

**Minutes
Throop Borough Council
Monthly Meeting
Monday, March 31, 2003
7:00 p.m.**

The meeting opened with the Pledge of Allegiance.

“God Bless Our Military and the Coalition”

ROLL CALL:

Members Of Council:

Anthony Chrzan - **P**

James Barnick - **P**

Vice President- Thomas Lukasewicz - **P**

President-James Mellody Jr. - **P**

George Marushock - **P**

Daryl Menichetti - **P**

Joseph Barone - **P**

Mayor - Stanley Lukowski - **P**

Solicitor - Attorney Louis Cimini - **P**

Treasurer - Lenore Dolan - **P**

Administrator/Secretary - Elaine Morrell - **P**

Mayor’s Announcement: National Book Co., Inc., Bob Sember, will receive an award in recognition and appreciation for exceptional performance in Throop Borough’s Commercial Recycling Program. National Book Co., Inc. produced and generated more than half of the total borough commercial tonnage. As a result, the monetary amount for the borough has increased more than one half.

There were no audience comments on tonight’s agenda.

1. Motion by Barnick

Seconded by Chrzan

To accept the zoning report, landfill inspectors reports and the minutes of the February 20th CDBG Public Hearing conducted by Ernie Cicilioni, Lackawanna County Redevelopment Authority and the minutes of the February 24th and March 13th Council Meetings.

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.

2. Motion by Barnick

Seconded by Chrzan

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

Unpaid bills:	\$228,450.65
Paid bills:	17,998.48
Grand total	\$246,449.13

Keystone Landfill Credit	\$5,500.97
Home Program	\$1,919.84
Revenue Report	\$86,903.35

On the question:

Marushock: In regards to the items for payment for the month of March, 2003, **I will be voting against the elected officials portion of the Blue Cross/Blue Shield bill and also against the solicitor's fee for the month of March to the tune of \$6,250.00.** That's it at this time.

All in favor, except as noted

Motion carried

3. Motion by Chrzan

Seconded by Barnick

To pay all the employees of Throop Borough.

All in favor

Motion carried

4. Motion by Chrzan

Seconded by Barnick

To accept the correspondence as read or posted.

All in favor

Motion carried

ADMINISTRATOR'S FINANCIAL REPORTS:

5. Motion by Lukasewicz

Seconded by Chrzan

To accept the Fund Statement, Budgeted Revenue & Expense Statement and Loan Balance for the month of February, 2003.

General Fund Checking Account	\$635,946.19
General Fund Petty Cash	200.00
Payroll Checking Account	7,063.24
Civic Center Account	250.00
Civic Center Petty Cash	250.00
FNCB Escrow Acct. Throop vs. Gould	200,416.91
Sunny Day Fund CD's	2,274,016.93
Home Program State Grant	10,419.84
Civic Center After School Program	500.00
South Valley Ave. Grant	70,560.19
Warsaw Playground	28,192.83
Liquid Fuels Account	67,746.82
Fund Statement Grand Total:	\$3,295,562.95
(Interest Free) LOAN Balance: Keystone Sanitary Landfill, Inc. (\$175,000.00 payment due April 1 st) (Two payments in the amount of \$262,500.00 will be paid during the next two quarters.)	\$2,100,000.00

All in favor

Motion carried

A thank you was extended to Mr. Louis DeNaples for allowing the borough to make three individual payments this year instead of the one annual payment on the interest free loan.

6. Motion by Chrzan

Seconded by Marushock

To reimburse the following employees for prescriptions:

Charles Reed	\$148.39
Eric Viola	\$103.02
Dave Repchick	\$ 53.61

All in favor

Motion carried

Audience Comments on Motion #7:

Joe Schimes: A visitor and relative of an owner in Tiffany Estates discussed the covenants in place, the uniformity, and the easement with regard to sidewalks at that development.

Ed Kowalko, Oleckna St.: Indicated he was a driver for Nibbles and Bits and has been to many developments and did not recommend sidewalks inside a development - there wasn't five streets in Throop where if you parked on both sides that two cars can go by each other.

A discussion took place with regard to sidewalks in Tiffany Estates.

7. Motion by Barnick

Seconded by Lukasewicz

To support the Throop Borough Planning Agency's unanimous decision and the recommendation of Robert Bernosky, Planning Engineer, that the sidewalk ordinance passed by council be enforced by the zoning/code enforcement officer in regards to the sidewalks in Tiffany Estates. (Tiffany Estates Declaration of Protective Covenants, Restrictions and Easements includes sidewalks. See page 4, Section 3 (g).)

On the question:

Barnick: Until the borough could get some sidewalks put on the other side (of Oleckna Street), I'd definitely vote against it but until that point comes, I'm for. *Barone, inaudible.*

Four in favor - Barnick, Marushock, Barone, Mellody

Three against - Chrzan, Lukasewicz, Menichetti

Motion carried

8. Motion by Marushock

Seconded by Lukasewicz

To ratify the advertising for part time "Seasonal Temporary Help" to work with the (DPW) Department of Public Works, approx. 30 hours per week at a rate of \$7.00 per hour.

All in favor

Motion carried

9. Motion by Marushock **Seconded by Barone**

To adopt Throop Borough Resolution # 2 of 2003, a Resolution Authorizing the Board of Commissioners of Lackawanna County to submit an application for Federal Fiscal Year 2003 (CDBG) Community Development Block Grant Program Funds in the amount of \$111,526.00 on behalf of the Borough of Throop for the Meade Street Sanitary Sewer Project.

All in favor Motion carried

10. Motion by Barone **Seconded by Chrzan**

To authorize payment to Elliott, Reihner & Siedzikowski (Attorney Doug Blazey) in the amount of \$19,322.71. (Three invoices \$16,027.10, \$2,679.32 and \$616.29.)

Five in favor - Chrzan, Barnick, Lukasewicz, Barone, Mellody
Two against - Marushock, Menichetti *Motion carried*

Please note as per motion # 11, Jim Barnick changed his vote.

Four in favor - Chrzan, Lukasewicz, Barone, Mellody
Three against - Barnick, Marushock, Menichetti Motion carried

Barnick: I will not vote for another bill, I don't care what he does, I will not vote for another bill for this man. Get him paid up and that's it. Somebody better have a heart to heart talk with him. A discussion ensued.

11. Motion by Barnick **Seconded by Marushock**

To authorize Jim Barnick to change his vote on Motion #10.

Four in favor - Barnick, Lukasewicz, Marushock, Menichetti,
Three against - Chrzan, Barone, Mellody Motion carried

12. Motion by Marushock **Seconded by Barone**

To authorize payment to Pennsylvania Municipal Pension Services (PMPS) in the amount of \$875.00 from the assets of the Police Pension Plan.

All in favor Motion carried

13. Motion by Marushock **Seconded by Mellody**

To authorize the treasurer to open a Special Bank Account to segregate 25% of the taxes paid in protest by Keystone Sanitary Landfill. (The statute mandates the Taxing Authority to segregate 25 % of the paid taxes.)

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

14. Motion by Lukasewicz

Seconded by Barnick

To accept the proposal from Martin’s Power Sweeping at a rate of \$95.00 per hour for street sweeping.

On the question:

Marushock: Just for our public record here, we did have two proposals. Martin’s is the highest of the proposals that we received however, prior experience with the other sweeping service - they just left a big cloud of dust in this town for a couple of days and although we are paying more money I believe it’s justified for the results that we receive.

Barnick: Make sure Chucky keeps track of his hours.

All in favor

Motion carried

15. Motion by Barnick

Seconded by Barone

To accept the proposal from Reid’s to make the repairs to the F350. The repairs will be paid by the borough and not turned into the insurance. The cost of the repairs are \$2,110.96.

On the question:

Marushock: Between the two estimates there’s only a \$65.00 difference with Custom Auto Service them being the lower of the two estimates. However, one thing I did notice on Custom’s quote he specified an OEM which may mean Original Equipment Parts. If this was my vehicle, I would use the OEM parts. In the estimate from Reid’s Towing it is not specified, having this information that we have in front of us. Besides being cheaper, we would also be getting OEM parts from Custom Auto Service. *Inaudible. Menichetti: Does that mean that we’re not getting OEM parts?*

Marushock: It’s not specified, I can’t say for sure. It’s general in the estimate but Custom Auto Service specifies OEM parts in writing. *A discussion took place.*

Barnick: I call the question.

Six in favor - Chrzan, Barnick, Lukasewicz, Menichetti, Barone, Mellody

One against - Marushock

Motion carried

16. Motion by Barone

Seconded by Marushock

To authorize the purchase of a new push lawn mower from F&S Supply at a cost of \$399.00.

On the question:

Barone: *Inaudible, indicated he checked with Dave Dozack (DPW) and the blades were bent.*

Chrzan: Why did he only get one bid from one place? Why didn’t he go somewhere else?

Everyone speaking at once, inaudible.

Six in favor - Chrzan, Barnick, Lukasewicz, Marushock, Menichetti, Barone

One against - Mellody

Motion carried

17. Motion by Chrzan

Seconded by Marushock

To donate \$500.00 to the Boy Scouts (#73) to be used toward a trailer.

On the question:

Barnick: The scouts, they cleaned up the town on their time and did a real good job. I don't know if you can get a trailer for \$1,500. *A discussion took place, council would consider a larger donation at a later time.*

Marushock: Just to add to everyone, they're also going to do some painting for us up at the pavilion at the Washington Street Park.

All in favor

Motion carried

Joseph C. Wargo thanked council on behalf of the Scouts.

18. Motion by Chrzan

Seconded by Lukasewicz

To allow Jennifer Gongliewski to continue to work as an assistant director when needed, not to exceed the maximum hours for an assistant director. (Maria Pesavento will be working approx. 10 hrs per week.)

All in favor

Motion carried

19. Motion by Lukasewicz

Seconded by Chrzan

To authorize Gail Ercoli, Civic Center Director, to make the arrangements for the Annual Basketball Banquet.

Lukasewicz: To check around for prices and keep it within the same parameters as last year.

All in favor

Motion carried

20. Motion by Lukasewicz

Seconded by Marushock

To **reject** the terms of the "Terrorism Risk" of the workers compensation insurance regarding the Terrorism Risk Act. Additional premiums due apply if we accept. (This would apply only if the Federal Government determined a "Terrorist Act" in our area and only if the damage is over 5 million dollars.)

All in favor

Motion carried

21. Motion by Lukasewicz

Seconded by Barnick

To approve the 2003 Street Paving Project as prepared by the Borough Engineer, John Szczepaniak, Spott & Assoc. excluding Blair Court and to authorize Spott & Assoc. to prepare the specs and advertise for bid. (The **cost estimate** excluding Blair Ct. is \$89,300.00. It includes Adams Ct. and replacing the two inlets.) This cost estimate does not include curb ramps. The 2003 Street Paving Project will be funded from the Liquid Fuels Account.

1.	Adams Ct. (Loftus St. to Cypress St.)	\$18,900.00
2.	Pancoast St. (Charles St. Towards Jones St at new pave.)	\$15,800.00
3.	Clay St (Ash St. to Division St.)	\$15,000.00
4.	820-828 Murray St	\$ 6,600.00
5.	123-141 Charles St.	\$ 9,500.00
6.	Adams Ct. (George St. to Cypress St.)	\$19,500.00
7.	Replace two (2) inlets on Adam Ct.	\$ 4,000.00

Curb Ramps (To comply with the regulations of the Americans With Disabilities Act) Costs may vary)

On the question:

Barnick: We need to start to estimate for the curb and ramps, too and this is going to be specifically out of the Liquid Fuels Account, right? *Elaine responded it was.*

All in favor

Motion carried

22. Motion by Barnick

Seconded by Chrzan

To authorize the cost estimate \$263,361.00 to repair George St. for the George Street Takeback as prepared by the Borough Engineer John Szczepaniak, Spott & Assoc. and to schedule a meeting with Penn Dot and to negotiate a proper amount.

All in favor

Motion carried

23. Motion by Lukasewicz

Seconded by Chrzan

To agree to the following projects:

a.	Land	\$ 100,000.00
b.	Salt Shed & DPW Garage	\$ 400,000.00
c.	Eddy Creek Sewer Project	\$ 600,000.00
d.	Eddy St., Franko St., Delaware St. Sewer Project	\$ 200,000.00
e.	South Valley Ave. Sidewalks	\$ 250,000.00
f.	Beautification	<u>\$ 50,000.00</u>
	Total.....	\$1,600,000.00

On the question:

Barone: What is this beautification plan going to take in (to consideration)? *Inaudible*. I'm all for beautification but I'd like to know where it's going.

Lukasewicz: I would assume that the Mayor would come up with something to make Throop....

Mayor: You don't have to worry about it, Joe. Like they do in Dickson City and other communities. There's no difference.

Barnick: Yeah, but \$50,000 is a lot of money.

Lukasewicz: Well, you know beautification can even go towards some sidewalks in some areas as needed.

Mayor: Don't you think we should build up our business district finally, once and for all?

Menichetti: You know, we're really pushing this very quickly. Don't you think we should wait and see if our funds go up and see if we're going to get any more money from the landfill? I mean, we're pushing this and I really think we should wait. I just don't think now is the time to do *inaudible*. Wouldn't it be more prudent and more pragmatic just to wait and see if the funds go up and then consider this another day? I mean, why do you have to push this so quickly?

The Mayor indicated So. Valley Avenue should be done by the state. A discussion ensued.

Marushock: I can only support in the year 2003 and the acquisition of the land and the construction of the DPW salt shed and to do the sidewalks down at South Valley Avenue because we are already committed - this has gone out for bid. *Mayor: You know there is a Sidewalk Program, if you study it, inaudible.* Marushock: But we already committed to this project, *inaudible*.

A discussion took place. Marushock: Quite frankly, we don't have the money to make our ends meet right now. I cannot see going out on a limb for 1.6 million dollars to fund this whole wish list right here. *A discussion ensued.*

Barnick: Except for the beautification, I think it should all be put into the infrastructure.

Roll Call:

a.	Land	\$ 100,000.00
	Five in favor, Two Against (Melody, Menichetti)	
b.	Salt Shed & DPW Garage	\$ 400,000.00
	Five in favor, Two Against (Melody, Menichetti)	
c.	Eddy Creek Sewer Project	\$ 600,000.00
	Four in favor, Three Against (Marushock, Menichetti, Melody)	
d.	Eddy St., Franko St., Delaware St. Sewer Project	\$ 200,000.00
	Four in favor, Three Against (Marushock, Menichetti, Melody)	
e.	South Valley Ave. Sidewalks	\$ 250,000.00
	Five in favor, Two Against (Melody, Menichetti)	
f.	Beautification	<u>\$ 50,000.00</u>
	Three in favor, Four Against (Barnick, Marushock, Menichetti, Melody) Beautification Failed	
	Total.....	<u>\$1,550,000.00</u>

All projects passed except beautification.

Motion carried, as noted

24. Motion by Lukasewicz

Seconded by Barone

To authorize a loan for the sum of \$1,550,000.00, by borrowing the money from First National Community Bank (FNCB) for a ten year period and to follow the proper procedures as required by the state. The first two payments are interest only for the years 2004 and 2005.

On the question:

Morrell: This is for a period of ten years.

Barnick: For a period of ten year but I understood that for the first two years are interest only payments?

Cimini: That has not been confirmed. That offer has been made but they have not said yes or no. But I was told that for a period of a year *inaudible* so they haven't made a decision on the interest only.

Barnick: Well, that's the only way I'll vote for it.

Cimini: What they wanted to know was what the amount was going to be exactly before they made a decision on whether or not to....

Lukasewicz: I'll amend my motion to include that the first two payments are interest only for the years 2004 and 2005.

Morrell: And maybe 2003. I don't know if we have to make an interest payment this year or not. And quarterly payments once we receive the landfill check?

Lukasewicz/Barnick: Yes.

Barnick: As long as this money is specifically earmarked for these items, nothing else.

Joe Barone was in agreement to the changes.

The Mayor indicated again he thought the sidewalks should be paid by the state. Most of the people that travel the road (South Valley Ave.) are from outside of Throop. Jim Barnick thought the borough did not have any choice but to proceed with the project - everything was ready to go. *A long discussion took place.*

Four in favor - Chrzan, Barnick, Lukasewicz, Barone

Three against - Marushock, Menichetti, Mellody

Motion carried

25. Motion by Menichetti

Seconded by Lukasewicz

To purchase necessary flags, up to a maximum of twelve, at the best rate, up to \$500.00.

All in favor

Motion carried

Barone questioned the possibility of a Bocci court for the senior citizens at the Washington Street Park. Hartshorn indicated the VFW has one to donate. Barone discussed damages at the Washington Street Park, in the restrooms. He indicated he thought the park have a video-camera. A discussion took place about security at the park and what could be done to prevent further damage.

Frank Galli, Kossuth Street - Discussed the opening of baseball season and coordinating with the DPW for whatever is needed, as needed in the past. He brought up the upcoming Cow Flop in June and asked about coordinating the police department and help from the DPW the next day in clean up. *Council indicated they were sure everything would be handled as in the past.*

Wayne Williams, Tiffany Estates - Discussed in detail the sidewalks at Tiffany Estates (*inaudible*). *Everyone speaking at once.*
Note: The tape was changed here.

26. Motion by Barnick

Seconded by Lukasewicz

To authorize representative (Tiffany Estates) Wayne Williams to apply for a Special Grant for the sidewalks along Tiffany Estates, secured within one year.

Williams: And it's just for Oleckna Street?

Barnick: This is just for Oleckna Street.

Williams: And the rest of the development would not have to get sidewalks.

Barnick: No. Not right now.

Williams: That's just what you just said.

Barnick: You're going for it to get approved. I'd change my vote, no problem.

Williams: You just said to put them on Oleckna Street and that was it. That's what you just said.

Lukasewicz: He said he would change his vote if you could procure sidewalks

Williams: On Oleckna Street.....

Five in favor - Chrzan, Barnick, Lukasewicz, Barone, Mellody

Two against - Marushock, Menichetti

Motion carried

Motion by Chrzan Seconded by Barnick

To adjourn the meeting.

The meeting was adjourned.

Elaine Morrell, Administrator/Secretary

Minutes by Christina Sullivan, Asst. Secretary