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THROOP COUNCIL
THROOP, PENNSYLVANIA

IN RE: WORK SESSION AND SPECIAL MEETING

MARCH 9, 2006

7:00 P.M.

THROOP MUNICIPAL BUILDING
436 SANDERSON STREET
THROOP, PENNSYLVANIA

COUNCIL MEMBERS:

- THOMAS LUKASEWICZ, PRESIDENT
- JAMES BARNICK, VICE PRESIDENT
- JOSEPH BARONE
- GEORGE MARUSHOCK
- JOHN MUSEWICZ
- ANTHONY CHRZAN
- LOUIS CIMINI, ESQUIRE, SOLICITOR
- MAYOR STANLEY LUKOWSKI

Mark Wozniak
Official Court Reporter

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1 believe an offer of \$500 per property was
2 made. Subsequent to that the amount was
3 increased to \$3,000 per property.

4 MR. BARNICK: I think we got to let
5 the people of this town know what we're
6 talking about. It's a private sale, and
7 what they're doing is they're finding out
8 all these tax properties that are up for
9 taxes and that company is going in and
10 they're putting bids in in a private sale,
11 which it's not like a regular tax sale where
12 you advertise all these properties and you
13 have a right to go in there and bid. This
14 person is going in and finding ones that are
15 up for taxes or are delinquent on taxes and
16 putting a private bid on them, like \$500, to
17 get a property.

18 And what they're doing is, come to
19 find out -- we have a couple people going to
20 speak about it. But the borough has
21 interest in about four of these properties,
22 and basically the county owns them right now
23 because the taxes haven't been paid and
24 things like that. But this company went in
25 and put a bid on it of \$500 per lot. We'd

MR. LUKASEWICZ: This is the situation where I said there's an entity that's coming in to try to purchase properties in the borough of Throop. And they made bids on almost ten properties, and some of those properties, once we looked at the properties, we figured out that some of our sewer lines and storm lines are on these properties. And they're basically abandoned properties and it's in the best interest of the borough that we obtain these properties.

The individual that's bidding on the properties I believe is MAR-JER, Incorporated. We contacted the tax claim bureau and made objections to the sale, and then we had attorney Cimini follow up and contact the lawyer that represents that entity. And, attorney Cimini, if you want to fill in council on the status of that, the first conversation and the follow-up conversation and then the latest letter that was sent to us.

MR. CIMINI: The letter in your packet is a summary of my conversations with their counsel. Our first conversation I

1 like to get the properties because we
2 maintained them for all these years and the
3 sewer lines and things like that. Well, our
4 attorney contacted their attorney, George
5 Gretz, here. They said they would withdraw
6 their bid if the borough paid them \$500.

7 Now, think about what's going on
8 here now. If we gave them \$500 they're
9 going to withdraw their bid for us, but we
10 have to go down there and still try to
11 acquire this property. And now, you know,
12 when --

13 MR. LUKASEWICZ: The point is,
14 someone can make an offer. If you make an
15 offer on a property there is a time frame, a
16 window of opportunity, a 45-day period where
17 the homeowner can come in and say they want
18 to bid on their property. They don't want
19 to lose their property or someone come in
20 and bid on the property.

21 What this entity is doing, in the
22 interim before the 45 days is up and before
23 they actually get a deed to the property
24 they're contacting the possible owners,
25 saying well, we will drop our claim to this

1 property if you give us such and such amount
2 of money. I don't believe they have a right
3 to even contact the people at that junction
4 because they have no claim to that property
5 until they have a deed. There was one
6 family from Throop that when we notified
7 them when we got the notice that their
8 property was up for sale they notified a
9 lawyer. Their lawyer got in touch with the
10 tax claim bureau and they were told that they
11 have to get in touch with the person that
12 bid on their property, they can't pay their
13 taxes, which I believe is wrong. If there's
14 a 45-day period you should be allowed to go
15 down there and pay your taxes and this other
16 person back off completely. They don't have
17 no right to your property.

18 MR. BARNICK: No matter if there's a
19 45-day rule or not, they went down to try to
20 pay their taxes in full.

21 MR. LUKASEWICZ: And were denied.

22 MR. BARNICK: And were denied that
23 claim in full. So let them explain it.

24 There's a couple things I have to add that I
25 believe at this point that county taxpayer

1 their \$500 bid back, making \$2,500 on the
2 property or 15, whatever they wanted for
3 these properties, and getting their check
4 back at the same time, plus the county's
5 getting the full taxes paid up to date. So
6 something's wrong and something's got to be
7 done about it.

8 Now, tonight we're passing a
9 resolution. We're going to see how
10 Mr. Cordaro said he supports Throop so much
11 Mr. Cordaro, Mr. Munchak were all over here
12 campaigning, because we want these four
13 properties and we'll pass a resolution
14 requesting them to remove the debt from the
15 property, take it off the tax delinquency,
16 and transfer it to the borough for \$1. So
17 we're just going to remember this now.

18 Tuesday's the meeting so I'm sure you're
19 going to see it on channel 61 or something,
20 because I'm really planning on going to push
21 the issue to transfer these properties
22 because we were already told that this
23 Throop Borough will not get them properties.
24 So something's going on, especially since we
25 took care of them for over 40 --

6
1 money is being used as, I guess you could
2 say, parallel to the use of this company for
3 advertising because every time this guy goes
4 in to make a bid on a private sale the
5 county has to advertise that in the paper,
6 number 679, whatever the number is on the
7 tax record. Well, the county has to pay the
8 legal fees for the paper. They're usually,
9 like, anywhere from \$500 to \$1,000 for a
10 legal add. They're expensive.

11 Well, when we were down there,
12 myself and Mr. Lukasewicz went down, after
13 we were notified about these people that
14 were given actually the shaft down there we
15 went down to speak with them. And here the
16 secretary came in, Mr. Lukasewicz asked them
17 well, are you returning the \$500 back to
18 these people once they pay them off? They
19 said no, they're supposed to deduct the
20 advertising cost. Okay. So the secretary
21 walks in oh, no, we returned the \$500.

22 MR. LUKASEWICZ: Sent the check out.

23 MR. BARNICK: Now, our taxpayer
24 money that's supposed to be going to the
25 county, this one company is actually getting

8

1 MAYOR LUKOWSKI: Who said that?

2 MR. BARNICK: Tom Harrison told you
3 that. Right, Lou?

4 MR. CIMINI: He said they would not
5 agree to our request to transfer the
6 properties for \$1.

7 MR. BARNICK: But they'll agree to
8 pay for the advertising for the other people
9 and let them go make some money on the
10 borough. That's pretty good. I mean, I
11 remember this company years ago when
12 Mr. Harrison was down there once before.
13 So, I mean, it's all coming back into play.

14 MR. LUKASEWICZ: The problem is no
15 one is watching the tax claim bureau. You
16 have an administrator that doesn't know
17 what's going on. If you have an entity
18 coming and trying to purchase property and
19 then extorting money from the people that
20 are trying to get their properties back,
21 well, the leaders of the tax claim bureau
22 should be aware of this. What is he
23 watching?

24 MR. BARNICK: The worst part is they
25 told us, you know -- and they're going to

1 get up and tell you the whole story. But we
2 asked them if they went down and tried to
3 pay the taxes. Well, this company told them
once they paid their money they had to go
5 right down that day and pay their taxes in
6 full. That kind of tells you right there,
7 if you think about it.

8 But they went down there originally
9 to pay their taxes before this negotiation
10 took place. I talked to Tracy Voss and she
11 said she did try to pay it.

12 And I said well, who did you talk
13 to?

14 Tom Harrison.

15 Really? We were just down there and
16 he told us he knew nothing about it. It's
17 happening all over the county.

18 MAYOR LUKOWSKI? How long has this
19 been going on?

20 MR. BARNICK: I don't know how long
21 it's been go on but we caught up to them
22 with the properties in Throop.

23 MR. LUKASEWICZ: We have Tracy Voss
24 from Throop that will explain the dealings
25 with the county.

10
1 MRS. VOSS: I'm Tracy Voss. This is
2 my husband, Frank. What has happened was --

3 MR. BARNICK: Let me reiterate,
4 she's also a veteran, too.

5 MRS. VOSS: This all happened while
6 I was away. Back in January, January -- I
7 believe it was the 10th or 11th we received
8 a letter in the mail stating that our house
9 was being sold for \$1,000. My husband
10 called me, you know, obviously not knowing
11 what to do. He couldn't understand it. So
12 I said well, that's impossible because we're
13 paying our taxes. His mother passed away.
14 She had left us in arrears about \$10,000.
15 She wasn't paying her taxes. So when she
16 passed we assumed that responsibility.

17 I immediately went to the tax claim
18 bureau back in 2003 and set up a payment
19 arrangement with them. They accepted it.
20 They had actually transferred us over to a
21 company called Flexible Financial, which is
22 a collection agency that is hired through
23 the tax claim bureau to handle delinquent
24 taxes. So Flexible Financial works for the
25 tax claim bureau.

1 MR. LUKASEWICZ: Tracy, one second.
2 Just so everybody knows, before Flexible
3 Financial came into being the county used to
4 collect the taxes right there at the county.
5 Now when these new county administrators got
6 in a few years ago they changed everything
7 and handed everything out to all their
8 buddies. So now you have an entity aside
9 from the tax claim bureau making it
10 difficult for you to even pay your tax.

11 MR. BARNICK: And fees on top of
12 fees that are already being charged.

13 MRS. VOSS: Being my point, though,
14 is the tax claim bureau should never have
15 accepted the bid on the home to begin with
16 because we had been making our payment to
17 Flexible Financial and we were in good
18 standing with them. So right off the bat
19 the tax claim bureau should not have
20 accepted the bid from this MAR-JAR, Inc. I
21 went to the tax claim bureau -- I came home
22 January 23, that Monday -- actually Friday,
23 the 20th, I called the tax claim bureau.
24 They wouldn't speak to me. They had no
25 information. They wouldn't tell me

12
1 anything. So Monday I went down, cash in
2 hand, and said I'm here to pay my taxes. I
3 want to pay my taxes. They refused my
4 payment. They wouldn't give me an
5 explanation why.

6 Tommy Harrison at that point then
7 came out, and I said I want to know why you
8 won't accept my payment for my taxes. All
9 he could say was get a lawyer, get a lawyer,
10 get a lawyer. You need a lawyer. Get a
11 lawyer.

12 So I said, then I want somebody to
13 give me something in writing stating you're
14 refusing my payment. They laughed at me and
15 said oh, we don't do that. Meanwhile there
16 was two women in the back of the room
17 talking and I overheard them. They said oh,
18 this is the house we were talking about
19 Friday.

20 And I said excuse me, you're talk
21 about my home. What was that about Friday?

22 Oh, no, we don't know what's going
23 on either, and they all looked at each
24 other.

25 I left very upset. I came home, I

contacted a lawyer. The lawyer concerned called MAR-JAR, Inc.'s lawyer, George Gretz, and I said no, I'm not giving you a dime. I said we're going to go to court. I'm not giving you a dime. I will not pay somebody to buy a home that I already own.

George Gretz, the lawyer, came back and said that they want \$2,500 for them to withdraw their bid.

I said no, we're going to court. No. Now, my lawyer called us back and said George Gretz's office called back to our lawyer and said okay, we'll take \$1,500.

I still insisted no, no, I'm not giving you the money. I'd rather give a lawyer \$10,000 than pay these people a dime.

My lawyer, in turn, convinced me that it was the best thing to just give these people this money. It will all go away, it will be done with, and you'll own your home.

I said well, I'm sorry. We already own our home. Somebody tell me why I'm giving these people money. Nobody could do it.

Upon further investigation we found out that MAR-JER, Inc., is Marcella and Jerry Garwon that created the Mar and Jer. And they are Marcella and Jerry Garwon. They are a husband and wife team that live out in Lake Ariel. They have four felonious addresses. They claim their business address is 624 Boulevard Avenue, Dickson. That's not -- they own that home but they rent it out to a woman named Kimberly, which I'm sure she's just an innocent victim.

Their lawyer, George Gretz, is their nephew, is Marcella and Jerry Garwon's nephew. And I guess they have a son Mark who lives in Lake Ariel who is the one who does all the bidding and the money exchanging at the tax claim bureau.

MR. BARNICK: That's another point I want to make. When we were down there we were requesting the name of the person who was putting all these bids in. All the sudden they didn't know. We kept pressing the issue. We come to find out it's Mark Garwon. I said wait a minute, MAR-JER, and we mentioned the name Mark. And then we

1 were bringing up about they have the old
2 P.O. box marked Greentown, Pennsylvania.

3 Another point that Mr. Lukasewicz
4 made was well, aren't you required to
5 request their credentials to make sure that
6 they are taxpayers in the county and that
7 they're in good standing?

8 Well, yeah, we normally do that.

9 Well, did you do it with this?

10 Oh, no, this is different. Private
11 tax sale.

12 Same tax sale but now you're not
13 requesting anything from them. They didn't
14 know who the guy was and none of this.

15 MR. LUKASEWICZ: They weren't
16 following procedures. There's no uniformity
17 whatsoever down there in the tax claim
18 bureau.

19 MRS. VOSS: It's my understanding
20 this law was put in place basically to
21 protect the homeowners to give you a chance
22 to go and pay your taxes. We should have
23 been given the chance to pay our taxes.

24 MAR-JER, Inc., should not have gotten their
25 \$500 back and it should have been over. But

1 that's not what happened. We were refused
2 to make payment. They would not accept our
3 payment. MAR-JER has been basically using
4 the same \$500 to extort all these individual
5 properties.

6 My husband and I just this last
7 Monday went to the DA's office. We have a
8 Detective Kolcharno who is investigating it.
9 All I did was tell him the story and he
10 looked right at me and said it's extortion.

11 And from there they referred us to
12 the attorney general's office, so we went
13 over and spoke with an agent at the attorney
14 general's office. We were given a stack of
15 complainant forms. He said that we need to
16 find other people that were, you know,
17 scammed by this MAR-JER, Inc., have them
18 fill out a complaint form, and return them
19 all together and then they will open an
20 investigation. The attorney general's
21 office is very interested in it.

22 MAYOR LUKOWSKI: It's more involved
23 than MAR-JER.

24 MR. VOSS: When I explained this to
25 the DA and they said it was conflict of

1 interest with them investigating the tax
2 bureau. I told them straight out, I says
3 they're giving them the money back. They
4 gave them the money back before I even cut
5 my deal.

6 MRS. VOSS: Before we even knew what
7 we were doing.

8 MR. VOSS: I cut my deal on a
9 Thursday or something. It was almost, like,
10 44 days into this -- I had this 45-day grace
11 period, and I guess, like, two weeks before
12 I even decided I was paying them off they
13 already had their money back.

14 MRS. VOSS: They had their money
15 back a month before we did anything.

16 MR. BARNICK: Another point that was
17 made down there was oh, Mr. Harrison says he
18 asked the person, this Mark Garwon, is the
19 place empty, and he just said Mark Garwon
20 told him yes, it is. And we both asked
21 don't you verify --

22 MR. LUKASEWICZ: What Tommy Harrison
23 stated was the procedure of the tax claim
24 bureau is if someone is living in a property
25 they usually do not allow a tax claim sale,

1 but he'd say one thing and then do something
2 different.

3 MR. BARNICK: Everything was
4 contradicting what he was saying.

5 MRS. VOSS: Right from the beginning
6 my point still remains that the tax claim
7 bureau should not have even accepted a bid
8 on this property. They should not have
9 accepted the bid. So I don't know why they
10 did or what happened.

11 But in all fairness to the attorney
12 general's office, they said one government
13 entity cannot investigate another government
14 entity, so there's the conflict. They said
15 they could file a class action civil suit
16 against MAR-JER, Inc., if we have enough
17 people. So I'm in the process of trying to
18 locate other peopler that this had happened
19 to.

20 I spoke with one couple today on the
21 phone that lives in Throop. I spoke with
22 the gentleman that lives in the home. I
23 kind of explained to them who I was and what
24 was going on. He said he definitely would
25 have to call us back.

1 MAYOR LUKOWSKI: There was five
2 legals of Throop people in the paper in one
3 day. Five legals. Did you go back to that
4 date?

5 MRS. VOSS: No, I did not. I'm
6 actually trying to get a list from the tax
7 claim bureau.

8 MR. LUKASEWICZ: I'm trying to get a
9 list from the tax claim bureau also and I'm
10 having a hell of a time.

11 MR. BARNICK: They're not giving up
12 a list. I said there's another way to check
13 on this. I asked Mr. Washo down there, the
14 commissioner, I says request John Mellow,
15 since he's the controller, request him to
16 find out how many checks were issued back to
17 this company, \$500 checks, because it's
18 money being used -- if all these properties
19 were advertised where's all the advertise
20 money? Our taxpayer money is paying to
21 advertise for them to go in and bid a sale
22 and they're making money on top of that.

23 MR. LUKASEWICZ: The point I want to
24 make about the Vosses, they did have to pay
25 this person \$1,500 to drop their claim. The

1 same day that they paid the people the
2 \$1,500 the lawyer of the people that were
3 paid the \$1,500 worked a deal with the
4 county that the Vosses had to come in that
5 same day and pay all their back taxes up in
6 full and then the check was given back to
7 them. So that whole process is just flawed
8 and these people -- it's extortion. They
9 had to pay \$1,500 to someone that had no
10 right to their property.

11 MRS. VOSS: In the beginning we said
12 we'll give you \$500 back for advertising
13 fees. They said no, we want \$2,500. I said
14 we're going to court.

15 MR. LUKASEWICZ: That's very similar
16 to what the borough received. Originally
17 attorney Gretz, through MAR-JER, offered to
18 take their \$500 on these four properties
19 that the borough wanted, and then they told
20 attorney Cimini they wanted \$3,000 each
21 property. I asked attorney Cimini to get
22 something in writing from them and they gave
23 us something in writing but they worded it
24 different. They worded it that I relayed my
25 client, Mr. -- they're willing to bid up to

1 \$3,000 now at the sale date. So they're not
2 saying they want \$3,000, they're wording it
3 to make it look like they're doing it a
4 different way. So they're construing what
5 they're doing.

6 MR. VOSS: That's why we paid the
7 same day because someone else could have put
8 a bid on our house as soon as I paid them.

9 MRS. VOSS: Who's to say if we gave
10 them the \$1,500 and we didn't pay -- by the
11 way, we brought our tax bills from \$10,000
12 down to, like, \$1,097. That's all we owed.
13 And who's to say if we paid the \$1,500 and
14 didn't pay the \$1,097 -- they can walk in
15 there and do it again.

16 MR. LUKASEWICZ: There's a gentleman
17 in the right corner, would you state your
18 name and address. Evidently you have
19 something in light of this same situation.

20 MR. PRITCHYK: My name is Al
21 Pritchyk. My wife and I own House and Home
22 Enterprises. We're in the same business as
23 they are. I'm saying the company that's
24 going against you. We've been doing this
25 for 14 years --

1 MR. LUKASEWICZ: You come in and bid
2 on properties?

3 MR. PRITCHYK: Fourteen years we've
4 been doing that. That's what we do for a
5 living. But the way the process is run,
6 it's not any way like you guys are saying.
7 Okay? There's stages of tax sales. First
8 sale is upset sale, second sale is the
9 private sale. If it's not sold at that then
10 it goes into a repository sale.

11 Now, they had to get a notice for
12 the first time where anybody in the county
13 could have went in there and bid against any
14 property. You'll see thousands of
15 properties in the paper once a year that the
16 county does. Once those properties go
17 through the sale and they're not bid they go
18 into a file, the county owns it. Anybody
19 has the right to go in there and bid on
20 those properties at private sale. They're
21 out of the picture. They had their first
22 chance to keep their property. All right?
23 They don't have a right the second time
24 around to acquire that property back by law,
25 Act 542 of the tax sale law.

1 MRS. VOSS: We were made --

2 MR. PRITCHYK: You're an exception.
3 They should have never even went in.

4 MRS. VOSS: Exactly.

5 MR. PRITCHYK: And Tommy Harrison
6 shouldn't have told you that. I mean, if he
7 did, he --

8 MRS. VOSS: He certainly did.

9 MR. PRITCHYK: He knows he's wrong.

10 MRS. VOSS: He refused my bid and
11 just said get a lawyer.

12 MR. PRITCHYK: With the present
13 arrangement there's no way he could have
14 done that.

15 MR. BARNICK: The other point that
16 she made, too -- that's why we're
17 questioning all this -- that Flexible
18 Financial company, what they did was they
19 called the county to try to pay her taxes up
20 and they wouldn't talk to them. The county
21 would not talk to the Flex company.

22 MR. PRITCHYK: They were in a
23 position that they were in agreement. If
24 they breach that agreement they lost their
25 property no matter what.

1 MRS. VOSS: They called the tax
2 claim bureau and wanted to know because they
3 couldn't understand what happened.

4 MR. PRITCHYK: You have no problem
5 with your case. I've been doing this so
6 long I know. As a matter of fact, we have
7 an objection in to one of their bids on the
8 property on Haverly Street, 400-402 Haverly
9 Street. We already acquired the deed from
10 Davit. We already acquired their deed.
11 We're taking over their mortgage and they're
12 giving up the property. Now, we have to go
13 in and bid against this company for that
14 property.

15 Now, I know what they're going to
16 tell us. They're going to say you give us
17 \$2,000 and we'll back out. We won't do it.

18 MRS. VOSS: Would you sign the
19 complaint form?

20 MR. PRITCHYK: I know what they're
21 doing.

22 MR. BARNICK: It's not right, what's
23 being done. Especially what happened --
24 they don't follow the laws right.

25 MR. PRITCHYK: Hers is a completely

1 different story. That's a separate case all
2 together.

3 MR. BARNICK: Even with us here on
4 the properties we want.

5 MR. PRITCHYK: You're automatically
6 given a letter by the county when we put an
7 objection in to the private sale. We bid on
8 the private sale, all the municipalities are
9 notified.

10 MR. LUKASEWICZ: And school
11 districts.

12 MR. PRITCHYK: And school districts,
13 and you have the right to go in there and
14 object to it. Now, what you work out with
15 the county is up to you. I mean, there's no
16 way I'm going to touch your property if you
17 guys want it. It's just that simple. Why
18 would you? You got to have a reason for
19 wanting it. I'd just walk out of the sale.
20 I wouldn't do it.

21 Another thing is, they don't put up
22 the \$500, either. And another misconstrued
23 situation you have is that when these bids
24 are put in, the people who put the bid in
25 pay for the paper advertising. It's not the

26

1 county.

2 MRS. VOSS: Exactly, but they're
3 getting their money back. They're paying
4 nothing.

5 MR. PRITCHYK: Not until the sale is
6 approved. It's the person paying for that,
7 not the county.

8 MRS. VOSS: Exactly. It's still
9 being advertised. Who's paying for that?

10 MR. PRITCHYK: The way it was said
11 was the county's putting out the money to
12 advertise these properties, which they're
13 not.

14 MR. LUKASEWICZ: The point we were
15 trying to make is the \$500 --

16 MR. PRITCHYK: Isn't even put out
17 until the sale is approved and they win the
18 bid. That never goes to the county.

19 MR. LUKASEWICZ: You come in and
20 give them a bid, you give them \$500 --

21 MR. PRITCHYK: No, you don't give
22 them nothing. You give them \$250 to put the
23 ad in the paper.

24 MR. BARNICK: I'm telling you they
25 said they had checks down there. The

1 secretary is keeping it. She says I have
2 their checks for \$500, \$500, \$500.

3 MR. PRITCHYK: Well, they're lying.

4 MR. BARNICK: I'm just telling
5 you --

6 MR. LUKASEWICZ: All you guys pay
7 for is the advertising?

8 MR. PRITCHYK: Pay for the
9 advertising. Once the 45 days is up you're
10 granted the deed from the tax claim bureau.

11 MR. LUKASEWICZ: If nobody objects.
12 You pay them your \$500, it's over.

13 MR. LUKASEWICZ: You're legally
14 responsible for everything that comes with
15 that property. If there's sewer liens or
16 any liens whatsoever.

17 MR. PRITCHYK: Exactly. It doesn't
18 clear anything off the taxes. That's all it
19 does. So that's the reason I'm here
20 tonight, to find out the situation on the
21 Haverly property, considering it isn't
22 hooked up to the sewers.

23 MR. LUKASEWICZ: Is it the same
24 company?

25 MR. PRITCHYK: I want to know before

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1 I go and try to take it over.

2 MR. LUKASEWICZ: It's not hooked up
3 to the sewer line?

4 MR. PRITCHYK: No.

5 MRS. VOSS: Nobody put a bid in on
6 this. I went upstairs immediately, made
7 arrangements to pay off the back taxes, and
8 here we are.

9 MR. VOSS: The other thing is, we
10 contacted Mr. Gretz, you know, and we
11 explained to him this is the property, this
12 and this and this. He said that he has no
13 idea who this MAR-JER is. He said I have no
14 idea, I have to look this up. I have to
15 make some phone calls.

16 MR. LUKASEWICZ: We're going to send
17 it to the county, like Jimmy said, that
18 we're interested in these properties and we
19 believe that it's in the best interest of
20 the borough to obtain these properties and
21 that we should get them for \$1. That will
22 be sent down to the county commissioners,
23 and hopefully Cordaro and Munchak will do
24 something with it. Mr. Washo, the minority
25 county commissioner, we kept him abreast of

1 this whole situation, what we were informed
2 of by Mrs. Voss, and he's working diligently
3 to find out if, indeed, there are any other
properties that have been subjected to the
5 same situation. He's in our corner so we
6 just have to wait and see what happens.
7 When we get some information we'll give it
8 to you so you can proceed.

9 (Whereupon the Pledge of Allegiance
10 was recited.)

11 MR. LUKASEWICZ: Elaine, roll call,
12 please.

13 MRS. MORRELL: Johnson is absent.
14 Mr. Barnick?

15 MR. BARNICK: Here.

16 MRS. MORRELL: Mr. Lukasewicz?

17 MR. LUKASEWICZ: Present.

18 MRS. MORRELL: Mr. Chrzan.

19 MR. CHRZAN: Present.

20 MRS. MORRELL: Mr. Marushock?

21 MR. MARUSHOCK: Present.

22 MRS. MORRELL: Musewicz?

23 MR. MUSEWICZ: Present.

24 MRS. MORRELL: Mr. Barone?

25 MR. BARONE: Here.

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1 MRS. MORRELL: Attorney Cimini?

2 MR. CIMINI: Here.

3 MRS. MORRELL: Mayor Lukowski?

4 MAYOR LUKOWSKI: Here.

5 MRS. MORRELL: Dolan is absent. Ms.
6 Sullivan?

7 MS. SULLIVAN: Here.

8 MR. LUKASEWICZ: I'd like to say God

9 bless our troops and the coalition. And

10 it's a little bit of the irony involved with

11 this. We have an individual, Tracy Voss,

12 who is in the armed force, and we're saying

13 God bless our troops and she's the person

14 that the county is trying to sell her house,

15 especially in a time of war this is unheard

16 of. We're behind you. We'll do whatever we

17 can.

18 Announcements: The annual night out

19 meeting will be held Wednesday, March 22, 7

20 p.m.

21 We will now entertain audience
22 comments. An executive session was held
23 this evening at 6:00 prior to the work
24 session to discuss personnel matters.

25 MR. BARONE: Tom, before we go any

1 further, this number 17, Elaine Morrell to
2 Lackawanna Housing, is that pertaining to
3 the project?

4 MR. LUKASEWICZ: They're going to
5 get some answers on that.

6 MAYOR LUKOWSKI: That's about due,
7 you know. It's critical right about now.

8 MR. LUKASEWICZ: Also in the
9 executive session was discussed the
10 potential litigation of the ambulance
11 association.

12 MR. CIMINI: Yes.

13 MR. LUKASEWICZ: We will begin with
14 audience comments on tonight's agenda.

15 There's three printed items and then there's
16 four, five and six that we brought up.

17 Elaine, were there any other ones that had
18 to go on?

19 MRS. MORRELL: Installation of the
20 street light at Pendel Street:

21 MR. LUKASEWICZ: Anything else,
22 guys? Any other motions? All right,

23 audience comments on those motions? First
24 row? Second row? If there are no comments
25 we will begin with the agenda.

32

1 Motion number one, a motion for Jim
2 Barnick to change his vote of the February
3 27, 2006 meeting to pay all the employees of
4 Throop Borough to abstain from his
5 daughter's pay.

6 MR. CHRZAN: I will make it.

7 MR. LUKASEWICZ: Motion by Tony.
8 Second?

9 MR. BARONE: I'll second.

10 MR. LUKASEWICZ: Second by
11 Mr. Barone. On the question?

12 MR. BARONE: On the question, there
13 should be no conflict, really.

14 MR. BARNICK: There's no conflict.
15 I just want to make sure it's right.

16 MR. CHRZAN: You don't want anybody
17 complaining later.

18 MR. LUKASEWICZ: Roll call, please.

19 MRS. MORRELL: Mr. Barnick?

20 MR. BARNICK: For.

21 MRS. MORRELL: Mr. Chrzan?

22 MR. CHRZAN: For.

23 MRS. MORRELL: Mr. Marushock?

24 MR. MARUSHOCK: For.

25 MRS. MORRELL: Musewicz?

1 MR. MUSEWICZ: For.
2 MRS. MORRELL: Mr. Barone?
3 MR. BARONE: For.
4 MRS. MORRELL: Mr. Lukasewicz?
5 MR. LUKASEWICZ: For.
6 MRS. MORRELL: All in favor. Motion
7 carried.
8 MR. LUKASEWICZ: Motion number two,
9 to adopt Throop Borough resolution number
10 seven of 2006, a resolution requesting
11 Lackawanna County to transfer any type of
12 tax sale properties in which the borough has
13 specific interest, sewer easements, turning
14 radiuses, et cetera to Throop Borough. A
15 complete copy of the resolution on file.
16 Elaine, has this been posted? So it is
17 posted. I'm not going to read everything.
18 MR. BARNICK: Can we get a copy to
19 Katie? All right.
20 MR. CHRZAN: I'll make it.
21 MR. LUKASEWICZ: Motion by Tony.
22 MR. MUSEWICZ: I'll second it.
23 MR. LUKASEWICZ: Second by Mr.
24 Musewicz. On the question?
25 MR. BARNICK: On the question, like

34

1 I said, these are three properties, some --
2 one or more possibly has the sewer lines
3 going through them. We have been taking
4 care of these properties. DPW has been
5 maintaining these three properties for
6 40-plus years now. Two of them are down by
7 Woodlawn. They could be used for a good
8 turning radius because the roads are tight.
9 The other one's on Kossuth Street
10 where that big, giant head wall used to go
11 through there. Storm sewers, I believe, go
12 through there. And we've maintained that.
13 How much money have we expended cutting
14 trees, trimming.
15 MR. LUKASEWICZ: Cutting grass.
16 MAYOR LUKOWSKI: They should have a
17 good sense to investigate these things.
18 MR. LUKASEWICZ: The county should
19 just hand these over.
20 MR. BARNICK: The county should just
21 hand these over to us, but according to what
22 Lou Cimini said they're not going to do
23 this. Tom Harrison said they're not going
24 to do this. But here we had two
25 commissioners up here requesting our

1 support. You know, Cordaro and A.J.
2 Munchak. Let's see them put their money
3 where their mouth is. He supports this town
4 totally. We need these properties to
5 maintain them sewer lines and these
6 accesses. I think it's only right they
7 transfer it for a dollar and withdraw it
8 from the sale.
9 MR. LUKASEWICZ: Katie, you're aware
10 with the situation with Voss. Correct?
11 This is another similar situation. All
12 right, roll call.
13 MRS. MORRELL: Mr. Barnick?
14 MR. BARNICK: For.
15 MRS. MORRELL: Mr. Chrzan?
16 MR. CHRZAN: For.
17 MRS. MORRELL: Mr. Marushock?
18 MR. MARUSHOCK: For.
19 MRS. MORRELL: Mr. Musewicz?
20 MR. MUSEWICZ: For.
21 MRS. MORRELL: Mr. Barone?
22 MR. BARONE: For.
23 MRS. MORRELL: Mr. Lukasewicz?
24 MR. LUKASEWICZ: For.
25 MRS. MORRELL: All in favor. Motion

36

1 carried.
2 MR. LUKASEWICZ: The next motion is
3 to pay the bills against the borough as
4 posted.
5 MR. CHRZAN: I'll make it.
6 MR. LUKASEWICZ: Motion by Tony.
7 MR. BARNICK: I'll second.
8 MR. LUKASEWICZ: Second by Mr.
9 Barnick. On the question? Roll call,
10 please.
11 MRS. MORRELL: Mr. Barnick?
12 MR. BARNICK: For.
13 MRS. MORRELL: Mr. Chrzan?
14 MR. CHRZAN: For.
15 MRS. MORRELL: Mr. Marushock?
16 MR. MARUSHOCK: For.
17 MRS. MORRELL: Mr. Musewicz?
18 MR. MUSEWICZ: For.
19 MRS. MORRELL: Mr. Barone?
20 MR. BARONE: For.
21 MRS. MORRELL: Mr. Lukasewicz?
22 MR. LUKASEWICZ: For.
23 MRS. MORRELL: All in favor. Motion
24 carried.
25 MR. LUKASEWICZ: Motion number four,

1 to grant permission to Arnold Detrick to do
2 an additional \$695 of fence work at the
3 Bellman Street park.
MR. CHRZAN: I'll make it.
5 MR. LUKASEWICZ: Motion by Tony.
6 MR. MUSEWICZ: I'll second.
7 MR. LUKASEWICZ: Second by John. On
8 the question? Roll call.
9 MRS. MORRELL: Mr. Barnick?
10 MR. BARNICK: For.
11 MRS. MORRELL: Mr. Chrzan?
12 MR. CHRZAN: For.
13 MRS. MORRELL: Mr. Marushock?
14 MR. MARUSHOCK: For.
15 MRS. MORRELL: Mr. Musewicz?
16 MR. MUSEWICZ: For.
17 MRS. MORRELL: Mr. Barone?
18 MR. BARONE: For.
19 MRS. MORRELL: Mr. Lukasewicz?
20 MR. LUKASEWICZ: For.
21 MRS. MORRELL: All in favor. Motion
22 carried.
23 MR. LUKASEWICZ: This next one is
24 very important. It's motion number five.
25 It's a motion to have Throop Borough

38

1 officially notify Dunmore Borough of the
2 nuisance problems and the concerns of the
3 nuisance problems of the citizens of the
4 borough of Throop that are being affected by
5 the nuisance problems at Maid-Rite
6 Manufacturing in Dunmore Borough.
7 MR. BARNICK: I'll make the motion.
8 MR. CHRZAN: I'll second it.
9 MR. LUKASEWICZ: Motion by Jimmy,
10 second by Tony. On the question?
11 MR. BARNICK: On the question, can
12 you send a copy of these complaints,
13 whatever complaints he had and stuff. Send
14 a copy of that along with it. Get an idea
15 of what's going on. And then the noise.
16 MR. LUKASEWICZ: In addition to the
17 resolution that we're sending to the county,
18 Elaine, include a copy of this motion in the
19 letter to the county so that they're aware
20 that we're actually notifying Dunmore.
All right, roll call, please.
22 MRS. MORRELL: Mr. Barnick?
23 MR. BARNICK: For.
24 MRS. MORRELL: Mr. Chrzan?
25 MR. CHRZAN: For.

1 MRS. MORRELL: Mr. Marushock?
2 MR. MARUSHOCK: For.
3 MRS. MORRELL: Mr. Musewicz?
4 MR. MUSEWICZ: For.
5 MRS. MORRELL: Mr. Barone?
6 MR. BARONE: For.
7 MRS. MORRELL: Mr. Lukasewicz?
8 MR. LUKASEWICZ: For.
9 MRS. MORRELL: All in favor. Motion
10 carried.
11 MR. LUKASEWICZ: Okay. This is
12 another important one. It's a motion to
13 send a letter to Roger Bellas and also to cc
14 it to Bedrin, I believe. He's the regional
15 director of the DEP. What we would like to
16 include in the letter is to address the
17 residents and the borough officials
18 concerned with the situation at the
19 Maid-Rite manufacturing plant and how it
20 affects the citizens of Throop. And this is
21 in regards to response time from the DEP to
22 citizens' complaints. We feel that in the
23 interim between this point and May 1, when
24 the problem will be hopefully addressed and
25 rectified, that it is in the best interest

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1 of the citizens of Throop that the DEP have
2 one individual come out there and spend a
3 period of, say, eight hours one day followed
4 by eight hours the next day in adjacent
5 proximity to the Maid-Rite plant in Throop
6 and be there to visibly listen to the noise
7 and to smell the odors as they emanate from
8 the plant.
9 MR. BARNICK: I'll make that.
10 MR. CHRZAN: I'll second it.
11 MR. LUKASEWICZ: Motion by Barnick,
12 second by Mr. Chrzan. On the question?
13 Roll call.
14 MRS. MORRELL: Mr. Barnick?
15 MR. BARNICK: For.
16 MRS. MORRELL: Mr. Chrzan?
17 MR. CHRZAN: For.
18 MRS. MORRELL: Mr. Marushock?
19 MR. MARUSHOCK: For.
20 MRS. MORRELL: Mr. Musewicz?
21 MR. MUSEWICZ: For.
22 MRS. MORRELL: Mr. Barone?
23 MR. BARONE: For.
24 MRS. MORRELL: Mr. Lukasewicz?
25 MR. LUKASEWICZ: For.

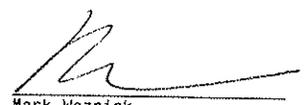
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MRS. MORRELL: All in favor. Motion carried.
MR. LUKASEWICZ: Motion number seven is for the installation of a street light on Pendel Street.
MR. CHRZAN: I'll make it.
MR. BARNICK: I'll second it.
MR. LUKASEWICZ: Motion by Mr. Chrzan, second by Mr. Barnick. In addition to the one on Pendel Street can we include in this also that once we check down at the Woodlawn Street park, if the lighting is not sufficient that we would also request another light to be installed down there? Would you agree to that, Tony?
MR. CHRZAN: Yes.
MR. LUKASEWICZ: Because I know the people down there are truly concerned about it. So if an additional one is needed at Woodlawn Street it be included in this motion. Roll call, please.
MRS. MORRELL: Mr. Barnick?
MR. BARNICK: For.
MRS. MORRELL: Mr. Chrzan?
MR. CHRZAN: For.

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C E R T I F I C A T E

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 42 pages, is a true and correct copy, done to the best of my ability, of same and the whole thereof.


Mark Wozniak
Official Court Reporter

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MRS. MORRELL: Mr. Marushock?
MR. MARUSHOCK: For.
MRS. MORRELL: Mr. Musewicz?
MR. MUSEWICZ: For.
MRS. MORRELL: Mr. Barone?
MR. BARONE: For.
MRS. MORRELL: Mr. Lukasewicz?
MR. LUKASEWICZ: For.
MRS. MORRELL: All in favor. Motion carried.
MR. LUKASEWICZ: Does any other council have anything they want to bring forward at this time? Mr. Mayor, anything at this time?
MAYOR LUKOWSKI: No, nothing at this time.
MR. LUKASEWICZ: Audience comments? Anyone in the audience? Motion to adjourn, second. Meeting is adjourned.
(Whereupon the meeting was adjourned.)