

**Minutes
Throop Borough Council
Special Meeting
Thursday, February 8, 2001
following the 6:30 p.m. work session**

The meeting opened with Pledge of Allegiance.

ROLL CALL:

Members Of Council:

Joseph Barone-P

James Barnick-P

Anthony Chrzan-P

President - Thomas Lukasewicz-P

Robert Mraz-P

Vice President - George Marushock-P

Joseph Keyasko-P

Mayor - Stanley Lukowski-P

Solicitor - Attorney Louis Cimini-P

Controller - Daryl Menichetti-P

Treasurer - Lenore Dolan-A

Administrator/Secretary - Elaine Morrell-P

Announcements:

An Executive Session was held this evening at 6:00 p.m. to discuss legal and personnel matters.

Monday, February 26th:

6:30 p.m. - Public Hearing with Marv Brotter or his representative regarding additional funding for the HOME Program Grant.

6:45 p.m. - Public Hearing RE: Request to vacate east extension of Ash St.

7:00 p.m. - Regular Monthly Meeting

Audience comments on tonight's agenda:

Jack Dolan-You're talking about putting motions to buy \$250.00 items for the Civic Center. Why are you creating a Civic Center Purchasing Committee? How much are they going to be allowed to spend, \$5.00? It doesn't make sense, does it?

Lukasewicz-They will be allowed to purchase the same thing like the Council Commissions.

Dolan-Well why would you put a \$250.00 item on that's going to benefit the Civic Center?

Marushock-The reason I'm requesting that is before, we were, we actually don't have a Civic Center Purchasing Committee right now.....

Dolan-You had a.....

Marushock-It's going up for a motion for tonight.

Dolan-Why would you have two purchasing committees? The Borough isn't good enough to purchase for the Civic Center?

Marushock-The Civic Center (inaudible) in place until voted on by the camp. Mr. Shevchik requested it, that, I believe it was last Friday, Jamie, that you had given me a call. (Inaudible), that's all I'm trying to do.

Dolan-Okay. It doesn't make sense though, why you're making two committees.

Marushock-(Inaudible) as we're speaking tonight to fill that motion to form the Civic Center Purchasing Committee is voted upon, it actually doesn't exist legally, correct? And that's all.

Bob Lokuta-Based on what was just spoken there, how do the other committees work in the borough? Shouldn't there be a vote on all committees? All your council committees? I mean, if you're voting one into existence tonight for the Civic Center, you have a committee for the police, you have a committee, I saw a hand out a week or so ago that had listed at least ten or fifteen different committees on it.

Lukasewicz-There are.

Lokuta-Well, shouldn't you vote them into existence too?

Barnick-It's not required. The President has the right to assign, period.

Lukasewicz-The President has a right to establish committees.

Lokuta-I understand that and that's the way it's always been. But why are we deviating from that now?

Marushock-Because this is a brand new committee, Mr. Lokuta.

Barnick-That has no.....

Lokuta-It's irrelevant.

Lukasewicz-Okay, so Jimmy, you don't want us to go ahead, and I'll just make the committee.

Barnick-I don't think the people that got on it should be on it, period.

Lokuta-Basically you don't have to do that.

Barnick-That's like saying, you might as well close the doors.

Marushock-I'm trying to do it properly and do it with a motion.

Barnick-Did you ever read the books on properly?

Everyone spoke at once.

Lokuta-That's my only question, I mean, you have all these other committees that we never voted on and you're starting another one, which is fine, no problem, but why.....

Lukasewicz-I'd rather do it by vote.

Lokuta-You answered the question.

Jamie Shevchik, Civic Center Director-In response to the letter that was submitted by Mr. Mellody. Back at the last meeting, I believe, (inaudible) that was \$200.00, we have \$200.00 in excess of what we actually bought. That would be \$200.00 that we don't know where it came from, okay? Now.....

Chrzan-I don't think they should be on that committee, they're always.....
Barnick-(Inaudible)...assigned by President. Furthermore, I don't think the Civic Center is going to go any further now. (Inaudible)
Chrzan-That's what he wants.
Barone-I don't think, excuse me. I don't think Mr. Marushock should be on that committee....
Barnick-Not at all.
Barone-....since all the trouble.....
Everyone spoke at once.

Four in favor-Mraz, Marushock, Keyasko, Lukasewicz
Three against-Barone, Barnick, Chrzan, Motion carried

5. Motion by Keyasko Seconded by Mraz

To ratify the resolution number of Motion # 5 on January 29, 2001 as Throop Borough Resolution # 1 of 2001 changing the signatures on all checking accounts and certificates of deposit at the First National Community Bank, Dunmore. (President and vice-president changed. Controller and treasurer remained the same.)

All in favor Motion carried

6. Motion by Marushock Seconded by Keyasko

To adopt Throop Borough Resolution # 2 of 2001, a resolution adopting the amendments to the Interjurisdictional Agreement between municipality and Lackawanna River Basin Sewer Authority. The original resolution entering into the agreement is Resolution # 4 of 1996 adopted on January 30, 1996.

All in favor Motion carried

The printed agenda included the following motion:

*To amend Motion # 26 of January 29th 2001:
The original motion stated "to authorize the treasurer to pay the first annual loan payment to Keystone Sanitary Landfill, Inc. in the amount of \$700,000.00 due on February 28th. (This is the first of five annual payments toward the Interest Free Loan.)"
To amend the motion to state: to authorize the treasurer to pay the first annual loan payment to Keystone Sanitary Landfill, Inc. in the amount of \$613,360.00 due on April 1, 2001. (Annual payments will be due on April 1st each year for the next four years. The payments due will change according to the draw-down. Full repayment of the loan is due within a five year period.)*

Mr. Barnick spoke to Mr. Dexter regarding the final draw-down and the first loan payment. The motion on the printed agenda was amended as follows:

7. Motion by Barnick **Seconded by Chrzan**

To request the final draw-down from Keystone Sanitary Landfill. (\$433,200.00) and to authorize the treasurer to pay the first annual loan payment to Keystone Sanitary Landfill, Inc. in the amount of \$700,000.00 due on April 1, 2001.

All in favor

Motion carried

8. Motion by Chrzan **Seconded by Mraz**

To allocate \$2,000.00 to Jamie Shevchik, Civic Center Director for the Basketball Referees for the second half basketball season. (All referees will sign receipts and the receipts will be turned over to the borough.)

On the question:

Marushock-Is it possible we could pay these gentleman with checks also?

Lukasewicz-I think we went through this once and this is the way that it's.....

Everyone spoke at once.

Lukasewicz-.....they sign receipts if they go over a certain amount they would receive whatever they need in regards to the IRS. I think it works good this way and (inaudible).

All in favor

Motion carried

9. Motion by Mraz **Seconded by Keyasko**

To request Special Counsel, Environmental Counsel, Douglas Blazey, to file an additional review of EPA's Final Decision for the Remediation of the Marjol Battery Site.

On the question:

Marushock-Didn't we discuss (inaudible) \$5,000.00/\$10,000.00 in that? Shouldn't we put something in there, the dollar amount for right now?

Everyone spoke at once.

Lukasewicz-We'll put the motion on as is.

Barnick-I think either you're going to go for it or you're not, one or the other. I think politics is going to be the biggest play in this whole thing and that's what we've got to get drummed up. Politics is going to be the biggest. Down in Washington, that's where it counts and if you get people down there to beat on their doors, we're not going to go anywhere. All the legal battles in the world, EPA has the right to make that decision by the federal government, period, and the only ones that are going to help you is the Representatives, Sherwood, Santorum, Specter, all your State and everything else. We have not once seen the Governor around here or really respond to anything we asked for and that's where we need the biggest push.

Mayor-Or the previous EPA Director.

Barnick-Right.

Mayor-She was in Scranton and wouldn't spend five minutes to come over here.

Barnick-Went over there and talked about water.

Barone-Why don't we get a hold of Specter and those guys and they can get a hold of the Governor.

Everyone spoke at once.

Six in favor-Barone, Barnick, Chrzan, Mraz, Keyasko, Lukasewicz

One against-Marushock

Motion carried

10. Motion by Barone

Seconded by Barnick

To authorize the Frederick C. Spott, Engineer to design specs and Robert Kalinoski to obtain telephone bids to see if it is under the \$10,000.00. If it is over the \$10,000.00 it will be put out to bid with regard to the repairs to the sewer line (40 feet) on 716 Dunmore Street.

All in favor

Motion carried

11. Motion by Marushock

Seconded by Mraz

To direct the Solicitor, Lou Cimini, to send a letter to Olyphant Borough in regards to the Eddy Creek Sanitary Storm Sewer Project requesting an easement through Olyphant Borough. Request if they can act on it at their next council meeting.

On the question:

Barnick-You know what they're going to tell you to go do?

Lukasewicz-Jim, hopefully they'll tell us what they want at that time. Maybe they'll say at that time we want 10% or we want 20%, at least we'll know what they want.

Barnick-You don't even know the size of the line they got (inaudible) authorized, so maybe you should send a letter from the Sewer Authority.....

Lukasewicz-I'm sure they know by now, Jimmy.

Five in favor-Barnick, Mraz, Marushock, Keyasko, Lukasewicz

Two against-Barone, Chrzan

Motion carried

12. Motion by Marushock

Seconded by Keyasko

To authorize Frederick C. Spott & Associates to review the plans and design for sidewalks on Sanderson Street, from Charles Street to Cypress Street.

Barnick-I am all for sidewalks, new sidewalks, whatever, to beautify the town. At this point right now, all the sewer jobs I see these guys go out on and everything else, I will not be voting on these sidewalks right now until the sewers and all the backups and the busted pipes are taken care of, and they need it bad.

Chrzan-I'm going to stick with the vote, just like Mr. Mraz says, whatever is best for the borough and I'm going to vote against that because I feel we need sewers and everything else. More important than sidewalks in front of Mr. Lukasewicz' property on Sanderson.

Mraz-Just to review and get a price worked up?

Barnick-He's going to be providing specs, so you're going to spend money.

Lukasewicz-We're going to have everything set that if we decide to award it, we'll award it.

Barnick-You had these specs designed once and the Borough already paid once but now you're going to do it again.

Lukasewicz-(Inaudible)had any specs designed.

Everyone spoke at once.

Barnick-Instead of a sewer project, that somebody's drowning in their own sewage, you're going to go put a sidewalk so it looks nice for the people.

Everyone spoke at once.

Four in favor-Mraz, Marushock, Keyasko, Lukasewicz

Three against-Barone, Barnick, Chrzan Motion carried

A discussion took place, everyone spoke at once.

13. Motion by Keyasko

Seconded by Marushock

To change the dollar amounts for the Purchasing Committees with a minimum of \$300.00 and a maximum of \$1500.00.

Four in favor-Mraz, Marushock, Keyasko, Lukasewicz

Three against-Barone, Barnick, Chrzan Motion carried

14. Motion by Marushock

Seconded by Keyasko

To send a request to the Planning Agency as per the recommendation of Marvin A. Brotter, to send a letter of support to the DCED with the application for the Home Program Grant.

All in favor

Motion carried

Motion by Marushock

To establish a line of credit for the Civic Center up to an amount of \$2,500.00, on the return of the \$2500.00 (cash) and that all disbursements from that account would be made by way of check to eliminate a cash problem.

Marushock-This way there's no cash, everything would be documented with a check payable to the provider.

Shevchik-That cash would be used for right now for buses only. All tickets are used on the credit card.

Barnick-So then, do we need this?

Shevchik-We talked about this before. By the time I get a check and it goes out to whatever vendor I need, it's too late.

Marushock-Here we have proof of the \$2500.00, we're not taking anything away.

Mraz-He can't send a check over the phone when he calls for the tickets.

Lukasewicz-In other words, this \$2500.00 should just be returned and we'll just do it with credit card.

Shevchik-We still need a check for the bus. The credit card's only for \$5,000.00. You put three trips and you're at your limit on those. The cash has to be used for the buses alone, just for the buses.

Lukasewicz-So you still need cash to be used for the buses.

Everyone spoke at once.

Lukasewicz-Why don't we just do it with a regular check then if the buses take a check?

Shevchik-We can do that.

Lukasewicz-It's only for this month, if there's any buses we'll just do it with a regular borough check then.

Marushock-But we need to get that \$2500.00 returned to the Borough, correct?

Everyone spoke at once.

Lukasewicz-There's no need for a motion then.

15. Motion by Barnick

Seconded by Chrzan

To authorize both Host Municipality Landfill Inspectors to attend the Advanced Training Course.

On the question:

Keyasko-Are they going to go separately?

Lukasewicz-One they see what the schedules are then I'll have to make arrangements. They're not going to leave the landfill unattended.

All in favor

Motion carried

16. Motion by Mraz

Seconded by Marushock

To purchase a CD writer for the Civic Center.

All in favor

Motion carried

17. Motion by Marushock

Seconded by Keyasko

To have all borough departments to submit inventories by the end of May, 2001.

On the question:

Barnick-Is this going to be everything? Everything? I mean down to the tickets, down to the parking tickets and all.....

Marushock-Did we ever have an inventory?

Everyone spoke at once.

Lukasewicz-Yes, we have so this is new. We requested it for the end of 2000, it wasn't done so now we're just giving it a three month extension, it's nothing new.

Barnick-The thing is with this inventory, you need to get rid of the junk and put it up for public sale. But it takes time for you guys to come up here and meet and figure out your loss.

Marushock-Maybe that could be done now with this.....

Barnick-Well, maybe it should with all.....

Barone-Inaudible.

A discussion took place.

All in favor

Motion carried

Official Comments:

Mayor-There's a wonderful gesture here by the elementary school that the school is writing individual letters to the EPA about the capping of the Marjol. That's just tremendous, I think. Thank you. That's all.

Barone-That teacher ought to be commended. What's her name?

Mayor-Principal Dixon. I think they may do that in the high school too.

Barone-That's a good idea.

Keyasko-We should send them a letter too.

Chrzan-I understand that wall was damaged over there. I'd like to know who's going to pay for it? Who did the damage and who's going to pay for it? Elaine, do you know anything about that wall that was damaged?

Mraz-I socked it.

Chrzan-Who, you did?

Mraz-I socked it, yeah.

Chrzan-Who, you did? Who's going to fix it?

Mraz-I don't know, you tell me Tony. It was an accident. Was it mischief? No.

Barnick-Accident?

Chrzan-Accident? How could it be an accident? When is it going to be fixed?

A discussion took place, everyone spoke at once.

Lukasewicz-Mr. Rocco brought me up a concern about Hose Co. #2. They are in worse trouble than ever expected. Hose Co. #2, the problem didn't do away in lower Throop. We've got to meet with them. We've got to bring them in here and we've got to meet with them and find out what's really going on and some tough decisions have to be made.

Mayor-They are in the process of conducting a fund drive too.

Lukasewicz-All I know is they're in deep trouble but we have to do....can you correspondence with them, a date that they could all meet?

Dominick Rocco-Well you just set up a date and I'll just tell them that's when it is.

Lukasewicz-It's real urgent, right? Correct?

Rocco-Yeah.

Tape inaudible.

Lukasewicz-Discussed a public meeting with Hose Co. #2 and to contact the other companies to see if there's a solution to this for Tuesday, February 13th, at 7:00 p.m.

Dominick Rocco-How about putting me in for a sidewalk on Sanderson just a path to get anybody off the street from walking up and down on the street. That's all I want. I don't care if it's out of dirt, I'm not asking for anything big. Maybe you can get Tiffany Estates to go with the plow and just plow a path. That's a safety hazard.

A discussion took place about where to walk up Sanderson Street.

John Stoffey-Yeah, other developments may do them. You're saying he's got to sell all the lots to put the sidewalks in. If you go up here up in Moscow the guy put the sidewalks in before they sold the lots. They blacktopped the roads and did the infrastructure, everything is done and they work with the house they leave the section out where you've got to drive the trucks in and.....

Lukasewicz-That's the best way.

Stoffey-That's the best way to do it. The sidewalks should have been in all in around that whole development through the whole thing before he even sold.....

Lukasewicz-He didn't do it that way. He's depending on the individuals to do it. That's what we're stuck with.

Bob Lokuta-Just so we understand what was done here. You've increased the \$200.00 to \$300.00 up to \$1500.00 for the purchasing committees.

Lukasewicz-Yes.

Lokuta-Do we still have the authority across the street to purchase up to \$200.00?

Lukasewicz-(inaudible).

Lokuta-Well I'm asking a question, that's all I'm doing.

Lukasewicz-Three Hundred.

Lokuta-It's up to three now?

Lukasewicz-That's what it was.

Lokuta-It was only up to two. I just wanted, so we're doing things right, that's why I'm asking the question. Do we still have that authority?

Marushock-The motion was for the committees.

Lokuta-I understand that.

Everyone spoke at once.

Lukasewicz-Up to \$200.00 you do it the same way it was.

Chrzan-You said up to \$300.00.

Everyone spoke at once.

Lukasewicz-\$300.00 to \$1500.00 is the committee. Up to \$200.00 you still do like it is.

Barnick-Up to \$300.00 is by the motion.

Morrell-It must be up to \$300.00 now that we can write a purchase order and then we call you if it's over \$300.00.

Everyone spoke at once a discussion took place.

Lukasewicz-It hasn't changed from \$200.00 to \$300.00.

Morrell-Then I misunderstood that because that was the reason for upping it. But it's up to \$300.00. That was the reason that Robbie and the Police Department wanted to up the maximum so we don't have to call all the people on purchasing committees so it's up to \$300.00.

Lukasewicz-Then we're going to want a motion to up it to \$300.00.

Everyone spoke at once.

Morrell-So it's \$300.00.

Lokuta-For the record, we can purchase on your own up to \$300.00.

Everyone spoke at once, a discussion took place.

AUDIENCE COMMENTS:

Jim Mellody-I have some questions on the Civic Center. Now the letter, if you want to know, the year is 2000. Do I have to send another letter?

Lokuta-For the record it would be the best way to go.

Mellody-Okay, no problem. On the inventory, back in, let's do April. Wait a minute. Who wants to speak for the Civic Center Committee? Or Commission?

Chrzan-Marushock. Let Marushock speak.

Mellody-Who wants to speak for them, anybody?

Chrzan-Come on, why don't you guys lay off that Civic Center already?

Mellody-Right here, take a look at that (inaudible).

Lukasewicz-I just can't look at it right and (inaudible) or whatever. You just can't give something at the meeting and expect.....

Mellody-I want to address it to the Civic Center Commission but they don't want to talk me.

Lukasewicz-The Civic Center Commission, when they have their meeting, what is it, Monday? Go to their meeting on Monday.

Bill Shevchik-What's your point?

Mellody-What's my point?

Lukasewicz-Go to their meeting on Monday and address it there.

A discussion took place and everyone spoke at once, tape inaudible.

Motion by Barnick

Seconded by Chrzan

To recess the meeting.

Elaine Morrell,
Administrator/Secretary

Minutes by Christina Sullivan, Assistant Secretary