.  
 2 MRS. MORRELL: Ms. Johnson?  
 3 MS. JOHNSON: For.  
 4 MRS. MORRELL: Mr. Barnick?  
 5 MR. BARNICK: For.  
 6 MRS. MORRELL: Mr. Chrzan?  
 7 MR. CHRZAN: For.  
 8 MRS. MORRELL: Mr. Marushock?  
 9 MR. MARUSHOCK: For.  
 10 MRS. MORRELL: Mr. Musewicz?  
 11 MR. MUSEWICZ: For.  
 12 MRS. MORRELL: Mr. Barone?  
 13 MR. BARONE: For.  
 14 MRS. MORRELL: Mr. Lukasewicz?  
 15 MR. LUKASEWICZ: For.  
 16 MRS. MORRELL: All in favor. Motion  
 17 carried.  
 18 MR. LUKASEWICZ: Motion number nine,  
 19 to authorize payment in the amount of  
 20 \$32,400.86 to Scottsdale Insurance Company.  
 21 This represents the deductible amount due  
 22 regarding Christina Sullivan versus Borough of  
 23 Throop, et. al. Motion?  
 24 MR. BARNICK: I'll make it.  
 25 MR. LUKASEWICZ: Motion by Barnick.

1 MR. BARONE: For.  
 2 MRS. MORRELL: Mr. Lukasewicz?  
 3 MR. LUKASEWICZ: For.  
 4 MRS. MORRELL: All in favor. Motion  
 5 carried.  
 6 MR. BARONE: Tom, I want to go back  
 7 to number six. Those three girls, they were  
 8 there since day one, and they're the heart of  
 9 the civic center. If he had to vote against  
 10 their pay, that's his privilege.  
 11 MR. LUKASEWICZ: It's been readily  
 12 corrected. The next motion is to accept the  
 13 fund statement as of January 31, 2006, as  
 14 prepared on the written agenda.  
 15 MR. BARNICK: I'll make it.  
 16 MR. CHRZAN: I'll second.  
 17 MR. LUKASEWICZ: Motion by Mr.  
 18 Barnick, second by Mr. Chrzan.  
 19 MRS. DOLAN: These are reconciled.  
 20 These are reconciled.  
 21 MR. BARNICK: It's about time.  
 22 MR. CHRZAN: Good job, Lenore.  
 23 MR. BARONE: Very good job.  
 24 MRS. DOLAN: There's your assistant  
 25 treasurer.

1 MR. CHRZAN: I'll second.  
 2 MR. LUKASEWICZ: Second by Chrzan.  
 3 On the question? Roll call.  
 4 MRS. MORRELL: Ms. Johnson?  
 5 MS. JOHNSON: For.  
 6 MRS. MORRELL: Mr. Barnick?  
 7 MR. BARNICK: For.  
 8 MRS. MORRELL: Mr. Chrzan?  
 9 MR. CHRZAN: For.  
 10 MRS. MORRELL: Mr. Marushock?  
 11 MR. MARUSHOCK: For.  
 12 MRS. MORRELL: Mr. Musewicz?  
 13 MR. MUSEWICZ: For.  
 14 MRS. MORRELL: Mr. Barone?  
 15 MR. BARONE: For.  
 16 MRS. MORRELL: Mr. Lukasewicz?  
 17 MR. LUKASEWICZ: For.  
 18 MRS. MORRELL: All in favor. Motion  
 19 carried.  
 20 MR. LUKASEWICZ: Motion ten, to  
 21 authorize payment in the amount of \$2,844 to  
 22 Arnold Dietrich for fencing and installation  
 23 at the Bellman Street park.  
 24 MR. BARONE: I'll make it.  
 25 MR. CHRZAN: I'll second.

1 MR. LUKASEWICZ: Motion by Joe,  
 2 second by Tony. On the question? Roll call,  
 3 please.  
 4 MR. CHRZAN: He did a nice job of  
 5 that.  
 6 MRS. MORRELL: Ms. Johnson?  
 7 MS. JOHNSON: For.  
 8 MRS. MORRELL: Mr. Barnick?  
 9 MR. BARNICK: For.  
 10 MRS. MORRELL: Mr. Chrzan?  
 11 MR. CHRZAN: For.  
 12 MRS. MORRELL: Mr. Marushock?  
 13 MR. MARUSHOCK: For.  
 14 MRS. MORRELL: Mr. Musewicz?  
 15 MR. MUSEWICZ: For.  
 16 MRS. MORRELL: Mr. Barone?  
 17 MR. BARONE: For.  
 18 MRS. MORRELL: Mr. Lukasewicz?  
 19 MR. LUKASEWICZ: For.  
 20 MRS. MORRELL: All in favor. Motion  
 21 carried.  
 22 MR. LUKASEWICZ: Motion number 11,  
 23 to grant permission to Lackawanna College to  
 24 use the Washington Street park baseball field  
 25 for the 2006 baseball season as per their

1 properly. In the past two years were the  
 2 certificates of insurance there? God only  
 3 knows because I don't know what was or wasn't  
 4 in this borough.  
 5 But I know one thing, from this  
 6 point forward with those people here I have  
 7 all the faith in the world that Throop is  
 8 doing positive, proper things.  
 9 MR. BARNICK: On the question, just  
 10 when I called the question, that's my  
 11 meaning. We asked these questions for years.  
 12 He's asked this stuff over and over and over.  
 13 The people we have here I trust and I'm not  
 14 worried about it.  
 15 MR. LUKASEWICZ: Jimmy, the only  
 16 reason why I'm a little reluctant --  
 17 MR. BARNICK: And we sit here and  
 18 explain ourselves over and over and over and  
 19 over and over to this person just because he  
 20 wants to try and throw a wrench into  
 21 everything every time he's been here and he's  
 22 on the bottom end now. So I call the  
 23 question, let's vote. If he doesn't like it,  
 24 too bad. Get up and leave.  
 25 MR. LUKASEWICZ: What I want to say,

1 request pending availability of the field.  
 2 Mr. James Caria will schedule the use of the  
 3 field.  
 4 MR. CHRZAN: I'll make it.  
 5 MR. MUSEWICZ: I'll second.  
 6 MR. LUKASEWICZ: Motion by Tony,  
 7 second by Mr. Musewicz. On the question?  
 8 MR. MARUSHOCK: On the question, Mr.  
 9 President, would we have a certificate of  
 10 insurance on file from those people?  
 11 The other question is, can't we  
 12 establish a fee for those people using that at  
 13 the taxpayers' expense?  
 14 MRS. MORRELL: It's a public park.  
 15 MR. BARNICK: Call the question.  
 16 MR. MARUSHOCK: I know you're trying  
 17 to silence me. I understand that.  
 18 MR. LUKASEWICZ: You're not going to  
 19 be silenced. The certificate of insurance, we  
 20 don't let anybody use that field without a  
 21 certificate of insurance. At least I know  
 22 when I had quality people behind me like  
 23 Elaine and other individuals that are back  
 24 here now I never had to worry that something  
 25 was in place because they did their job

1 Jimmy, why I'm a little reluctant to just,  
 2 boom, call the question that's asked, because  
 3 you know what? I never felt so bad when I had  
 4 something that I wanted to say that was  
 5 important to the borough of Throop and I was  
 6 cut short for the last two years. And nobody  
 7 should be put down like that. This is for  
 8 constructive discussion to benefit the people  
 9 in the borough of Throop. If I can't say  
 10 something that's constructive, well, then,  
 11 there's a problem.  
 12 Now, if someone wants to say  
 13 something just to throw, like Jimmy said, a  
 14 wrench in the game, well, that's not going to  
 15 be very helpful. So I would anticipate people  
 16 do things positive.  
 17 MR. MARUSHOCK: That's not the  
 18 intention. This is on a positive outlook for  
 19 the citizens of Throop. Is it possible I can  
 20 obtain a copy of that certificate of insurance  
 21 tomorrow morning?  
 22 MR. LUKASEWICZ: You can readily  
 23 come in and get it. Roll call, please.  
 24 MRS. MORRELL: Ms. Johnson?  
 25 MS. JOHNSON: For.

1 MRS. MORRELL: Mr. Barnick?  
 2 MR. BARNICK: For.  
 3 MRS. MORRELL: Mr. Chrzan?  
 4 MR. CHRZAN: For.  
 5 MRS. MORRELL: Mr. Marushock?  
 6 MR. MARUSHOCK: For, as noted.  
 7 MRS. MORRELL: Mr. Musewicz?  
 8 MR. MUSEWICZ: For.  
 9 MRS. MORRELL: Mr. Barone?  
 10 MR. BARONE: For.  
 11 MRS. MORRELL: Mr. Lukasewicz?  
 12 MR. LUKASEWICZ: For.  
 13 MRS. MORRELL: All in favor except  
 14 as noted by Mr. Marushock.  
 15 MR. LUKASEWICZ: Motion number 12,  
 16 to authorize the union employees to celebrate  
 17 the following holiday as stated below due to  
 18 the fact that said holidays fall on a weekend:  
 19 Veterans Day on Monday, November 13, 2006.  
 20 The actual date, November 11, 2006. Christmas  
 21 Eve, one-half day on Friday, December 22,  
 22 2006. New Year's Eve, one-half day on Friday,  
 23 December 29, 2006.  
 24 MR. CHRZAN: I'll make it.  
 25 MR. BARONE: I'll second.

1 administer a national incident management  
 2 system, NIMS, which would provide a consistent  
 3 nationwide approach for federal, state, local  
 4 and tribal governments to work together more  
 5 effectively and efficiently to prevent,  
 6 prepare for, respond to, and recover from  
 7 domestic incidents regardless of cause, size  
 8 and complexity. A complete copy is posted on  
 9 the bulletin board.  
 10 MR. CHRZAN: I'll make it.  
 11 MR. LUKASEWICZ: Motion by Tony.  
 12 MS. JOHNSON: I'll second it.  
 13 MR. LUKASEWICZ: Second by Cindy.  
 14 On the question? Roll call, please.  
 15 MRS. MORRELL: Ms. Johnson?  
 16 MS. JOHNSON: For.  
 17 MRS. MORRELL: Mr. Barnick?  
 18 MR. BARNICK: For.  
 19 MRS. MORRELL: Mr. Chrzan?  
 20 MR. CHRZAN: For.  
 21 MRS. MORRELL: Mr. Marushock?  
 22 MR. MARUSHOCK: For.  
 23 MRS. MORRELL: Mr. Musewicz?  
 24 MR. MUSEWICZ: For.  
 25 MRS. MORRELL: Mr. Barone?

1 MR. LUKASEWICZ: Motion by Mr.  
 2 Chrzan, second by Mr. Barone. On the  
 3 question? Roll call.  
 4 MRS. MORRELL: Ms. Johnson?  
 5 MS. JOHNSON: For.  
 6 MRS. MORRELL: Mr. Barnick?  
 7 MR. BARNICK: For.  
 8 MRS. MORRELL: Mr. Chrzan?  
 9 MR. CHRZAN: For.  
 10 MRS. MORRELL: Mr. Marushock?  
 11 MR. MARUSHOCK: For.  
 12 MRS. MORRELL: Mr. Musewicz?  
 13 MR. MUSEWICZ: For.  
 14 MRS. MORRELL: Mr. Barone?  
 15 MR. BARONE: For.  
 16 MRS. MORRELL: Mr. Lukasewicz?  
 17 MR. LUKASEWICZ: For.  
 18 MRS. MORRELL: All in favor. Motion  
 19 carried.  
 20 MR. LUKASEWICZ: Motion number 13,  
 21 to adopt Throop Borough resolution number  
 22 eight of 2006, a resolution implementing the  
 23 National Incident Management Systems, NIMS.  
 24 The president directed the secretary of the  
 25 Department of Homeland Security to develop and

1 MR. BARONE: For.  
 2 MRS. MORRELL: Mr. Lukasewicz?  
 3 MR. LUKASEWICZ: For.  
 4 MRS. MORRELL: All in favor. Motion  
 5 carried.  
 6 MR. LUKASEWICZ: Motion number 14,  
 7 to adopt Throop Borough ordinance number two  
 8 of 2005, an ordinance designating Dickson City  
 9 Ambulance as a sole provider for ambulance  
 10 service (EMS) within the territorial boundary  
 11 of the borough of Throop.  
 12 MR. CHRZAN: I'll make it.  
 13 MR. BARONE: I'll second.  
 14 MR. LUKASEWICZ: Motion by Mr.  
 15 Chrzan, second by Joe. On the question?  
 16 MR. MARUSHOCK: On the question, Mr.  
 17 President, did we solicit quotes from other  
 18 ambulance providers? I know that was in the  
 19 works.  
 20 MR. LUKASEWICZ: We did solicit  
 21 quotes -- and attorney Cimini, if you'd like  
 22 to answer this.  
 23 MR. CIMINI: I can't remember the  
 24 reply we got from -- there were two,  
 25 Lackawanna Ambulance and Network Ambulance,

1 and both -- Network Ambulance, I think, said  
2 they would be able to be a second responder or  
3 they would have someone close enough.

4 MR. LUKASEWICZ: It wasn't in their  
5 best interest to divide the service. There  
6 are letters that came in. The letters are  
7 here, George. You should have received them.

8 MR. MARUSHOCK: The other question  
9 is, what effect does that have on the people  
10 who have paid for ambulance service? I know  
11 when the ambulance association --

12 MR. LUKASEWICZ: Membership has  
13 expired, and I believe the new ambulance  
14 provider, Dickson City, will be sending out --

15 MR. MARUSHOCK: So they will be  
16 soliciting --

17 MR. LUKASEWICZ: There should be no  
18 difference whatsoever as provided in the  
19 past. They will do everything and honor  
20 everything the same way as the Throop  
21 Ambulance. Roll call, please.

22 MRS. MORRELL: Ms. Johnson?

23 MS. JOHNSON: For.

24 MRS. MORRELL: Mr. Barnick?

25 MR. BARNICK: For.

1 copies are posted on the bulletin board.

2 MR. BARNICK: I'll make it.

3 MR. CHRZAN: I'll second.

4 MR. LUKASEWICZ: Motion by Mr.  
5 Barnick, second by Mr. Chrzan. On the  
6 question?

7 MR. MARUSHOCK: On the question, Mr.  
8 President, regarding this with the borough  
9 abandoning that, does that mean that the  
10 borough gives up ownership of that property?  
11 Or can we incorporate the ownership of these  
12 allies into property of the borough of Throop  
13 without --

14 MR. LUKASEWICZ: The later is the  
15 way it's going to go. This will be a way of  
16 properly taking the street names off the item  
17 itself and designating it as a sole borough  
18 property.

19 MR. MARUSHOCK: I tried to check on  
20 the bulletin board and I did see this. Again,  
21 my concern was that someone did not come in  
22 and try to buy that property.

23 MR. LUKASEWICZ: No, this is only  
24 for use of the DPW complex.

25 MR. MARUSHOCK: And it will continue

1 MRS. MORRELL: Mr. Chrzan?

2 MR. CHRZAN: For.

3 MRS. MORRELL: Mr. Marushock?

4 MR. MARUSHOCK: For.

5 MRS. MORRELL: Mr. Musewicz?

6 MR. MUSEWICZ: For.

7 MRS. MORRELL: Mr. Barone?

8 MR. BARONE: For.

9 MRS. MORRELL: Mr. Lukasewicz?

10 MR. LUKASEWICZ: For.

11 MRS. MORRELL: All in favor. Motion  
12 carried.

13 MR. LUKASEWICZ: Motion number 15,  
14 to advertise Throop Borough ordinances number  
15 three, number four and number five of 2006,  
16 ordinances abandoning certain alleyways  
17 located within the boundaries of the borough  
18 of Throop. The properties described, while  
19 laid out, have never been used as a public  
20 thoroughfare.

21 Ordinance number three, exhibit A,  
22 lot number A. Ordinance number four, exhibit  
23 A, lot number D. Ordinance number five,  
24 exhibit A, lot number E. These lots are in  
25 the area of the new DPW complex. Complete

1 to remain in the ownership of the borough.  
2 Thank you.

3 MR. LUKASEWICZ: Roll call, please.

4 MRS. MORRELL: Ms. Johnson?

5 MS. JOHNSON: For.

6 MRS. MORRELL: Mr. Barnick?

7 MR. BARNICK: For.

8 MRS. MORRELL: Mr. Chrzan?

9 MR. CHRZAN: For.

10 MRS. MORRELL: Mr. Marushock?

11 MR. MARUSHOCK: For.

12 MRS. MORRELL: Mr. Musewicz?

13 MR. MUSEWICZ: For.

14 MRS. MORRELL: Mr. Barone?

15 MR. BARONE: For.

16 MRS. MORRELL: Mr. Lukasewicz?

17 MR. LUKASEWICZ: For.

18 MRS. MORRELL: All in favor. Motion  
19 carried.

20 MR. LUKASEWICZ: Motion number 16,  
21 to adopt Throop Borough resolution number nine  
22 of 2006 designating Robert Kalinoski as agent  
23 to execute for and in behalf of Throop Borough  
24 for the purpose of obtaining financial  
25 assistance under the Robert T. Stafford

1 Disaster Relief and Emergency Assistance Act.  
 2 MR. CHRZAN: I'll make it.  
 3 MR. LUKASEWICZ: Motion by Mr.  
 4 Chrzan.  
 5 MR. BARONE: I'll second.  
 6 MR. LUKASEWICZ: Second by Mr.  
 7 Barone. On the question? Roll call.  
 8 MRS. MORRELL: Ms. Johnson?  
 9 MS. JOHNSON: For.  
 10 MRS. MORRELL: Mr. Barnick?  
 11 MR. BARNICK: For.  
 12 MRS. MORRELL: Mr. Chrzan?  
 13 MR. CHRZAN: For.  
 14 MRS. MORRELL: Mr. Marushock?  
 15 MR. MARUSHOCK: For.  
 16 MRS. MORRELL: Mr. Musewicz?  
 17 MR. MUSEWICZ: For.  
 18 MRS. MORRELL: Mr. Barone?  
 19 MR. BARONE: For.  
 20 MRS. MORRELL: Mr. Lukasewicz?  
 21 MR. LUKASEWICZ: For.  
 22 MRS. MORRELL: All in favor. Motion  
 23 carried.  
 24 MR. LUKASEWICZ: Motion number 17 is  
 25 to authorize payment to Reid's Towing in the

1 MRS. MORRELL: All in favor. Motion  
 2 carried.  
 3 MR. LUKASEWICZ: Motion number 18 is  
 4 a resolution as needed from Robert Davis, the  
 5 borough grantsman, to proceed to secure grants  
 6 from specific projects. The first one would  
 7 be the DPW complex.  
 8 The second one will be the Eddy  
 9 Creek sanitary sewer collection system.  
 10 The third one would be the Phillips  
 11 Street storm water problem area.  
 12 The fourth one will be the Bellman  
 13 Street pump house.  
 14 The fifth will be the Sulphur Creek  
 15 bank and channel stabilization project.  
 16 The sixth will be the 48 acres as a  
 17 Throop community recreation and sports complex  
 18 construction project.  
 19 The next one will be to okay to  
 20 secure a grant for Cargill Salt in regards to  
 21 a salt storage facility for the borough.  
 22 MR. CHRZAN: I'll make it.  
 23 MR. BARNICK: I'll second it.  
 24 MR. LUKASEWICZ: Motion by Tony,  
 25 second by Jimmy. Roll call, please.

1 amount of \$50 for the winch brushhog machine.  
 2 MR. CHRZAN: I'll make it.  
 3 MR. LUKASEWICZ: That was for him to  
 4 bring it and to remove it from the area. The  
 5 DPW guys needed it to work. This is the one  
 6 that I said September of 2004 he was never  
 7 paid for this.  
 8 MR. BARNICK: I'll second.  
 9 MR. LUKASEWICZ: Tony and Jimmy.  
 10 This is when they were doing work down at the  
 11 river. Roll call, please.  
 12 MRS. MORRELL: Ms. Johnson?  
 13 MS. JOHNSON: For.  
 14 MRS. MORRELL: Mr. Barnick?  
 15 MR. BARNICK: For.  
 16 MRS. MORRELL: Mr. Chrzan?  
 17 MR. CHRZAN: For.  
 18 MRS. MORRELL: Mr. Marushock?  
 19 MR. MARUSHOCK: For.  
 20 MRS. MORRELL: Mr. Musewicz?  
 21 MR. MUSEWICZ: For.  
 22 MRS. MORRELL: Mr. Barone.  
 23 MR. BARONE: For.  
 24 MRS. MORRELL: Mr. Lukasewicz?  
 25 MR. LUKASEWICZ: For.

1 MRS. MORRELL: Ms. Johnson?  
 2 MS. JOHNSON: For.  
 3 MRS. MORRELL: Mr. Barnick?  
 4 MR. BARNICK: For.  
 5 MRS. MORRELL: Mr. Chrzan?  
 6 MR. CHRZAN: For.  
 7 MRS. MORRELL: Mr. Marushock?  
 8 MR. MARUSHOCK: For.  
 9 MRS. MORRELL: Mr. Musewicz?  
 10 MR. MUSEWICZ: For.  
 11 MRS. MORRELL: Mr. Barone?  
 12 MR. BARONE: For.  
 13 MRS. MORRELL: Mr. Lukasewicz?  
 14 MR. LUKASEWICZ: For.  
 15 MRS. MORRELL: All in favor. Motion  
 16 carried.  
 17 MR. BARNICK: Just before he goes  
 18 and applies for this stuff get a breakdown so  
 19 he can let us know exactly what the breakdown  
 20 is, if the grant's available. Like, 60/40,  
 21 75/25 before he actually applies for it and  
 22 does all the work on it. Some of them may not  
 23 be worth it.  
 24 MR. LUKASEWICZ: Elaine, make him  
 25 aware of that before he actually applies for

1 anything. The next one, Mr. Marushock, you  
2 wanted to make a motion?

3 MR. MARUSHOCK: I'm asking for a  
4 motion for a thorough investigation by federal  
5 and state authorities regarding any and all  
6 operations, both past and present, of the  
7 borough of Throop, to be done ASAP, please.

8 MR. LUKASEWICZ: Motion by Mr.  
9 Marushock? Second?

10 MS. JOHNSON: I'll second it.

11 MR. LUKASEWICZ: Second by Ms.  
12 Johnson. On the question?

13 MR. BARNICK: On the question, I'd  
14 probably vote for 2004 and -5.

15 MR. CIMINI: In the event this  
16 motion passes I'm going to need some  
17 guidance. I'm not going to write a letter to  
18 the federal authorities asking them to  
19 investigate any and all operations. I'm not  
20 going to embarrass myself. If I can get more  
21 detail on that I'll gladly do it, if it  
22 passes.

23 MR. MARUSHOCK: Basically, attorney  
24 Cimini, what I'm trying to get at is any and  
25 all operations of this borough, I think we

1 discrepancies.

2 MR. MARUSHOCK: I'm not going to  
3 name names because I'm not going to put myself  
4 out on a limb.

5 MR. BARNICK: I think you have to.  
6 The public wants to know. I know I want to  
7 know. Why didn't you do it when you were here  
8 president? What's wrong?

9 MR. MARUSHOCK: Upon being  
10 subpoenaed by federal and state authorities  
11 under oath I will put everything forward.

12 MR. LUKASEWICZ: All right. Roll  
13 call, please.

14 MRS. MORRELL: Ms. Johnson?

15 MS. JOHNSON: For.

16 MRS. MORRELL: Mr. Barnick?

17 MR. BARNICK: Against.

18 MRS. MORRELL: Mr. Chrzan?

19 MR. CHRZAN: Against.

20 MRS. MORRELL: Mr. Marushock?

21 MR. MARUSHOCK: For.

22 MRS. MORRELL: Mr. Musewicz?

23 MR. MUSEWICZ: Against.

24 MRS. MORRELL: Mr. Barone?

25 MR. BARONE: Against.

1 need a very thorough, in-depth investigation.  
2 Perhaps we can start maybe with the year 1998  
3 as a starting point up to and including the  
4 present '06 situation. Like I say, without  
5 going into any further detail at this time or  
6 naming names or anything, knowing what I know,  
7 I would like to sit down with those  
8 authorities and express in detail --

9 MR. LUKASEWICZ: Can I ask one  
10 question, Mr. Marushock? Why, if you're going  
11 all the way back to 1998 and it's 2006, why  
12 didn't you bring this forward somewhere  
13 several years ago --

14 MR. BARNICK: 2004 and 2005.

15 MR. LUKASEWICZ: I just don't  
16 understand this.

17 MR. MARUSHOCK: All the accusations  
18 past, present, everything else happening, no  
19 true knowledge, no true answers ever being  
20 brought forward, he said, we said, they said,  
21 she said, and now we get finger pointing back  
22 and forth. And to resolve any and all  
23 discrepancies that have been noted --

24 MR. BARNICK: What discrepancies?  
25 What discrepancies? We have to know what

1 MRS. MORRELL: Mr. Lukasewicz?

2 MR. LUKASEWICZ: Against.

3 MRS. MORRELL: Five against, two in  
4 favor. Motion failed.

5 MR. MARUSHOCK: It's kind of ironic  
6 that I wonder --

7 MR. LUKASEWICZ: Motion number 20,  
8 to authorize attorney Cimini to work with the  
9 MidValley School District, specifically  
10 attorney Dolan, to collect back taxes through  
11 whatever means available.

12 MR. BARNICK: I'll make that  
13 motion.

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

16 MR. CHRZAN: I'll second.

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

19 MR. BARNICK: On the question, we  
20 got review from the county on all the back  
21 taxes, and there's only just a certain couple,  
22 really, that are outstanding. Most of them --

23 MR. JOHNSON: I'm on there, Jim. I  
24 owe \$30. Would you like to garnish my pay?

25 MR. BARNICK: Most properties are

1 delinquent for two years. There's ones on  
2 here that go to '84. Twenty-two years back  
3 taxes. This is what I brought up for the  
4 county down there. There's got to be diligent  
5 pursuit for this. I don't care what kind of  
6 litigation they say they're in or not, you pay  
7 your taxes. If you have a litigation problem  
8 you pay the taxes and then you get your money  
9 back. But to hold this up like this and play  
10 this game, this legal game, is ridiculous.

11 There's only a couple on here. Like  
12 I said, most of them are just two years  
13 behind. We haven't had taxes for two years so  
14 there's plenty of time. There was no taxes to  
15 pay. You should be paid up. The borough  
16 should be wiped clean.

17 And then to have a person go up  
18 there to the school district and ask for  
19 forgiveness, that's ridiculous.

20 MS. JOHNSON: Who are you speaking  
21 of?

22 MR. BARNICK: Our main speaker, Mr.  
23 Bolus.

24 MR. LUKASEWICZ: All right, roll  
25 call, please.

1 MR. BARNICK: I'd like to see them  
2 all advertised, myself.

3 MR. MARUSHOCK: Mr. President, on  
4 the question, do we broaden this to also  
5 include not only property tax but the wage  
6 taxes? This is something I'm getting at.

7 MR. LUKASEWICZ: This is one  
8 specific one.

9 MR. BARNICK: I made the motion.

10 MR. LUKASEWICZ: The motion is on as  
11 is right now. Roll call, please. Roll call,  
12 Elaine.

13 MR. MARUSHOCK: I'm being shot down.

14 MRS. MORRELL: Ms. Johnson?

15 MS. JOHNSON: Against.

16 MRS. MORRELL: Mr. Barnick?

17 MR. BARNICK: For.

18 MRS. MORRELL: Mr. Chrzan?

19 MR. CHRZAN: For.

20 MRS. MORRELL: Mr. Marushock?

21 MR. MARUSHOCK: For.

22 MRS. MORRELL: Mr. Musewicz?

23 MR. MUSEWICZ: For.

24 MRS. MORRELL: Mr. Barone?

25 MR. BARONE: For.

1 MRS. MORRELL: Mr. Lukasewicz?

2 MR. LUKASEWICZ: For.

3 MRS. MORRELL: Six in favor, one  
4 against. Motion carried.

5 MR. LUKASEWICZ: Ms. Johnson, number  
6 21 and 22 are motions you want to put on.  
7 Would you like to make the motion, please?

8 MS. JOHNSON: Yes. I'd like a  
9 motion to have my three monthly stipend pays,  
10 December '05, January and February '06. I'd  
11 like to add that I spoke with someone from the  
12 governor's office, and they said it is  
13 absolute discrimination and it's illegal, and  
14 that's according to borough code.

15 MR. MARUSHOCK: I'll second that  
16 motion.

17 MR. LUKASEWICZ: Motion by Ms.  
18 Johnson, second by Mr. Marushock. On the  
19 question?

20 MR. BARNICK: Yeah, on the question,  
21 I'm willing to do this right now. Here's my  
22 license. Put yours up. Everybody willing to  
23 put your license up? Here's where it says I  
24 live. Here's where it says I live.

25 MS. JOHNSON: If I show you my

1 license are you going to pay me?

2 MR. BARNICK: Of, yeah. Sure.

3 MS. JOHNSON: Would you like to see  
4 my license?

5 MR. BARNICK: I won't sign the  
6 check. I'd like to see the address you put on  
7 and tell everybody elsewhere where you live.  
8 Where do you live?

9 MS. JOHNSON: I live in Throop.

10 MR. BARONE: Where?

11 MR. BARNICK: Everybody wants to  
12 know. They've been asking and asking for  
13 months. Where do you live?

14 MS. JOHNSON: Why don't you have  
15 your investigator come here and tell them?

16 MR. BARNICK: You stated you live in  
17 Throop. Where do you live? Just the other  
18 day -- and they don't want George Street. The  
19 sheriff posted the place. I come by the next  
20 morning, I was coming up the borough, all the  
21 stuff was ripped down.

22 MS. JOHNSON: What did you do, take  
23 it down?

24 MR. BARNICK: I wouldn't take it  
25 down. I might buy it.

1 MR. MARUSHOCK: It's ironic. Those  
2 have been ripped off buildings in Throop  
3 before.  
4 MS. JOHNSON: Just like you stalk me  
5 all the time, Jim. I got real good pictures  
6 of you.  
7 MR. MARUSHOCK: Mr. Barnick, just to  
8 add to that, those postings on a sheriff's  
9 sale on a public building in Throop, they're  
10 ripped down in the past. That's why I'm  
11 asking for an investigation by federal and  
12 state authorities.  
13 MR. CHRZAN: Now, who would rip the  
14 poster down? Who would do that? Who in this  
15 world in their right mind would do that?  
16 MR. BARNICK: You still don't want  
17 to state where you live. You're not going to  
18 tell anybody where you live?  
19 MS. JOHNSON: Where's your  
20 investigator that you --  
21 MR. BARNICK: I live at 203 Adams  
22 Court. Anybody can get a hold of me. People  
23 come down left and right. You live in  
24 Throop?  
25 MS. JOHNSON: Yes, I do.

1 MR. BARNICK: That's all I wanted on  
2 the record.  
3 MR. CHRZAN: It's on the record.  
4 MS. JOHNSON: That's right, it is.  
5 MR. MARUSHOCK: Mr. President, may I  
6 ask our solicitor a question, please?  
7 MR. LUKASEWICZ: Attorney Cimini,  
8 are you comfortable with answering -- well,  
9 let him ask the question, and if it's  
10 something that's going to jeopardize anything,  
11 then you do what you think is proper.  
12 MR. MARUSHOCK: As we sit here this  
13 evening Ms. Johnson is still a sitting member  
14 of this Throop Borough Council. Am I correct  
15 or am I wrong?  
16 MR. CIMINI: You are correct.  
17 MR. MARUSHOCK: Therefore, she is  
18 entitled to her wages. Am I correct?  
19 MR. CIMINI: I don't know. She said  
20 she spoke to the governor's office. It  
21 sounded pretty definitive to me.  
22 MR. MARUSHOCK: Part two of this  
23 question, has she been officially removed from  
24 her seat as a member of the Throop Borough  
25 Council?

1 MR. CIMINI: What kind of  
2 question -- she's sitting hear, voting, is she  
3 not?  
4 MR. MARUSHOCK: Why are we  
5 withholding her wages?  
6 MR. LUKASEWICZ: All right. Roll  
7 call, please.  
8 MRS. MORRELL: Ms. Johnson?  
9 MS. JOHNSON: For.  
10 MRS. MORRELL: Mr. Barnick?  
11 MR. BARNICK: Against.  
12 MRS. MORRELL: Mr. Chrzan?  
13 MR. CHRZAN: Against.  
14 MRS. MORRELL: Mr. Marushock?  
15 MR. MARUSHOCK: For.  
16 MRS. MORRELL: Mr. Musewicz?  
17 MR. MUSEWICZ: Against.  
18 MRS. MORRELL: Mr. Barone?  
19 MR. BARONE: Against.  
20 MRS. MORRELL: Mr. Lukasewicz?  
21 MR. LUKASEWICZ: Against.  
22 MRS. MORRELL: Two in favor, five  
23 against. Motion failed.  
24 MR. LUKASEWICZ: Next motion,  
25 please?

1 MS. JOHNSON: The next motion I'd  
2 like to place, since the majority hired an  
3 attorney/investigator to investigate me using  
4 borough funds, I now would like to do the  
5 same. Mr. Cimini, I went to his office. He  
6 said he'd represent me but it's a conflict of  
7 interest, so now I feel that you need to do  
8 the same for me.  
9 MR. MARUSHOCK: I'll second that  
10 motion.  
11 MR. LUKASEWICZ: There's a motion on  
12 the floor by Ms. Johnson, seconded by Mr.  
13 Marushock. Attorney Cimini, legally is the  
14 borough responsible to provide a lawyer for  
15 Ms. Johnson?  
16 MR. CIMINI: It's a very difficult  
17 question only because I did do some research  
18 when I spoke to Cindy, and case law states  
19 that it depends on the action that's called in  
20 question. Whether or not it's personal or it  
21 is part of a sitting member of council. So  
22 you have to answer that question first. And  
23 there are some decisions that say in the event  
24 that you are successful you can ask for  
25 reimbursement.

1 I have not found any cases where  
2 they say -- I'm taking the position that this  
3 is more of a personal rather than a decision  
4 made as a sitting council member, to vote  
5 against whatever motion that would be sitting  
6 as a council member.

7 It's my understanding the issue that  
8 we're dealing with is where a person resides.  
9 I think that's more of a personal decision  
10 rather than a decision as a sitting council  
11 member.

12 So I think at the very best I can  
13 say with confidence that she can ask for her  
14 legal fees be reimbursed. I don't know if  
15 there's a definitive answer on whether or not  
16 council has to provide a lawyer.

17 MR. LUKASEWICZ: Okay.

18 MR. MARUSHOCK: Mr. President, if I  
19 may add to that, with the recent lawsuits we  
20 were involved in the borough paid for the  
21 attorney through the insurance company. But  
22 again, our solicitor was technically in the  
23 middle between both sides.

24 MR. LUKASEWICZ: I don't even know  
25 if that --

1 lot of false accusations that had been brought  
2 forward in the borough.

3 MR. CHRZAN: Why don't you go and do  
4 it.

5 MR. BARNICK: Two years with your  
6 group, here.

7 MR. LUKASEWICZ: All right, you made  
8 your point already. We will have --

9 MS. JOHNSON: The way I'm looking at  
10 it is you asked Mr. Cimini to investigate me,  
11 and he wrote a letter back to you, telling you  
12 his conflict of interest, so you chose to get  
13 someone outside. Now, that's my position.  
14 Mr. Cimini can't represent me. Now I need to  
15 get someone from the outside.

16 MR. LUKASEWICZ: Understandable.

17 MS. JOHNSON: And the reason you  
18 think you won't vote that way for me is? Why  
19 were you able to do that and I'm not?

20 MR. LUKASEWICZ: We'll see how the  
21 vote goes. Roll call, please.

22 MRS. MORRELL: Ms. Johnson?

23 MS. JOHNSON: For.

24 MRS. MORRELL: Mr. Barnick?

25 MR. BARNICK: Against.

1 MR. MARUSHOCK: As attorney Brazil  
2 sat here --

3 MR. LUKASEWICZ: I don't know if  
4 that corresponds to the question at hand, to  
5 tell you the truth. Two different situations.  
6 But I'm not a lawyer.

7 MR. CIMINI: When there's insurance,  
8 the insurance assigns a lawyer.

9 MR. MARUSHOCK: But evidently this  
10 is going to become an insurance thing if this  
11 is found to be a false -- that's what I'm  
12 trying to say. We need a full investigation.

13 MR. BARNICK: On the question, I  
14 think she should file against the five of us.  
15 I'd happily go to a court and explain my side  
16 of it and then we'll see what the judge says.  
17 File.

18 MS. JOHNSON: That's fine by me.

19 MR. BARNICK: Mr. Bolus said he'd  
20 pay for it the last meeting.

21 MR. MARUSHOCK: Mr. President, if I  
22 can continue. Unfortunately that's why maybe  
23 some people don't want a full and thorough  
24 investigation by the federal and state  
25 authorities. There's a lot of wrongdoing, a

1 MRS. MORRELL: Mr. Chrzan?

2 MR. CHRZAN: Against.

3 MRS. MORRELL: Mr. Marushock?

4 MR. MARUSHOCK: For.

5 MRS. MORRELL: Mr. Musewicz?

6 MR. MUSEWICZ: Against.

7 MRS. MORRELL: Mr. Barone?

8 MR. BARONE: Against.

9 MRS. MORRELL: Mr. Lukasewicz?

10 MR. LUKASEWICZ: I'm going to have  
11 to abstain basically for the reason that I'm  
12 not a lawyer and I really don't know if she is  
13 entitled to it or not.

14 MRS. MORRELL: Two in favor, four  
15 against and one abstain. Motion failed.

16 MR. LUKASEWICZ: That concludes the  
17 printed agenda. Any other council have  
18 anything else that we'd like to bring  
19 forward?

20 If not, Mr. Mayor, anything?

21 MAYOR LUKOWSKI: Well, I do want to  
22 say that you and I, a couple weeks ago, met  
23 with the governor. For me it was the third  
24 time in nine months that I was with the  
25 governor in doing some business. I have a

1 letter here. Let me read it to you. Andy  
 2 Hegedus.  
 3 He says the officers and members of  
 4 Throop Hose Company No. 2 and Throop Volunteer  
 5 Hose Company No. 3 would like to thank you for  
 6 providing the department with the necessary  
 7 solicitation permit at no charge to conduct  
 8 our Valentine's Day rose sale fund raising  
 9 event. And then he also thanks police chief  
 10 Neil Furiosi and Officer Keith Jones for their  
 11 assistance. And I guess for them it came out  
 12 pretty will.  
 13 The police and I were down to meet  
 14 Craig Benson, who came back from Iraq, and  
 15 Craig then had a party put or for him Saturday  
 16 at the hose company here on Center Street.  
 17 Craig is going to come back as a part-time  
 18 policeman here with the Throop Police  
 19 Department and he'll eventually go back to his  
 20 job -- full time job, that is, in Farview.  
 21 The VFW, I understand, had a fine  
 22 breakfast on Saturday, and there's a breakfast  
 23 for the hose company on Center Street coming  
 24 up on this weekend. That's all I have, Mr.  
 25 President.

1 MR. LUKASEWICZ: On the one item  
 2 that you discussed, when you met with the  
 3 governor, news for people in Throop, if you  
 4 didn't know it, UPS, which employs -- which I  
 5 didn't even know -- almost 320 people in the  
 6 borough of Throop, is adding 68 people to  
 7 their work force. If anybody from Throop is  
 8 looking for a job, UPS is the place.  
 9 But when the governor was here the  
 10 governor did bring incentives for businesses  
 11 which did bring almost between 650 and 700 new  
 12 jobs to our area. And there's six different  
 13 businesses, which I thought was very good. It  
 14 was done on a smaller scale, but this way if  
 15 one of these businesses does pull out the  
 16 other five are still here. So it was really  
 17 wonderful to see somebody having faith in our  
 18 area. And as you heard the employers speak,  
 19 the character of the people in the area,  
 20 that's why they want to come here and start  
 21 businesses here.  
 22 Okay, we're going to go for new  
 23 business. And again, we're going to ask that  
 24 people be constructive, and we're going to  
 25 have a three-minute time limit. I'm going to

1 try to answer a question. If I can't answer  
 2 it I'm going to say I cannot answer it and I  
 3 would hope you would take that as an answer.  
 4 Okay, we'll begin in the first row.  
 5 State your name and address for the record.  
 6 (Frank Galli, 609 Kossuth Street,  
 7 inquired if Ms. Johnson would just state her  
 8 residence address.)  
 9 MR. LUKASEWICZ: Don't ask Cindy.  
 10 I'm going to tell you how I'm going to handle  
 11 this. Let me answer you something. To keep  
 12 this from boiling over, Cindy was asked.  
 13 There was no answer when Jimmy asked. It's in  
 14 litigation, end of the conversation on the  
 15 situation of Ms. Johnson here this evening  
 16 because it's not going to do us any good to  
 17 discuss it. That's it. It will be resolved  
 18 accordingly, and it's not going to be resolved  
 19 here this evening. End of conversation.  
 20 Frank, end of conversation. She said no. End  
 21 of conversation. It's not going to do us any  
 22 good here this evening to argue. I don't have  
 23 time to waste. And I don't mean to be rude,  
 24 but it's gotten to that point that this has to  
 25 go through the proper channels and be finished

1 one way or the other and I'll be comfortable  
 2 with it. Frank, when it's finished there will  
 3 be a thorough recapping of everything that was  
 4 expended and at that point there will be  
 5 answers for everybody. That's it.  
 6 Next row? Third row? And again,  
 7 before I let someone else speak, I want to try  
 8 to be fair to everybody. When I say I don't  
 9 want to have any it's because it's only going  
 10 to boil over and escalate and it's not going  
 11 to be any benefit to the borough of Throop.  
 12 (Dominic Rocco, 110 Sanderson  
 13 Street, requested to address a question to Mr.  
 14 Marushock.)  
 15 MR. LUKASEWICZ: No. You can ask a  
 16 question and I'll try and answer it for you.  
 17 (Mr. Rocco commented on a statement  
 18 by Mr. Marushock on the rehiring of Mrs.  
 19 Morrell, Ms. Dolan and Ms. Sullivan and the  
 20 firing of landfill inspectors.)  
 21 MR. LUKASEWICZ: Mr. Marushock, are  
 22 you comfortable with addressing his concern  
 23 and only that concern right now?  
 24 MR. MARUSHOCK: Correct. How many  
 25 wrongs is it going to take before we do a

1 right?  
 2 MR. CHRZAN: You should have thought  
 3 of that before.  
 4 MR. LUKASEWICZ: That's his answer.  
 5 MR. MARUSHOCK: Am I correct in  
 6 saying that?  
 7 MR. LUKASEWICZ: That's your  
 8 answer. He answered the question. Any other  
 9 questions this evening? Continuing on in that  
 10 row. Next row?  
 11 (Joe Wargo, Cypress Street, thanked  
 12 council for its donation to the scouts.)  
 13 MR. LUKASEWICZ: Thank you. In the  
 14 back? Coming across, towards the open  
 15 doorway?  
 16 MR. BOLUS: I'd like to address --  
 17 since Mr. Barnick made it public I think I  
 18 have every right to address this issue.  
 19 First of all, regarding taxes, I go  
 20 back to 1984. We have an accounting of  
 21 everything that went on. It has been in  
 22 litigation. I told you earlier I applauded  
 23 him trying to make it move forward because we  
 24 can't get it resolved. I'm not looking for a  
 25 forgiveness of taxes. We've already paid

1 them. There's enough issues raised in the  
 2 courts regarding it and the appeals.  
 3 We went to the school board solely  
 4 to prevent them from being sanctioned by  
 5 further litigation on our part. We asked  
 6 their solicitor to supply us with an opinion  
 7 letter. To date he has not done that. He was  
 8 given all the facts pertaining to every part  
 9 of his litigation. There's no secret. We're  
 10 not withholding anything.  
 11 We paid hundreds of thousands of  
 12 dollars off. Not that we're not in a position  
 13 to pay it. We've already done that.  
 14 They made statements -- and you have  
 15 to remember you're represented by Lackawanna  
 16 County in this issue. They're the ones who  
 17 took over collection of taxes that goes back  
 18 to '84. And I brought it up more than once.  
 19 It's not a secret.  
 20 So, you know, Mr. Barnick trying to  
 21 make things public or discredit my name  
 22 because I opposed him in his election I take  
 23 an offense to. And he's made this a personal  
 24 issue and tonight I'm going to respond back to  
 25 him.

1 In '93 he had a temporary protective  
 2 order from --  
 3 MR. LUKASEWICZ: Wait one second.  
 4 One second, please. I'm going to go here for  
 5 one reason. I'm not going to allow this for  
 6 one reason, and only because of a resolution  
 7 that was passed, number nine of 2004, and  
 8 passed and signed by Mr. Marushock. And one  
 9 of the stipulations in here: Shouting,  
 10 personal insults and attacks and any conduct  
 11 that disrupts the flow of business is  
 12 considered to be out of order. Comments that  
 13 make statements or personal attacks,  
 14 statements that could be construed as  
 15 libelous, slanderous or defames the character  
 16 of any elected or appointed official or any  
 17 other resident shall not be allowed.  
 18 I just ask that you refrain because  
 19 it's not going to do any good, Bob.  
 20 MR. BOLUS: Believe me, Tommy, I'd  
 21 love to do that, but Mr. Barnick made personal  
 22 attacks --  
 23 MR. LUKASEWICZ: Bob, you're not  
 24 going to do it.  
 25 MR. BOLUS: He already made it,

1 bringing this out here. This is a public  
 2 record.  
 3 MR. LUKASEWICZ: Just so you know,  
 4 Bob, you have a little less than a minute.  
 5 MR. BOLUS: This is a public record  
 6 of a temporary protective order which I will  
 7 be glad to give to the reporter.  
 8 MR. LUKASEWICZ: I asked you not to  
 9 do that. I asked you not to do it, Bob.  
 10 MR. BOLUS: I tried --  
 11 (Outburst. )  
 12 MR. LUKASEWICZ: Mr. Bolus, thank  
 13 you for your comments. You had your three  
 14 minutes to speak. Continuing on? Coming down  
 15 on my left?  
 16 (Brian Finnegan, Dickson City  
 17 Ambulance, thanked the borough for accepting  
 18 their service and pointed out a typographical  
 19 error in the agenda.)  
 20 MR. MARUSHOCK: Just one more  
 21 question on the ambulance. I spoke with Susan  
 22 Beciglia. She has questions, and I referred  
 23 her to attorney Cimini, regarding the Throop  
 24 Ambulance. She was one of the founding  
 25 members. Very much upset with everything

1 that's happened at that facility right now. I  
2 don't know if there's still time for her to  
3 act and other founding members to act to  
4 preserve that facility and that operation.

5 However, just for the matter of  
6 public record, she did inquire about it and,  
7 again, I did refer her to attorney Cimini.

8 MR. LUKASEWICZ: Attorney Cimini, if  
9 and when she does call you, if you could  
10 direct her to proper authorities.

11 MR. CIMINI: I will.

12 MR. LUKASEWICZ: Thank you, Brian.  
13 Motion to adjourn?

14 MR. BARNICK: I'll make it.

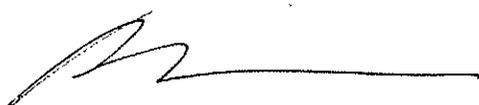
15 MR. CHRZAN: I'll second.

16 MR. LUKASEWICZ: Meeting is  
17 adjourned.

18 (Whereupon the meeting was  
19 adjourned.)  
20  
21  
22  
23  
24  
25

1  
2 CERTIFICATE  
3

4 I hereby certify that I attended the foregoing  
5 proceeding, took stenographic notes of the same, that  
6 the foregoing, consisting of 69 pages, is a true and  
7 correct copy, done to the best of my ability, of same  
8 and the whole thereof.  
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24 Mark Wozniak

25 Official Court Reporter