

**Minutes
Throop Borough Council
Monthly Meeting
Monday, January 28, 2002
7:00 p.m.**

The meeting opened with the Pledge of Allegiance.

ROLL CALL:

Members Of Council:

Joseph Barone-P

James Barnick-P

Anthony Chrzan-P

President-Thomas Lukasewicz-P

George Marushock-P

Jim Mellody Jr.-P

Vice President-Daryl Menichetti-P

Mayor - Stanley Lukowski-P

Solicitor - Attorney Louis Cimini-P

Treasurer - Lenore Dolan-P

Administrator/Secretary - Elaine Morrell-P

Announcements:

* This evening at 6:30 p.m. - Ernie Cicilioni - Lackawanna County Redevelopment Authority held the Public Hearing - RE: CDBG - Warsaw Project

* The Lackawanna County Treasurer assigned a representative to sell Dog Licenses at the Throop Municipal Building on Tuesday, February 12, 2002 from 10:00 a.m. until 3:30 p.m.

* Throop Hose Co. # 1 - Chicken Barbeque - Super Bowl Sunday, February 3rd, Noon to 4:00 p.m. Tickets may be purchased from any member.

Mayor Stan Lukowski:

Presented Awards for the Best Decorated Homes, Christmas, 2001

Hebden Family, 7 Charles St.

and

Edward & Theresa Moore, 236 Bellman St.

Official Comments:

Barnick-Excuse me, Mr. Chairman. Before you do that, if we can make one change, I think we'll all agree with, is that we buy some more decorations this year, maybe get them out early, maybe on George Street now? Lukasewicz: With these Christmas decorations, what do we have budgeted for this year? Barnick-I don't know, I'm not sure... Morrell-They'd be all the way in the back by the, in the back category by recreation. We have \$10,000. A short discussion took place. Barnick: I think we should just put a motion on to.....where do you get them through? Morrell: I usually call a couple of different companies. It's either Display Sales or Rileighs. It's usually been either one of the two who have had better prices at that time. Rileighs was the last one. Barnick: It's off-season now, maybe we'll get them cheaper. Morrell: We did that last year, we got a discount because it was after the holidays, we got a better discount. Barnick: A motion to authorize the Administrator.... Lukasewicz: We don't need any motion, she does it, she'll just do it. It's what we did last time. Barnick: Just do it? As long as we don't forget about it. Morrell: Okay, do you want me to get prices for the next meeting and then you'll. Lukasewicz: Elaine will get prices and just, yeah, and we'll have it ready to go. Morrell: For the next meeting, okay. Lukasewicz: We ran behind on Thursday and at that time I asked council members if they had any motions they wanted put on, give them to Elaine and they would be put on for this evening, because there's a lot of motions on here that I don't know too much about. So if you have questions in regards to certain motions that I don't know about, I would ask that whoever put the motions on the agenda answer the questions for the people with the concerns. Kalinoski: Discussed proposals which he could not make an educated decision for at this time because only one was received. This would be with regard to opening the road for the 48 acres. (Conversation inaudible.)

Audience Comments on Agenda:

Frank Galli, 609 Kossuth Street - Motion #11, I thought that the, the way this reads is the rates are going to go up to \$65 for the rental for the gym and the center for the everything. I thought the rates weren't going to go up for the residents of Throop? Lukasewicz-They're not, that's just for out of towners. Yeah, but they're, I, is that, I mean, say that it's going to be \$50....Chrzan-It will be added in. Lukasewicz-It will be added in there. This is out of towners. Galli continued: This is just for the out of towners, right? Lukasewicz: yes. Galli: The rate is still going to stay the same for the Throop residents? Lukasewicz: yes. Galli: All right, thank you.

Dominick Rocco, 110 Sanderson Street - Motion 22, I'd like to see all council vote for this. Because even the guys from the Army Corps of Engineers that we were talking to and they stated there shouldn't be any fences or anything like that on the levy for emergency purposes. If anything should happen you could run into a lot of trouble with these fences up there. I'd like to see you all vote for that. That would be all, thank you.

Andy Lisko, 205 Sanderson Street - I'd like to see the No Trespassing signs removed from all levy systems in lower Throop and a regular maintenance program developed for taking care of the conditions down there, the levy's. I saw that taken care of for too many years, I'm getting old now, it's time for the borough to pick it up. That's it.

Chief Neil Furiosi - On 19 (Motion #), it might be a typo but I think it should be west to east if you're turning out (off) Dunmore Street. Kalinoski-That would be right. Chief-East is going up. Few spoke at once, inaudible. Kalinoski-East is that way so you would be coming east off of Dunmore, west to Line. Chief continued: East is going up, West is coming down. If you're going to turn off of Dunmore Street, according to this, you're going to be turning one way east to west. Dolan-He's right. Barnick-Yeah,

you're going to be going west to east, or no, they got it right. Yeah, that's right. Kalinoski-That's right. Dolan-Cause you're going that way. Morrell-He's from west side. Barnick-You're turning going east side going to the west. Dolan-He's right, he is right.

1. Motion by Marushock

Seconded by Barone

To accept the police reports, zoning report, landfill inspectors' reports, transcript of the December 10th Public Hearing in regards to the opening of Franko & Catherino Sts. and the minutes of the December 13th, December 20th and January 7th Council Meetings.

On the question:

Barnick-On the question, I don't know if we should save it for.... *Chrzan-Uh um... for the hours, do you want to save it for that, or?* *Morrell-They were paid.* *Chrzan-Did that include in that, Elaine?* *Morrell-They were paid. Well, I can't say it was really included in that but those officers were paid those amounts in their last paycheck.* *Barnick-I don't know if everybody's aware of it, this paragraph written up about searching the woods and... Chrzan-I mean, if they're going to start searching the woods for beer parties on quads, are they insured? Whose insurance covers it? If the county is ordering it, why don't they pay for it?* *Lukasewicz-Why don't you, why don't you read where it says, this included on the police.....* *Chrzan-Want me to leave the name out? Two officers took place in a county inaudible beer control in September, 2001, where along with Dickson City Police we searched the wooded areas inaudible on quads, that's four wheelers, and also a marked radio car for underage beer parties. I put in four hours for this patrol and officer had thirteen (13) hours. We were to be paid by the borough and the borough would be reimbursed for this patrol at the rate of \$15.75 per hour by the county. As of this date and prior period, we were never compensated for that. We are the only two officers that were never paid. I spoke with Officer Jones who stated that all paperwork was faxed to Chief Dubas of the D.A.'s office and the reimbursement should be sent to the borough any day. Myself and Officer Tanana have placed these hours in this pay period. Thank you for your cooperation in this matter. Any questions, feel free to contact me. Thank you in advance. I don't see why we should pay them. If the county ordered them, let the county pay.* *Mayor-Is this in connection with the County Drug/Alcohol Task force? We never paid anything like that.* *Chrzan-We don't know. Mayor and Chrzan spoke at once, inaudible. Where's Neil? Many spoke at once, inaudible.* *Lukasewicz-We haven't paid them yet, or have we?* *Morrell-We paid them.* *Chrzan-Who directed them to go on quads? Whose quads were they? Suppose there's an accident? We've got a full-timer now whose out with a bad back, the guy's going to be out for a long time on heart and lung.* *Mayor-Unless it's been directed by the County. Few spoke at once, inaudible.* *Chrzan-Well, then let the county pay.* *Mayor-The county is going to pay. Let them pay them then.* *Mayor: There's got to be some sort of....* *Chrzan-Since, September, Mayor? Mayor-September, on the Drug Task Force, when the two officers went out on the inaudible. That was a major bust, too, wasn't it? Few spoke at once, inaudible.* *Granza and* *Chief: On which..* *Chrzan: It doesn't say drug, inaudible, it says county funded, inaudible, patrol. That's not a drug task force.* *Chief: No, but it was developed by.....* *Chrzan-Who authorized it? Why weren't we notified? Suppose someone got hurt on a quad?* *Chief-On a quad?* *Chrzan-Yeah, they were on quads. Few spoke at once, inaudible.* *Mayor: quads, according to.....* *Chrzan-He's got it right here in the report. They were on quads.* *Chief: We don't have quads.* *Marushock: Were our officers on the quads or were our officers in the marked radio car?* *Chief: Our officers weren't on the quads.* *Chrzan: It says right here, to place in the county for the beer patrol in September of 2001, where along with this, along with Dickson Police... Barnick-Yeah.* *Chrzan: We searched the wooded areas in both boroughs on quads.* *Chief-Dickson City... Chrzan continued, on*

quads. Chief- Dickson City did, not Throop P.D. *Chrzan-Both boroughs, it says both boroughs.* Chief- Yeah, Tony, both boroughs but Dickson City is the one that has the quads, not Throop. Few spoke at once, inaudible. *Chrzan-Well, I want to know who authorized.....* Chief-The program is funded by..... *Barnick-By the way, who's authorizing this all?* Chrzan-Who's authorizing all this? Are you authorizing?.. *Few spoke at once, inaudible.* Chief-I was on vacation when this was authorized. Chrzan: Where's Repchick? Was, did Repchick authorize it? *Chief-Yeah.* Chrzan-Is he here? *Chief: No, but this was funded by the D.A.'s office.* Chrzan-It doesn't matter. We were not notified. Suppose somebody got hurt? *Barnick-But, they're also inaudible forms and everything, right? They're, we're liable.* **Chrzan: I'm going to be against paying them.** Let the county pay them. *Chief-The county is paying them.* Chrzan-Well, why didn't they pay it? It's since September. *Chief-Because the bill wasn't turned in until now.* Chrzan-What do you mean it wasn't turned in? *Chief-It wasn't turned in.....* Chrzan-Then why are they saying, Neil, that everybody else was paid but the two Throop guys? *Chief-Because the bill wasn't turned in. When I came back, Tony, I found out about this.* Chrzan-Yeah, I'm not blaming you, Neil, I'm not blaming you. First of all, we were not notified that these guys were out in the woods. *Mayor-Listen, that happens a lot.* Chrzan-Well, it better stop, Mayor. One guy get hurt, we've got a problem. *Mayor-Whoa, you tell that to the county. You tell that to the.....* Chrzan-I'm not the Mayor.... *Mayor-No, you tell it to the county. This has been in.....* Chrzan-You are the Mayor, you're in charge. *Inaudible, speaking at once.* *Barnick-Wait a minute. Mayor: ...because it has to go through you.* *Barnick-Wait a minute. Mayor-We have to go through you.* *Barnick-Oh, really? There was an issue with Old Forge or one of them down the line that they wouldn't allow their officers to be involved in that. That just happened down in Taylor, I believe it was. So what's going on here? Inaudible, speaking at once.* Chief-You're misunderstanding, these programs have been funded by the DA's. The liability falls on the county. It's the same with..... *Chrzan-Why weren't these guys paid since September?* Chief-Because the bill wasn't turned in by..... *Chrzan-Well, whose fault is that, Neil? It makes us look bad. You guys did it. Send them a bill and let them pay it.* Chief-They are paying it. *Chrzan-Why should the borough have to pay it?* Mayor-Will you look at the bill..... Chief-It's the same thing with the Drug Task Force. The borough pays the officer for the Drug Task Force..... *Chrzan-That's not the drug, this is not the Drug Task Force.* Chief-But it's the same principle except it's for beer. It's funded by the county. Mayor-I think it's an outstanding program. That's what I think, outstanding. When you can get all these counties with each other to coordinate their efforts and to grab some of these goings on and stop them, nip them in the bud. *Chrzan-Why didn't you ride with them Mayor, why don't you go up the woods with a quad?* Mayor-That's not my job to do that. *Lukasewicz-All right, any other questions with regard to that?* *Barnick-Yeah, just one other question. I thought we passed a motion a while ago about relating to the hours, 104. Anything over, it must be for emergency purposes. Here we got 127, 116, what is going on? Many spoke at once, inaudible.* Chief-The total is 127 but how many is Drug Task Force, how much is the County Beer Party? *Barnick-Don't matter. We limited it to 104. Many spoke at once, inaudible.* *Marushock-.....Christmas Day, New Years Day, right? (Someone responded right.) What else? Is, were there any other holidays in there? Many spoke at once, inaudible.* Mayor-What do you do if you can't get a hold of somebody to fill the shift or he calls off at the last minute? *Chief-Mayor, there was also officers, there was two officers out last month.* *Marushock-That's correct, that's correct, too.* Chief-Plus, I was on vacation. *Reed is out. Jones was on vacation.* *Marushock-I believe in the past all of our part time hours have always escalated during the last period of December, the end of the year there, because the holidays involved, the vacations and, again, as Mr. Furiosi, Chief Furiosi, had pointed out, I believe we have one full-timer out right now, Neil? Chief-Yes.* *Barnick-Well, let's look at past excuses but they..* *Marushock: I'm not making excuses, they're legitimate.....* *Barnick-...and you sit here and you have another say 6/7 (officers) with 32, 56, 46 (hours), but you've got two or three with over 100.* Mayor: Let's remember one

Payroll Checking Account	500.00
Civic Center Account	250.00
Civic Center Petty Cash	250.00
Sunny Day Fund CD's	1,939,991.04
Home Program State Grant	9,029.23
Community Revitalization (20-192-0947)	40,254.95
Civic Center After School Program	500.00
Warsaw Playground	27,466.90
Liquid Fuels Account	1,376.10
Grand Total	\$3,491,404.90

All in favor

Motion carried

TREASURER'S REPORTS:

Lenore Dolan, Treasurer, read the treasurer's reports and the totals of the paid and unpaid monthly bills.

3. Motion by Chrzan

Seconded by Barnick

To accept the treasurer's reports as read or posted and to pay the monthly bills against the borough.

Unpaid bills:	\$106,281.04
Paid bills:	81,126.44
Grand total	187,407.48
Keystone Landfill Credit:	\$12,196.46
Home Program	7,494.23
Revenue Report	\$769,614.69

Dolan-First we're going to start with the HOME Program. **The HOME Program** started off with a **balance of \$8,989.95**. **For the month of January** we only **paid out** to one family and one contractor in the amount of **\$1,535** which leaves us with a **balance as of Jan. 16th in the HOME Program of \$7,494.23**. The next one would be the Keystone Credit. The Keystone Credit. *The taped was changed here. The tape started,* Now, the unpaid bills. There is a difference in the unpaid bills as to what you have and at the last minute my Standard Insurance bill came in. A new report you have \$106,334.22. The Standard Insurance bill was changed by \$53 (a decrease) so that the items for payment is \$106,281.04.

The paid bills for the month of January is \$81,126.44. The automatic deduction is none which will give us a grand total of \$187,407.48. Another difference to the items for payment which is just a noted difference is Attorney Cimini's, will no longer be getting a bill, a check, made payable to him. It will be made payable to Scartelli (said incorrectly, correct is Scartelli), Law Firm, the same amount. Now, the checkbook balance as of today is \$744,614.37. If all my items for payment are approved tonight, the General Fund will have \$638,333.33. If all the motions tonight are approved, which I only have Standard Insurance which is here and Linde, amounting to \$20,256.78, the General Balance Fund, the General Balance, um, yeah, the General Balance will have a balance, the General Fund will have a balance of \$616,076.55. Now, I'd like to remind council that the Keystone Draw-Down Payment check is due in sixty (60) days. Last year the due date on it was April 1st but we paid it by March 26th which is \$700,000. Thank you. *Lukasewicz-Thank you, Lenore.* Dolan: Your welcome.

On the question:

Marushock-On the question, Mr. President, **I'll be voting against the borough council's part of the Blue Cross/Blue Shield bill, I'll be against the Solicitor's fee in the amount of \$6,250.00, against Elliott, Reihner, Siedzikowski & Egan in the amount of \$18,008.69. I'm against Gannett Fleming through for November 30th inaudible in the amount of \$38,568.94 and one other thing was the documents from Gould, ICON Office Solutions in the amount of \$6,588.99.** That's all I have right at this time. *Menichetti: Yes, will we be getting any more bills from Gould or this is it? Lukasewicz-Will we be getting any more bills from Gould? Barnick-What do you mean? There's plenty. Lukasewicz-In regards to... Menichetti-From Gannett Fleming? Lukasewicz-From Gannett Fleming? I would assume so. If you look your packet, the last correspondence from Gannett Fleming was that they have been continuing to gather and reproduce and supply information to the Ombudsman for their review of the things, decision in regards to Gould so I would only anticipate further bills from Gannett Fleming.* Mayor-But not from Blazey, though. *Lukasewicz-We will continue to get bills from Blazey because we're continuing with a lawsuit here in the Middle District's Court.* Marushock-If I can add.... *Lukasewicz-We are still expending huge amounts of funds, borough funds, to fight Gould.* Mayor: You're going to have to rescind a motion that you made that he's not to do any more work. *Lukasewicz-That was done already.* Marushock-This item before us for payment tonight regarding Attorney Blazey, that \$18,008.69 - that's only for the month of November, 2001 that you are paying now. *Lukasewicz-That's right.* Marushock-As we're speaking we also have December's bill to come in and probably for January, okay? The same thing with Gannett Fleming invoices, that was for dates Nov. 3rd through Nov. 30th and the amount of Gannett Fleming again, was \$38,568.94 and again, we're probably still looking at probably December and January for.. Mayor-It reminds me of a faucet that you can't turn off, it's endless. *Morrell: And I have to say that Atty. Blazey called here today, I don't know if you got, had a chance to talk to Tommy or not. He mentioned that the county called him. The county is supporting us on the Marjol Project Total Cleanup and the county called Atty. Blazey and asked if Atty. Blazey and Gannett Fleming would come in and meet with them and to go over a few things.* Lukasewicz-That will be possibly about a week and a half from now and it's not going to be as quick as we anticipated. The attorneys for the county really doesn't know what the county wants to do with which cases the county wants to get involved with. But it appears they're going to contribute, aside from the *inaudible* Cognetti, that they're going to contribute the other *inaudible*. So it's good to know at least someone's going to help Throop fight. It's a shame that we have to take the burden on our own shoulders and it's lucky we have the money coming in from the Landfill to do this or basically the fight would be over on this. Mayor-We would have been dead in the water. *Lukasewicz -We'd be dead in the water. We don't have a choice but to fight.* Mayor-Plus, we have one of the most outstanding lawyers in Cognetti's time (?). I think that should suffice, really. I really do. *Lukasewicz-Right Stanley, fight it and fight it and the federal government's not behind you and*

Menichetti-On the question, there's just one thing that I'm really opposed to and it's that 2.8% across the board raise for all employees and Mrs. Dolan got a 9.2% raise. I just feel *inaudible* borough employees, everyone should have gotten the same raise. One person should not be singled out to get 9.2%, that's my objection. *Chrzan-I call the question.* **Lukasewicz-**Anyone else on the question? *Marushock: On the question, as Elaine just said on the interest rates and some of the figures we have like we said before, we don't have a crystal ball to see what this year's going to be for us. However, with the evaluation on our projected income I don't know if we're really going to have those funds available and I asked for a freeze on wages for a one year term to see exactly where we are. We don't feel anyone right now is underpaid and we're just trying to put a tight grip on the situation. We don't want to end up where Dunmore is where we have to have layoffs or lack of services or cut services and stuff such as that. One other thing I'm kind of against is, and I've been all along, the \$500,000 we're putting into the 48 acres up off Bush Street, off Ash Street, whatever up in that area. Again, as I've pointed out it's been a previous mine fire sight and we're not quite sure of the stability of the site. I realize that we may have the amount of money because that was the agreement with the state but I don't see where we're going to do it. I feel there's going to be spent elsewhere throughout the town and improve our infrastructure much more than the services up in that area right at this time.* **Morrell-**I just want to clarify the 2.8% is on non-contract employees and only on full-time employees. **Lukasewicz:** *Correct.* **Morrell:** Not part-timers. **Lukasewicz-Correct.** Okay, because that's the way I calculated it on the budget. **Mayor-Speaking in background same time as Morrell, inaudible.** *Audible starts,* You draw it out of a hat because the cost of living calls for 2.6% as I told you last Thursday. There's no such thing as 2.8%, none. And government employees, federal employees, got a 3.5%, so what is the 2.8%? You want to give away 2/10ths of a percent more of a raise, go ahead. There's no such thing as 2.8%.

Six in favor-Barone, Barnick, Chrzan, Mellody, Menichetti except as noted, Lukasewicz

One against-Marushock

Motion carried

8. Motion by Chrzan

Seconded by Barnick

To authorize payment to HARIE in the amount of \$13,205.00 for the workers compensation policy.

All in favor

Motion carried

9. Motion by Barnick

Seconded by Chrzan

As per the request of the Throop Planning Agency, to direct Louis A. Cimini, Solicitor review the Keystone Sanitary Landfill Permit Modification Application to see if any fees are due the borough as per the Throop Subdivision and Land Development Ordinance.

All in favor

Motion carried

10. Motion by Chrzan

Seconded by Marushock

To pay the civic center assistant director's rate only when the director is not at the center. The assistant director will receive monitor's rate when the director is present. The second assistant director

will receive assistant director's rate only when the director and assistant are not there. The maximum number of assistant director hours for one week is 30 hours.

Speaking from the audience:

John Pesavento - *Beginning of sentence inaudible*: I know I'm out of line. *Lukasewicz: Right, you are out of line, yes.* Pesavento: I didn't see it, just on that. *Lukasewicz: Go ahead.* Pesavento: The thing that's thirty (30) hours, the Civic Center's open roughly 52 hours a week. In the event that the director is on vacation or something of that nature? *Chrzan: Then we make that exception.* Few spoke at once. *Lukasewicz: If there's needs for exception...* *Pesavento: Because you know, there was a case where....* *Chrzan: Inaudible, about policy.* Pesavento: Oh, the policy's great for thirty (30) hours. **Both speaking at once, inaudible.** Because the rest seems to cover it. You know, you throw thirty hours in there *Lukasewicz-I think it will work and if there's any problems that come up we'll address them at the time.*

All in favor

Motion carried

11. Motion by Chrzan

Seconded by Barone

To increase the rental rates at the civic center. The "basement only" rental will be \$50.00 for 2 hours and \$15.00 for each additional hour. The basement, gym and game room will be \$65.00 for 2 hours and \$15.00 for each additional hour. (The rates for Throop residents will remain the same.)

All in favor

Motion carried

12. Motion by Barone

Seconded by Marushock

To advertise for two civic center *day care* monitors. They must be 18 years of age to work with the "After School Program".

Lukasewicz-In this motion, I believe there's a new term she (the civic center director) uses for the monitors that work for the day care (after school program) and that we could, special.. *Morrell: But are they only going to be working at that..* *Chrzan: Day care, you mean?* *Morrell-Yes.* *Chrzan: Just for the day care?* *Lukasewicz: That's also, I'd like to see inaudible for the day care. Over 18 years of age....* *Morrell-Because over, what she had mentioned was the monitors that are working at the After School Program now, she has it marked as whatever they are, assistant something or other. I don't know if council wants to hire those people just as that or just leave it as monitor and when they're hired they'll be noted just in record for the day care.* *Lukasewicz: Whoever made the motion, more just as monitor or whatever. Motion?* *Barone-I'll make it. (Many people together asked which way, Joe?)* *Lukasewicz: Which way, Joe? That they'll just be hired as monitors or exclusively for the day care.* *Barone: No, we need it for the day care. That's what they need over there.* *Morrell-That's what you need over there, exclusively day care?* *Lukasewicz-Yes.* Is that what Michael Kulick, I'm sorry I have to ask these questions. *Barone-Yes, he's coming up next.* Yeah, because we received a motion from Joe for the next one and he had mentioned the After School Program, I have monitor on there and not exclusively After School. So if council wants to think about that. *Lukasewicz-So what Motion 12 should be is to advertise for Day Care Monitors, okay Joe?* *Barone: Wait a minute, now. Yeah...* *Lukasewicz-This way we could gather a list of candidates if we need to draw from in the future, okay, Joe?*

On the question:

Marushock-On the question, Mr. President. Our Civic Center Director explained to us and I believe as per the stated recommendations, these monitors will be still be able to do the After School Program.....*few spoke at once, inaudible...* we need to classify them *inaudible* such as this at the same pay rate, just instead of being called a monitor now they're called something else. *Morrell-Assistant Group Supervisor.* There you go. Menichetti-I though they were going to be called monitors and when they are working at the Day Care Center they would be considered Assistant Group Supervisors. Barnick-That's the way I looked at it. *Dolan-She's right.* Marushock-See, I believe that After School Program, which specified here too, it's a minimum of 18 years of age to be affiliated with that program. When we're hiring monitors they don't need to be 18 years of age. *Dolan-Less, but only the 18 year old ones go downstairs.* Barnick-Well, how many 18 year olds do you got down there? *Lukasewicz: She's short of 18 year olds.* Marushock continued, Plus by doing this, by advertising, it's giving everyone a chance in town to apply for it. Menichetti-How old is this Mr. Kulick? Barone-He's about 19. He goes to Marywood College. He has all the..*Menichetti speaking, inaudible.* Barone continued: Yeah, yeah, according to him, yep, that's what he said anyway, and he also helps over there, *inaudible*, he'd be good as a monitor when he's not doing the after school. *Dolan-She's asking, that's what she's trying to say, that's what she was saying.*

All in favor

Motion carried

13. Motion by Barone

Seconded by Menichetti

To appoint Michael Kulick as a *Assistant Group* monitor for the Day Care (After School Program) at the Civic Center.

On the question:

Barnick-Just on the question, I don't want to see these ones that have been around there for a long start getting their hours reduced. *Lukasewicz-That's why I'm hoping that what we do by making this guy an exclusively for that spot and he's not going to take away from the other.....Assistant Group Monitor for the day care would...Dolan speaking, Lukasewicz inaudible...him* Morrell-And that's it? No monitor hours, just Assistant Group Supervisor hours? *Few spoke at once, inaudible.* Barnick-Don't we have something right now like where the assistant, Maria, and Anne Marie, aren't they doing the day care now? Lukasewicz-They are but you need a certain amount of monitors downstairs and the form of monitors that are 18 years or age or older, three of the individuals have not gone to college so there's a shortage of monitors that go downstairs, okay?

All in favor

Motion carried

14. Motion by Barnick

Seconded by Barone

To lay out Ash St. west extension to our 48 acres according to the Borough Code.

On the question:

Barone-This is *inaudible* has nothing to do with checking that garage out cause this projects still going to continue because if that garage doesn't work out eventually it's going to go up there anyway, *inaudible*, understand. *Lukasewicz-As I understand this motion, this would be the beginning...* Barone-Just to start up there. *Lukasewicz-.....the beginning of opening up the 48 acres for the borough use.* Barone-That's all I've got. *Marushock-Again on the question with regards to this 48 acres and the instability of that site, I*

if you know you're going to meet the \$4,000 mark you've got to get the three phone quotes." Motion carried

Barnick-*On roll call*: You know that if you hit over \$4,000 you know you have to get three phone quotes.
Chrzan-Okay, Rob, don't forget now.

18. Motion by Barone

Seconded by Menichetti

Motion #18 failed, as follows:

To direct the solicitor to prepare an ordinance for permit parking.

Chrzan-What's this for? I don't know..... *Lukasewicz-Who put the motion on?* Chrzan-Parking where? What's..... *Barone-Huh?* Chrzan-What kind of..... *Barone-People want, the two people called me about permit parking in front of their house cause people's been parking there and they can't even get in their own yards sometimes.* Chrzan-Oh, we're going to have big problems. *Marushock-....in place right now.....* *Barone-Huh?* I know we have handicapped parking in *inaudible*, I'm assuming that's done according to a present ordinance, correct? *Lukasewicz-Yes.* Do we need to expand that ordinance or change that ordinance? *Kalinoski-That ordinance is specifically for handicapped parking. There's a procedure, the stuff that has to be filled out by the doctor or they have to show that they have a handicapped placard. It goes to the Mayor, the Mayor approves and it comes to my department and we install the signs.* Barnick-Before we're going to get into this, what do you do on the PennDOT roads? *Kalinoski: Handicapped parking, same..* Barnick-Do you have to get a permit from PennDOT every time you... *Kalinoski-No...put sign.....* *Kalinoski-No. According to PennDOT it's up to the local municipality.* Mayor-We do have a couple on Dunmore Street. *Kalinoski-We have a couple on George, too.* Mayor: And George. *Menichetti-I don't understand how we're going to regulate this.* Barnick: I don't either. *Everyone speaking at once, inaudible.* *Barnick continued:* First of all, I think you're going to have to do a study to see where you need it and exactly where it's needed and.. *Barone-That's what I want.* *Barnick-This is an ordinance. Few speaking at once, inaudible.* I had that note from Scranton a day ago, I forgot where I put..... *Barnick-I'd say it would work in some areas but I mean, not in all areas because....* *Marushock-How about we table this motion until we discuss this further and see exactly how we want this done?* *Lukasewicz-Jim, inaudible* it's got to be uniform throughout the whole town, you can't discriminate. *Few speaking at once, inaudible.* Barnick-No, no, it's like Scranton, certain areas you have like going to the hospitals and stuff, you have permit parking in different areas like that and then other areas they have metered parking. And then they have just regular open parking but then there's a lot involved there. *Lukasewicz-We have no metered parking...everyone speaking at once...you tell me who's going to be happy on any street that's going to be told that they're going to have permit parking in front of their house? The only person that's going to be happy is the person that doesn't want anybody to park in front of their house. Other than that.....everyone spoke at once.* *Barone-....park in front of your house, they don't want them taking up their parking place, that's what I'm saying.* Barnick-Well where's, wait a minute, where's my parking place going to be? *Lukasewicz-There you go, that's right.* Barnick-I don't have, I don't have a parking place *inaudible* I want yours. Chrzan-Move your pool. Move your pool and make it a parking lot, put a meter there.....*inaudible, laughing heard.....* crazy things.....park in Keyo's yard. *Marushock-You need a permit.* Chrzan: This don't make sense. *Barone-Well, I think, I think that everybody you talk to inaudible, few speaking at once.* Chrzan-Joe, where's the problem? Where's the problem at? *Barone: Couple people on Simpson Street. They, right next door to that, what's it, Head Start, whatever it is? There are people that are parking, blocking that lady's driveway and she's driving me nuts all over permit parking.* Chrzan-Why don't she call the police when they block her? *Menichetti:*

Some people have five cars. *Barone-Huh?* Some people have five cars to a household. *Lukasewicz response inaudible.* Marushock: Like I said, we have an ordinance that addresses the handicapped parking, okay, I think that pretty much *inaudible, few speaking at once.* Barnick: ..because there's a lot of handicapped parking out there right now that's.. Chrzan: There's one on George Street, the lady don't even have a car.

Two in favor-Barone, Menichetti

Five against-Barnick, Chrzan, Marushock, Mellody, Lukasewicz **Motion failed**

Barone-When I keep getting these calls *inaudible* I'm going to tell them to call you guys, you explain it to them.

19. Motion by Barone

Seconded by Marushock

Motion #19 failed, as follows:

To direct the solicitor to prepare an ordinance to make Line St. one-way (east to west) from Dunmore St. to Wanda St.

Two in favor-Barone, Marushock

Five against-Barnick, Chrzan, Mellody, Menichetti, Lukasewicz **Motion failed**

On roll call, Chrzan: Don't know enough about that, I don't know if they had a survey or whatever. Is Neil here? Mayor, did they do a survey here or anything? *Many speaking at once, inaudible response.* Neil, did they do a survey up there when ... Kalinoski-Tony, I did one, I started one, it wasn't finalized but there is enough information, there's enough there for a traffic engineering study to justify it. *Inaudible.* Chrzan-Do you recommend that, Robbie? *Kalinoski-Yes.* Lukasewicz-Robbie, have we had problems of any kind? *Kalinoski-Not that I'm aware of.* Then why would you mend something that's not broken? *Kalinoski-Everything started when that new doctor's office was installed. People coming around the intersection from Dunmore Street onto Line? There's congestion there because you used to be able to pull into the empty lot. Now you can't. You can't pull inaudible curbing that's installed at that new doctor's office. Few spoke at once, inaudible.* Marushock-There is proof, you know, documentation why we're going this. It's for the safety and everything of the residents. Like he said, there's been more traffic at their intersection now. *Barnick's comments inaudible.* Mayor-There should be a study is right. *Everyone speaking at once, inaudible.* Marushock-Mr. Barone, wasn't this done as an ordinance? *Inaudible.* *Barone-Yeah, that's what I said last week. It has to be a couple of years already, nothing's been done on this.* We never put the signs up or anything else..... *Barone-Yeah, wait till somebody gets killed.* Barnick-You've got to have an ordinance advertised and... Lukasewicz-All right, continue the roll call please. *Roll call taken, after roll call:* Barone-Well, if there's an accident up there I'm coming down to you guys. Chrzan-Joe, there's accidents all over town. *Few speaking at once, inaudible.*

Lukasewicz read Motion #20. Barone-I'd like to rescind this motion. If you're not going to vote for Line Street, you can't vote for this one either. *Marushock-Correct.* Barone-Might as well just throw the people to the wolves. Truck gets under, your truck gets into an accident up there, Rocco, let me know about it.

20. Motion by Barone

Seconded by Chrzan

To rescind Motion #20, as follows:

To direct the solicitor to prepare an ordinance to make Cambria Court one-way from Line St. to Simpson St. (Cambria Ct. is parallel to and between Phillips St. & Coppernick St.

(On November 30, 1998 council adopted ordinance # 19 of 1998 - Cameron Ct. - One-way from Line to Simpson St.)

Barone-Our trucks can't get down that alleys. A pickup truck with a plow can't even get down that alley.
Marushock-On the question, Mr. President, to rescind this, again, Motion #19 would have had to pass.....

All in favor

Motion rescinded

21. Motion by Barone

Seconded by Marushock

To direct Louis A. Cimini, Solicitor to contact Anthony Rinaldi, Greenview Development, as soon as possible to see if he'll give us about three (3) acres for our DPW garage and salt shed & storage shed.

Lukasewicz-I don't know where the motion came from, so. *Barone-It came from me. Do you want me to rescind this one too?* Chrzan-Joe..... *Barone-Let him get away with murder.* Chrzan-The guy wanted a hundred dollars a day for us to store the salt. *Barone-Well, ask him again. Go ask him again. Go ask him again, what do you got to lose? Everyone speaking at once, inaudible.* *Barone continued: I never knew we had so many rocket scientists around here.*

On the question:

Marushock-On the question, one other thing we need to address here. Where are we going to put this salt shed if it does go in a residential area? Right now we're faced with a problem down at the Little League as per the letter from the Booster Club with the ground contamination on site right there. If we put it over here and if we put it up at the 48 acres, how are we going to contain the runoff from that salt stored there? *Everyone speaking at once, inaudible.* *Barnick-How do they control it all over the world?* Marushock-It's a good question. It should be contained, it should be under a roof, your loading should be *inaudible.* Kalinoski..there's no contaminants, there's no spillage or there's no crushing of the salt because of the constant moving back and forth. If the salt is not crushed it works better, it lasts longer. *Chrzan-That a boy.* Marushock-I agree but again then is the particular problems from runoff of the site regardless of the winter. *Chrzan-Oh boy. Barnick's response inaudible.* Morrell-Can I ask something on this motion? *Lukasewicz-Yes.* We need a parking lot desperately. We need parking for the Civic Center and for our Municipal Building. If we're going to ask.....*Marushock speaking, inaudible.* If we're going to ask, exactly..... *Chrzan-Yeah, a hundred dollars a day to store the stuff.* If we're going to ask Mr. Rinaldi for some land, I have asked council year after year for how many years now, we need parking. Do you see when we have two games going on over there? We have parking everywhere on both sides of the street here. The people are everywhere, right up to stop signs. We need parking. Menichetti-Well, maybe we should contact him. You never know, he might..... *Chrzan-He don't want to talk to us.* Marushock-On the question..... *Barnick-There's a lawsuit yet, right?* *Chrzan-There's still a lawsuit. Barnick-Inaudible.. over \$7,000 or more, right? For fees.* Cimini-I'll talk to him tomorrow. *Lukasewicz-Okay, Ged,* something else on this? *Marushock-If Mr. Barone would like to set up a meeting and we can get a meeting, I'd be happy to intervene and participate for the borough on their behalf to see if we could move forward... Few speaking at once, inaudible, Marushock continued: We don't know if we don't try.* *Barone-At the same time, we're going to go after that, hey, go to town, I don't care.*

Four in favor-Barone, Marushock, Mellody, Menichetti,

Three against-Barnick, Chrzan, Lukasewicz, "I don't want nothing given to us"

Motion carried

Barone-I don't believe this.

22. Motion by Barnick

Seconded by Chrzan

To direct the solicitor to research, develop and advertise an ordinance prohibiting the placement of permanent obstacles such as fences, structures, etc. on dikes or levy systems within the Borough of Throop for emergency conditions.

**Six in favor-Barone, Barnick, Chrzan, Marushock, Mellody, Menichetti
One Abstain-Lukasewicz Motion carried**

23. Motion by Barnick

Seconded by Chrzan

To direct the solicitor to develop and advertise major and/or minor amendments to the sub-division and land development and zoning ordinances to specifically identify landfill operations within landfills as specially permitted for the issuance of these permits for proper control, assessment, taxing, etc. purposes and to send the same to the Lackawanna County Officials (*Commissioners*).

All in favor

Motion carried

24. Motion by Barnick

Seconded by Chrzan

To adopt Throop Borough Resolution # 7 of 2002, a resolution requesting county officials to fund and complete a thorough tax assessment and/or re-assessment of Lackawanna County ensuring fair and equal taxation for all the people and to prevent the continuous declines of tax revenues due to individual reassessments, for all county, townships, boroughs, cities and school districts, etc.

On the question:

Menichetti-I think this would be a hardship on people. *Chrzan-No, it would be fair. The more taxes they get inaudible.* Marushock-It's way over due, number one. *Barnick-It's thirty years in the past already, first off. Secondly, if you really want to look at, common sense view, your values may go up but your businesses are also going to increase a lot higher. All the businesses that got reassessments, we got a loss, millions of dollars to the school board all this other thing. They're getting reassessed continuously, they're going to eat up sum and your millage rates should go down.* Menichetti-What happens if they raise up again? Barnick-Who? *Inaudible..They're going to have to be reassessed total, the whole town.* Marushock-Everybody, it would have to be done county wide coughing heard, inaudible. Menichetti- The county has already said they wouldn't do it, though. *Barnick-If you get enough townships and everything else, they're going to have to do something soon. Luzerne County's on the verge of doing it right now.* Mayor-Well, what these big plants are doing..*Marushock-It's way overdue.* Take one appeal after another. *Marushock-And it's not fair.* Barnick-And nobody's going to stop them because they're so big. Mayor-Soon as they get what they want they go in for another one. *Barnick-Right.* So, it's not fair. It really is not fair. *Barnick-No.* What they're doing to these elderly people who have to pay these primitive taxes. *Dolan-He's right.* *Barnick-Because every time they get a reassessment it's getting added to the millage and the lower income people are paying for it.* Mayor-And never anything done about it. Both speaking at once, inaudible. *Barnick-And we're not getting nothing for it.* Just keep coming in for these reductions.

All in favor

Motion carried

25. Motion by Barnick

Seconded by Chrzan

To send Throop Borough Resolution # 7 of 2002 to all Lackawanna County townships, boroughs, cities and school districts *and the Council of Governments (COG)* requesting official action by resolution, support and/or non-support within 45days.

On the question:

Barnick-Yeah, on the question. Just to include the Council of Governments too. *Lukasewicz-Okay.*

Barnick-Mayor, you go to that one, right? *Mayor-Yes, we're having a meeting now in a couple of weeks.*

All in favor

Motion carried

26. Motion by Barnick

Seconded by Chrzan

To authorize payment to Linde Enterprises in the amount of \$9,150.78 for the Cambria Court Project. *Payment is final with the relocation of the gas and based on the recommendation of the Engineer, Frederick C. Spott & Associates, Inc. and the Street Commissioner, Robert Kalinoski.*

Morrell-And this is the final payment. *Chrzan-Robbie, does this include the Boulevard we talked about and all that?* Lukasewicz-No. *Many speaking at once, inaudible. Kalinoski-Cambria Court. Chrzan-*

Well, you said final payment for everything? *Speaking at once, inaudible. Barnick-Just this project.*

Chrzan-Okay, all right. **Barnick-Final and remove the gas, relocate the gas, just to make sure they put that in there. Marushock-Is this with the Street Commissioner's and the Engineer's approval?**

Barnick-Yes and include that too if you want to.

All in favor

Motion carried

27. Motion by Barone

Seconded by Menichetti

To direct the solicitor to prepare and advertise an ordinance regarding the borough co-signing the loan application for Throop Hose Co. # 2.

On the question:

Lukasewicz-Attorney Cimini, were you able to look back through the record and see how far along this process is? *Cimini-My notes indicate that #1, I was in contact with someone from inaudible, that day. At that point, they waiting for the financials from inaudible and according to some of the people today and they said they did receive those, I don't know why they didn't call me back. My second notes indicates that the borough is requesting an accounting from the hose companies as to how they spent borough money. But I did contact Bernadette from the local government... THE TAPE WAS CHANGED HERE AND STARTED:*

Marushock-on the title or co-owner or something so that we have some equity in what we're doing to protect the borough interest. Cimini-Yeah, but you have to understand that you would be a second lien holder and that whoever has the first, there's no equity in the equipment after the first lien is paid, having second title really means nothing. I don't know what it's worth, I don't know, I have no idea. Few speaking at once, voices raised, inaudible. Cimini continued: Yeah, the only thing you need is an agreement from the hose company if you want to be listed on the title but just understand that inaudible #2 means that's whatever's left after the local government unit administering the loan is

finished, then you have a balance. Lukasewicz-That's understandable. Marushock-Well, that would be fair to the borough maybe we could have some interest in the unit for whatever, whatever value would be there. *Cimini-I just want you to understand that it may have no value after the first inaudible is paid, just understand that.* Marushock-Yeah, but the possibility, I'm looking at the positive side that there could be some equity in there for the borough *inaudible, both speaking at once.* *Cimini-Again, just look at what the depreciated value.....* Marushock-To protect the borough's interest, that's all. I mean, I have no problem co- signing, it's just that I would like to have our interest be protected *inaudible.* *Dominick Rocco spoke, inaudible, a discussion took place.* Marushock continued: No, but I mean right now we made a \$40,000 payment last year and depending on how this motion goes here, if it's not approved as a loan, I know we talked last week in regards to the borough managing money again for the payment. Depending on how this goes, if we, if this loan for some reason don't float, we're talking, Attorney Cimini, about a year on this? *Speaking at once, inaudible.* *Cimini-If the borough co-signs, they'll get the loan. In fifteen days after all the, there's a lot of ordinances that have to be advertised, their review period is fifteen days once they receive the completed application.* Barnick-But what's the payment on something like this now? Do we know how long they're going for? What's the payment for a month? *Cimini-I don't know.* Do we know what's outstanding, what's the payment on the building? *Many speaking at once, inaudible, mention of two loans as of last year.* Can't we just get the paperwork together..... *Cimini-This is just for the truck.* I understand that but if you're just doing a loan for the truck and you've got a payment, this much per month, and then this other loan is this much per month, and you only have so much, I mean, it ain't going to be any use paying it and getting the loan if it's going to default. My point is we asked for these records how long ago? *Cimini-Right, still haven't seen them.* *Speaking at once, inaudible.* You're putting the borough on the line here with another creditor too that could take over that, you don't know what could happen here. I mean, I always agree with the 2% loans and everything else, I mean Hose Company #3, we never had a problem with, they never came in and asked for \$40,000. What are we going to do with these other two companies now? *Many speaking at once, inaudible.* You're talking \$50,000, plus the \$25,000 we allocate each year. *Rocco-Well you committed yourselves last year to pay the truck, then you turn around.....* Barnick-No, we did not. We committed to one year. *Morrell-No, no, I checked the motions, Rocco, we didn't.* Barnick-She checked them today, we committed to one year and everything was supposed to be discussed and worked out... *Rocco-Inaudible, you said that you would pay the truck right off then you changed your mind because you saved money if you'd leave your money in the bank, I'm telling you, because to pay the yearly loan which was \$40,000 a year, the last payment was something like \$36,000.* *Everyone speaking at once, inaudible discussion.* Chrzan-I'll call the question.

All in favor, Barnick providing all the information

is brought to this borough, all the records.

Chrzan, only if the records are brought in.

Motion carried

Lukasewicz-There's one motion that I'd like to discuss that I just thought about while I was sitting here, these flashing devices that have been installed down here for the civic center. About two weeks ago Robbie, myself and the borough engineer met with the contractor involved in the designing and putting the putting the project together. *Unknown: That's Lesniak's.* It's two weeks too late already. *Kalinoski: Somebody will be in Wednesday from Philadelphia. They think the problem is with (coughing heard, inaudible).* What I'd like, what they did is they installed a button that he put through the civic center and there's antennae's on (coughing heard, inaudible) flashing signals and, evidently, it only works from about 50' away. So it doesn't work as the design in the project from the civic center so either they're

going to have to come up with some other type of antennae's or they're going to have to hard wire these directly to the civic center. As the project was put out for bid it was known that it would have to operate from the civic center. What I'd like to see is a motion to the contractor stating that these flashing devices are going to be operable by the beginning of February or we're going to up hold the bond and do what we have to do because enough is enough. They've been up there since November, I believe, and they're not turned on. What good are they to the borough? I believe the contractor has over stepped his bounds here, he should have been back a long time ago to correct this and have them operable.

28. Motion by Barnick

Seconded by Chrzan

To notify the contractor that the Flashing Devices must be (have to be) working by February 15, 2002.

On the question:

Barnick-It's my fault I didn't review it as close as I should have, I mean, me, the way they were placed, I kick myself in the rear for them being way down there and hitting somebody's house down there, down here. It should have been one light in the center and just operating continuously hanging over the center of the street, red going one way, yellow going the other, but as long as there's no interference the proper operation of these things, no interference with people's phones and garage doors and....*Lukasewicz: Jimmy, I was under the assumption they would be hard wired right to the building because I remember a discussion of going up the pole here and across, then coming down through the conduit that was into the building when the building was installed. There's extra room, inaudible, to take the wires to. I thought for sure it was going to be hard wired.* Chrzan: Isn't it supposed to be hard wired to the police station, too? *Marushock: That's what I thought, somehow.....* Chrzan: For funerals, for Sunday mass... *Kalinoski- We talked about getting a second price for a second controller to be operated from here. The price came into council and it's \$800 for a little box and council said no. Everyone speaking at once.* Barnick: I pictured wires going to the box and you hit the button not.....*inaudible, everyone speaking at once.*

All in favor

Motion carried

Marushock-I would like to add a few more motions, we may need public comment before they're..
Lukasewicz-What are they? Marushock: One is to look into the opening of Jones Street to eliminate a parking problem on Dimmick Street. I believe we already had an engineering study and stuff that if you're coming off of Bellman and end up towards Dimmick, I don't think a fire vehicle is going to be able to make that turn. *Lukasewicz: I believe there was already a vote taken to have this.....* Chrzan: There was. *Lukasewicz:the engineer design Jones Street for the opening but evidently it hasn't been done but there was a vote taken to do that and it was approved.* Marushock: Right and I know there was a study done and Mr. Kalinoski has documentation and stuff in his files already. Do we need to look at different *inaudible* just let them sit in there, it's time to move forward and make this kind of..... *Lukasewicz: I believe the only thing that has to be done is the engineer has to be notified to start to design it. It was voted on and approved.* Marushock: Okay, but why don't we, whatever needs to be done.... *Lukasewicz: It was approved.* Barnick: If I remember right, it's supposed to be opened as per the Borough Code and they never followed through with the rest of what, notifying the residents, notifying them to whatever is involved in the opening of the road. That's, like what we did up here at that *inaudible*, each individual along that road was notified by letter, right, that's there's going to be an ordinance adopted and they have the right, if they appeal it or petition, on a petition, they had a right to come up here and say why and

where. One thing that they were getting away from when they did this original survey, I think, you were taking non-taxpayers and rental people and I don't know where they come out with getting people when they have no right to except for the property owners themselves. *Kalinowski: And from what I remember, I think one of the biggest kickers was it may have been, it had to be 51% of the abutting property owners..* Barnick: 51% of the abutting property owners. *Kalinowski: 51% and I may be wrong but it's going to be close, it's owned by one person which is Rinaldi.* Barnick: 50%, he'd on one side. *Both speaking at once.* Barnick: No, he's still 50%, he's on one side. So I don't know how you could get 51% unless.. *Kalinowski: That was one of the biggest kickers from what I remember. That's probably about four years ago.* Barnick: And the other thing was I don't know how many cubic yards of stuff had to be removed. **Barone: 14,000.** Chrzan: Why don't you start, garbage dump that's under there too. *Marushock: I believe the residents in that area were more looking at least for a temporary road. I didn't say we had to put a super highway through there. At least a temporary roadway, if that's allowed according to the Borough Code. But by doing that we would eliminate some of the parking problem that's on Dimmick Street at this time. Again, as I said, if you come off of Bellman Street, turn left and head up towards head up towards Dimmick Street where you're going to have to make the right turn, there's a problem there, you know, I was just there yesterday.* Barnick: I agree, Dimmick Street is bad, something's got to be done but you're going to have to get the people and do it the right way. *Both speaking at once, inaudible.* Kalinoski: And there are also some encroachments onto the Jones Street..... *Barnick: There's several.*

29. Motion by Marushock

Seconded by Menichetti

Open up Jones Street to eliminate parking on Dimmick Street, as per the Borough Code.

On the question:

Barone: I think it's about 14,000 ton of Rinaldi's..... *Chrzan: More than that, Joe. Rinaldi's stuff is one that road. Who's going to pay for that to move it, us or Rinaldi? Chrzan: Where you going to put it? Where are you going to take it?* Barnick: Just on the question... *Chrzan: Why don't Rinaldi take it out of there?* Barnick: I just hate to set up because with Scranton Craftsmen working down at Tiffany and I says hey, you know you think you could do us a favor and start moving, hauling some of this stuff out, maybe you can use it down.....that was then. They were willing to do..... *Unknown: Joe how many, questioned how many tons down there? Did you ever walk there?* Barone: I heard 14,000, I don't know how much is there. *Unknown: We almost had that road opened with the borough.....* Marushock: Somebody did make an attempt to blaze a trail through there. *Barone: I heard 14,000 ton, I don't know where it came from.* Unknown: Well, *inaudible* to be Rinaldi's property which they let them get away with murder down there. *Barone: Well, we can't touch Rinaldi, we can't bother him.* Unknown: No, because he's got you guys tied up in court and you won't spend the money there.

All in favor

Motion carried

The following motion was made by Marushock, lack of second:

To address the signage in the 300 block of George Street between Meade and Sanderson.

The problems, it's a touchy situation. I see some signs did surface on the right of George Street as you're leaving Sanderson heading towards Meade, however, I believe according to the state regulations we were to put more signs. There's a new driveway and everything that's there, by the borough not having the

signage in place, are we doing to be in trouble, God forbid, something happens. *Chrzan: We've got a zoning officer, don't we?* *Lukasewicz: Leaving Sanderson?* *Morrell: By my house.* *Marushock: Right, that whole block. Whether they're enforced or not enforced that inaudible.....no parking signs, let's say inaudible on your property there, I don't know how they surfaced, but they're there, okay, that's not the problem.* *Lukasewicz-There's no parking on that one side of the street.* *Marushock: Right, but if you look at the sign, that's inaudible, basically in your driveway. This is your driveway if you look at the sign, however, the borough I believe right now would be liable, God forbid an accident would happen because we never placed signage to address the new driveway. Then like I said, it's up to the police department....* *Lukasewicz: What new driveway?* *Marushock: At Mr. Hegedus' building.* *Lukasewicz: Oh, okay, that's...* *Marushock: Okay, off of George Street? And I believe when the state gave the approval and everything there was a recommendation with the proper signage.* *Barnick: A recommendation, yeah.* *Marushock: And it's not even in place right now and I'm afraid that the borough, due to lack of putting proper signage in place, if a situation develops there and there's an accident, that the borough be partly liable for not fulfilling our duty or whatever.* *Barnick & Menichetti speaking at once, inaudible.* *Marushock: I know we need to do it borough wide but this is just a high traffic area right now and it's definitely, I'll do it borough wide, I'm not trying to single anyone out.* *Barnick: But then you want to violate them other businesses down there that only have limited parking, one or two spots.* *Marushock: I agree, it's a no-win situation, it's a no-win situation.* *Barnick: So why, why... Few speaking at once, inaudible.* *Marushock: If there's a lawsuit that comes up and the borough is partly liable inaudible, many speaking at once.* *Menichetti: What kind of signs are we talking about, no parking?* *Marushock: Yeah.* *Lukasewicz: We're talking about no parking signs on the alleyway between Elaine Morrell's house and up to the bus stop on Hegedus' side.* *Dolan: Why don't you give him the corner?* *Morrell: They already gave him a corner.* *Many speaking at once, inaudible.* *Barnick: I thought we were addressing this by taking over this road?* *Marushock: That's not been done yet, that's in the future, we're working at it right now but as we're sitting here right now we have a driveway in place, in operation.....* *Everyone speaking at once, inaudible.* *Lukasewicz: For a lack of a second, that motion dies.*

Mayor Lukowski

The PAL, Police Athletic League, will conduct an open house on Thursday (Jan. 31, 2002), 6:00 p.m. in the Civic Center to familiarize the public with that program. Everyone's invited.

Council Comments:

Barone-I wanted to say something. Getting back to this, some of these guys said you don't know the situation up there? I think you better go up there and look. You better go up there and look *inaudible, coughing heard*, I almost got killed before the snow came. I'm just letting you know because there's a place if you don't do something about it and the motion was made and it failed, somebody gets hurt, can the borough get sued, Louie? *Cimini response inaudible.* I'm not asking you the facts, I'm just asking you go up there and take a look at it. Don't say well, I don't know the situation so I'm going to vote against it. Go up and look, that's all I'm asking.

Audience Comments:

Frank Galli, 609 Kossuth St. - Tommy, one of the things I have is we were talking about the salt contamination down at that little league field. It's getting worst and worst, progressively worst. The

DPW workers are constantly, like I said just before, going down there taking the tarp off *inaudible*, when are we going to build a DPW shed? *Lukasewicz: First of all I'd like to address it this way, the Borough of Throop asked...* Galli: I understand that. *Lukasewicz: If we could put it there, okay?* Galli: I understand. *Lukasewicz-And it was agreed to and the Borough of Throop has been very good to the Throop Booster Club.* Galli: I'm not.... *Lukasewicz: many years. Right now we are in a bind and we are in the process of doing what we have to do to get a salt (shed), let me finish please, okay? I completely believe that by this winter a salt shed will be in place. I would anticipate that as soon as the winter months are over that the DPW guys will go down there and address the salt concern the same way they did last year which was agreeable and workable for everybody involved. And I believe the so called contamination or whatever, whatever is there, I don't believe it to be contamination, will be addressed and taken care of properly and we will have a salt shed for next winter, so we will be out of your hair down there.* Galli: Tommy, I don't care if you stay down there forever. *Lukasewicz: No, I don't want to stay there.* Galli: My point is these guys, I see them going down there in the middle of the winter slipping on the ice, taking the tarp off, bust their chops to do us, they're up there all hours of the night, going down there with a backhoe to take the cover off. *Lukasewicz: Right.* Galli: I mean this town has got money, there's no reason why the DPW workers have to do that. *Lukasewicz: Frank, we will build the thing this year. I'm committed to building one this year or wherever it can be built and all I need is three votes to build it someplace.* Galli: Build it, all right? *Barnick-Frank, we were committed to 48 acres, there's a lot of people who put a lot of time in to get that....* *Lukasewicz: Ten years.* *Chrzan: Now we got it and it's going to turn all about until we lose it.* Galli: *Me, personally as the Booster Club, I don't care if it stays down there forever, I'm talking about the DPW guys that go out there and have to bust their chops.* *Lukasewicz: Frank, inaudible, the roads now?* Galli: They do a great job. *Lukasewicz: Well could you imagine how nice the roads would be if that salt was dry, it would work ten times better when it's put on the road, it would be so much easier. It will be done this year, it's a major priority for the borough and we do appreciate the Booster Club letting us keep it there.* Galli: Tommy, like I said it's not about, it's here because I'm concerned about the DPW workers. They do an outstanding job in our town.... *Lukasewicz: They sure do.and if they have to go down there at 2:00 in the morning in the pitch black with a backhoe in the freezing cold and take the rock hard salt, bang it up and throw it in the back of the spreader and go out and do the job. First of all it takes manpower time and extra effort, a lot of wasted time. The other thing I wanted to address was, the cow flop is coming up on June 30th this year. I discussed it with the *inaudible* this is an effort that the club puts on every year, we do this event every year, and if council could help us with, last year you took care of the police for us and everything else, helped us. I hope this year that you continue to help us with the police but also clean up. We need help at clean up time. It's very difficult for the magnitude of that event, the next day, for six people to go down there and try to clean, I mean.* *Barone: Get the prisoners again.* Galli: We got the prisoners last year, Joe, but you know what happened last year with the prisoners? Only three showed up and it's very difficult to get cleaned up. At that time if you could get people from Pesota's office.. *Lukasewicz: Got to coordinate something with Attorney Pesota to have people....* Galli: I mean the borough people were up there the next day and believe me, Tommy, the last thing you want is the next day after staying up there until 4:00 in the morning is go back up there at 8:00 in the morning to start breaking it down. *Chrzan: Frank, you remind me about two weeks before and I'll go see Pesota.*

Dominick Rocco, 110 Sanderson St. - Talking about the civic center, the monitors or whoever is involved with the kids . Are they required to have drug, alcohol, and criminal checks done? *Lukasewicz: Every individual that works in that center is thoroughly investigated so that there's no surprises out there.* Rocco: That's all. **Unknown:** How often are they updated? *Lukasewicz: I believe they are checked when they are hired. I'm not sure if legally you can recheck somebody after they are hired.* Cimini: I think it's

only done when they're hired. *Lukasewicz: It's only done when they're hired, anything else is discrimination.* Morrell: It's when they're hired. *Lukasewicz: When they're hired, okay.*

Larry Hartshorn, 140 Dimmick St. - On this Rinaldi Greenview Development, when is the borough going to do something with that guy? We had an accident today with the bus because of the runoff, it's frozen along side the road down there. A car came up, run up against that ice and threw itself against the bus. Now, you've made Palumbo's Tiffany Estates down there put drains in there. What are we going to do with this guy? Just let him get away with it? *Barnick: I agree 'cause every year it gets worst and worst, it's running down the middle of the street and, also, Tiffany got blamed for all of that..* Hartshorn: Exactly. *Barnick: and they took care of it, they put up the money and now Rinaldi's property is inaudible, and then also I noticed some property owner adjacent to that property decided to take it on his own and cleared an area down on the corner. I don't know why that's allowed.* Menichetti: He had permission from Rinaldi. *Barnick: If he's got permission from the owner, he doesn't got permission from the zoning or the planning.* Menichetti: He spoke with Mr. Kalinoski. *Chrzan: Did you give him the okay?* Kalinoski: To clear the weeds? Yeah. *Marushock: The runoff on the left...* Barnick: To clear weeds, trees.... *Kalinoski: There's, well, first of all....* Barnick: I can remember when Mr. Chorba was up here, Underwood Realty, both spoke at once, inaudible. Barnick continued: I'm just telling you. *Kalinoski: Tiffany Estates is a land development.* Barnick: Yeah? *Kalinoski: Mr. Rinaldi's property...* Barnick: ..supposedly.... *Kalinoski: is not a land development.* Barnick: There's runoff that's still affecting... *Kalinoski: You look at areas all over that effect drainage onto the roadways where there's no development and I don't think that the borough has anything to make the property owner address it since there's no development.* Barnick: He had a preliminary approval, didn't he? *Kalinoski: That's long, long expired.* Barnick: ..long expired, right? *Marushock: In regards to the runoff on Oleckna Street, I was there yesterday. Like I said previously looking at the parking inaudible, Dimmick Street problem. When I was coming up from the Boulevard there was runoff on both sides of that road, both sides. Now the runoff has been eliminated at Tiffany where that headed backwards to the Little League. That problem there has been eliminated, the runoff coming from Tiffany and also from Rinaldi's side, okay, both sides were at fault if we're going to say they are, but the runoff from Tiffany was headed towards lower Throop, so was the runoff from Rinaldi, both heading towards lower Throop.* Hartshorn: But Tiffany Estates made an attempt to do this and do it inaudible. Rinaldi's not doing nothing. He's telling you people, go pound sand. *Chrzan: Was there an accident, Larry?* Hartshorn: Yeah. *Chrzan: Something should be done about it, right, Tom? It's a school bus.* Few speaking at once, inaudible. *Barone: Trees are broken all up and all around Rinaldi's property....* few speaking at once... *Barone continued: Geez, what are you going to do? That's what I said last week, we're not doing anything. Let's get after the guy and everybody else, not only him.* Barnick: Isn't it true with unapproved land also, you still can't discharge your water onto another persons property? No matter if it's developed or not, though. *Kalinoski: But there is not an exact discharge. As far as I know there's no cranking system (?) anywhere on Rinaldi's property.* Barnick: Call it whatever, you got a pitch, it's running right to the road, inaudible. *Kalinoski: inaudible, probably that I noticed over the last four or five years. Now, I don't remember any development, I don't remember any type of construction there other than that gas regulator station that was just recently hit down there. And that's the only thing I remember down there, inaudible, few speaking at once. No, that's not....* Barnick: It's also coming off the paved portion, inaudible, few speaking at once. *Kalinoski: It had to go right through planning years ago when they put that in.* Barnick: But wait a minute, you say it's not a development but it was a development then. You still have to control the runoff, right? But it's not. *Kalinoski: They're not new, Jim, you can't go back for something that was done...* Barnick: We're not going back, we're going to go forward. *Kalinoski: Just like I can't make a person move this, inaudible, because it was built on the property line and now they*

require ten feet. Barnick: So what do you want, what do you need? *Everyone speaking at once, inaudible.* Chrzan: What about that combustible material there, too? *Hartshorn: How about the pipes that goes in there when... everyone speaking at once.* Chrzan: You know what I'm talking about, Rob. *Kalinoski: No, I don't.* Chrzan: I'll talk to you tomorrow about it. *Kalinoski: Okay.* Chrzan: That guy wants to play games? We'll play games with him. We'll move that whole dump out of there. *Hartshorn: What zone is that up there where, inaudible.* Lukasewicz: I believe it's residential. *Kalinoski: I think it's R-1 but I'm not positive.* Hartshorn: And this building that you're attempting to buy up here, *inaudible,* that's industrial, right? *Both speaking at once.* Hartshorn: Are we going to have to change the zoning on that up there? *Lukasewicz: Up there you would.* Hartshorn: Up on the new land there? *Lukasewicz: If you're looking up there I believe you would have to.* Kalinoski: The only place a public building with outside storage is allowed is in an E-1 Zone which is along the river and that's the worst place to put it. It's the only place that the ordinance allows it which would be this area here. That's with outside storage. *Marushock: And that's addressing a salt shed in that.....* Kalinoski: No, but it's any kind of outside stockpile. *Few speaking at once, inaudible.* Kalinoski continued: So that typically is not a permitted use in either a residential or, *few speaking at once, inaudible.* Right now we are stockpiling probably about 150 ton at a time. Marushock: We do try to keep it covered, right? We do try to maintain that site as best as possible? *Kalinoski: But you're looking at quite a bit of waste because once the tarp is off of there it's exposed to the weather throughout the storm. Now you have, inaudible, solid sometimes you can't break it up.* Barone: Robbie, Them across the Keystone Propane, didn't Burke say he'd give us a piece of land for the salt? *Kalinoski: At one time, I was never involved, few speaking at once, inaudible.* Barone: Somebody said you could put the salt up there. *Chrzan: Yeah, but why do we want to put salt there? We got our own land.* Barone: Just temporarily, Tone. *Chrzan: Not temporarily, if you're going to do it, do it right.* Lukasewicz: It's going to be done right, someplace, it's going to be done right. *Chrzan: Oh, Joe, I don't know. You keep pushing, we're going to lose that land.* Barone: I understand we're going to lose it. *Chrzan: It says we got to do something every year.* Barone: We're going it, we're starting with the dozers going up there. *Chrzan: That's a third of a million dollars up there.* Hartshorn: Did anybody see how much it would cost to put a Department of Public Works up there along with a protection for your salt? *Marushock: A few years ago it was about \$900,000. That was without the building, I believe. Is that correct? Everyone speaking at once.* Barnick: *Why don't we get the truth here? That was for all the grading, that was for a lot of grading... Marushock: grading.... Lukasewicz: that's right, for all the....* Barnick: No, the major portion up there *many speaking at once, inaudible.* Kalinoski: It was broken up into ten years, I believe..... *Barnick: Just the fact that you've got the salt going up there right now...* Lukasewicz: That's right, it's a start. *Barnick: \$900,000? Everyone speaking at once, inaudible.* Lukasewicz: *There will be a salt shed put somewhere this winter and it will be done...* Hartshorn: Well, I hope you people *inaudible* at least you got sewers, you got water, and you got power. You don't have nothing up there and what you're going to have to put in is going to cost the taxpayers money. *Few speaking at once.* Chrzan: Go inside the building. *Hartshorn: I've been in that building more times than you know, Tony.* Chrzan: And you want to buy that? It's a piece of junk, that's what it is. *Hartshorn: Yeah, well that's what you're talking about.* Chrzan: \$330,000 for that.

Carl Riotta, 407 George Street - I'd like to know what's going on with that line problem *inaudible.* *Kalinoski: We did meet right after Thanksgiving, there was some problems that we looked at. We had Roto Rooter down there, we thought we might have a blockage in the line. We did get some debris out of the line which was minimal. After the line was jetted, inaudible, down the manhole and you could see, it looks like the line went up hill. What we did, we discharged the water just until, the manhole is holding probably about four to five inches of water. More picture inside the line showed that there was no blockage and that the line was actually laid up hill. Inaudible, met with the contractor, they wouldn't*

believe us, again, we went through the same routine. Actually tried to get the manhole, inaudible, discharged the water, waited there until the water started flowing to check the level with the inaudible. It was forty five hundreds of a foot which is almost a half a foot deep before it starts going through so it is going up hill. How we're going to correct it? We're waiting for them to address it. Lukasewicz: So evidently there was a problem with the way the line was installed for starters. Kalinoski: Yes, with the 18" storm system which runs from roughly Meade Street to the box culvert by Gangi's. Barnick: Inaudible, and yet they got to fix it. Riotta: Have they been paid in full? Barnick: But we only have 5%. Few speaking at once, inaudible. Barnick: Every time they came up for this retainage reduction, I told John personally, I don't care what it takes, inaudible pull back or reduce from 10% to 5% retainage, I says I'll be the first one to put his name up to be fired. Because every job we did so far he recommended a drop from 10 to 5 (%) and there's problems. You've got Leeward down here, you've got them over there, Leeward, and we've got to do something right away with it because the inaudible, few speaking at once. Marushock: Behind Gangi's property there, I believe during the flooding that last occurred, we did find where the problem was, the catch basin there, the grate was covered with leaves or whatever, and we made an effort on behalf of the borough to go down there when they're forecasting rain or whatever..... Kalinoski: That is the first place that's checked whenever there's a forecast for rain. Everyone spoke at once. Barnick: What good is it going to do if the pipe is running backwards? Riotta: Let me tell you something, that is not the first place you check. Kalinoski: Excuse me, sir, I run the department, that is the first place on the list that is checked. Riotta: You're lying. Kalinoski: No I am not, I am not. Riotta: Because that day there was no..... Both speaking at once, inaudible. Lukasewicz: There's a motion, there's a motion on the floor by Mr. Barnick to pull the bond, guys, guys, for a second, there's a motion on the floor.... Kalinoski: Because I have no respect for you. Lukasewicz: ...to pull the bond in regards to this project as to what is put in there improper by Mr. Barnick to have them notify the bonding company that we're going to pull the bond and repair it ourselves if needed.

30. Motion by Barnick

Seconded by Chrzan

To notify Leeward Construction, Inc. that the bond will be pulled if the problem is not corrected on the 400 Block of George Street (Crawford Court Phase II Project) by February 15, 2002.

On the question:

Riotta: The man just made a statement... Lukasewicz: Let's... Riotta:..that he has no respect for me. I believe the man inaudible not done properly because maybe this man dislikes me and this man is probably comfortable from not doing their job properly. I want that on the record. Few speaking at once, inaudible.

All in favor

Motion carried

Lukasewicz: Now, for the record I would never, ever believe that Mr. Kalinoski or anybody from this borough would do anything to hurt a citizen of this town. We're not here to do that, Carl, and I know one thing. We bent over and did whatever we could to try to eliminate the problem that you have there and it didn't work. We just spent, was it \$200 (\$200,000)? Barnick: It was more than that. Lukasewicz: \$250, 260 (thousand) there. We spent a quarter of a million dollars there.... Barnick: But now if a pipe is backwards, I mean... Lukasewicz: It's not our problem, we have, so we're going to pull the bond, Carl, we're going to pull the bond which is in place with the contractor that did the project and we're going to have to go in there and do it ourselves. We'll have to have someone else go in and rectify it if they don't want to. So we're going to work on it and hopefully that will eliminate the problem. Marushock: Coming to the defense of DPW too, I know when this project was completed we thought that problem was solved.

Unfortunately, once the rain come down and showed us that the problem has not been eliminated, since we knew we had a problem in existence, Robbie has been doing his best efforts. Again, I know he was there on Friday, again, moving to the contractor that did the problem and the contractor, like he just said, they don't want to believe it and it's right before their eyes. This is the second time it's been.....few speaking at once, inaudible. Barnick: I'll go one step further, get his paperwork, pull his bond, right? Lukasewicz: Right. Barnick: If it's not fixed, you've got to give a time limit and then we're going to have to put it out for bid. Lukasewicz: That's right, amend your motion to include that, Jim? Kalinoski: I'm not sure but I think that's what the bonding company will do. Barnick: This is an emergency situation because if a rainfall comes down, what do they call it? 25 year flood, a 50 year flood, whatever, if it comes down, every day that we wait, it's an emergency situation. So I'd like to amend it just to include February 15th.

Lukasewicz: That's more than enough time, they're aware of it. Barnick: For them to complete it. Riotta: I have a question when it involves to this, I be kept advised as to the status of whatever is going. Lukasewicz: No problem whatsoever, we will keep you advised on it. Riotta: Inaudible. Kalinoski: The only thing that I can't give you, anything that legally that goes back to the attorney. Few speaking at once, inaudible.

*Motion by Chrzan Seconded by Marushock
To adjourn the meeting.
The meeting was adjourned.*

Elaine Morrell, Administrator/Secretary

Minutes by Christina Sullivan, Assistant Secretary