

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

The meeting opened with the Pledge of Allegiance.

ROLL CALL:

Members Of Council:

Jim Mellody Jr. - **P**

Daryl Menichetti - **P**

Thomas Lukasewicz - **P**

Vice President- Anthony Chrzan -**P**

President-James Barnick - **P**

Joseph Barone - **P**

George Marushock - **P**

Mayor - Stanley Lukowski - **P**

Solicitor - Attorney Louis Cimini - **P**

Treasurer - Lenore Dolan - **P**

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

Announcements:

An Executive Session was held this evening at 6:30 p.m. regarding personnel and legal matters.

Barnick: Before we go on to audience comments, we have one discussion item here and there's three motions, #32 would be to authorize the payment of #1 and #2 to Scranton Craftsmen, Inc., I don't have the exact total for the South Valley Avenue Project, upon the positive recommendations of the engineer and street commissioner. He called me earlier, *inaudible*, stop up here, I guess the request for payments have been down the engineer's for about a week now.

Lukasewicz: They've been doing a good job.

Barnick: And they're doing an excellent job down there. *Everyone speaking at once*. And I think the total come out to \$150,000, \$130 something thousand is coming out of that EPA Grant money that was authorized by.....

Morrell: On that, we pay first then request reimbursement.

Barnick: All right, #33 is a motion to adopt ordinance, I don't know what the ordinance number was for that Ash Street Extension, West Extension, accessing the 48 acres.

Morrell: Do we put the motion as adopting the ordinance or do we just pass a motion to open it as per.....

Barnick: Adopting the ordinance, I believe, to open the street. Then the third one, motion #34, is to authorize a \$500 reward, to authorize the payment of a \$500 reward, for arrest and conviction of a case

involving vandalism to the pavilion at the Washington Street Park.

Dolan: If this gets approved, are we going to put a sign up there? Would you put a sign saying that? *Everyone speaking at once, inaudible.* And the person that was, I can't get too deep into this, it's handled by the police but, the police were assisted in their arrest *inaudible.* And according to our sign up there, we reward \$500 for this incident, conviction and arrest. We're just authorizing the payment because we don't want to identify the members involved. Alright, and the last issue is everybody's got a memorandum there, the packmaster broke, the plate on the back, and we told Robbie (Street Commissioner)..... one is trying to fix it, cut it out and try and fix the back plate and the other one is replacing the entire back plate.

Morrell: Jim, I do have a motion, motion #27, is in regards to repairing the packmaster but I have it blank because at that point I did not have any information.

Barnick: Okay. *Inaudible, a discussion took place with regard to the repair of the packmaster.*

Lukasewicz: Authorize to do whatever is necessary..... *Everyone mentioned full replacement.*

Lukasewicz: Plus whatever else is needed.....

Barnick: Pricing does not include labor, installation, nor does it include.....

Everyone agreed that it had to be done. Barnick mentioned that would be Motion #27, asked if there were any audience comments and before he proceeded asked if council had any other motions to be put on.

Morrell: That Ordinance number is Ordinance #13 of 2002.

Audience comments on tonight's agenda:

Suparna Chandragiri, 915 Bush Street - We'd like to *inaudible* some things that were brought up last week. Mr. Robbie said putting a salt shed in the back there would serve no purpose in the fact the *inaudible.* So now the borough said that they were going to open the road for a salt shed, now there isn't going to be a salt shed, so the borough wants to spend the money to open up the road and put a gate in front of it. In other words, what you're saying is that it's going to become a haven for ATV's and the gate isn't going to serve any purpose. They're going to trespass my property which is immediately adjoining the road, they're going to trespass my property and get onto that road which, again as the borough said, they'll be sure to come to be big projects like the baseball field or the ice skating rink, stuff like that was talked about, so if we want *inaudible* the borough will not help us by paying even part of the fence costs (about \$16,000) *inaudible,* so I pretty much just wanted to remake this point.

Dominick Rocco, 110 Sanderson St. - Number one, you know you're making a laughing stock out of this town? You know nothing is being done, every couple of months you're going to change the seat, president, vice president, what's going on? Why don't you get your heads together and start working together and start doing.....

Chrzan: It's the people who aren't doing anything that are causing all these problems.

Barnick: Mr. Mellody called Elaine *inaudible* so I asked that it be put on first.

Menichetti: As soon as Mr. Barnick became President, he took all of us off every major committee. He put.....

Chrzan: Because you didn't do nothing. What did you do since you're here?

Menichetti: What do I do? What do *you* do?

Chrzan: We do a lot.

Menichetti: You're non-stop at every meeting.

Chrzan: Oh, is that right, yeah? Well we're *inaudible*, this project and that project. What did you ever do for this borough? You're the one who told Joe Barone we've got to get things done around here. What the hell did you do?

Menichetti: I told Joe Barone that?

Barone: Well, you said, no you said.....

Chrzan: Yeah, you said it *inaudible*, what did you ever do?

Barone: You said all you were interested in is the.....

Chrzan: You did nothing.

Menichetti: There's seven people on this floor, we cannot do anything without seven people.

Chrzan: You *inaudible* how the Boulevard looks like, for crying out loud.

Everyone speaking at once.

Barone: Daryl, you said all you're interested in is that they have the town move forward. And you said it at the public meeting.

Chrzan: Yeah, it's really moving forward.

Menichetti: So, are we moving forward?

Everyone speaking at once.

Menichetti: Well, that's your opinion. I don't feel.....

Barone: Well, we'll see what happens.

Barnick: As long as the board, Mr. Mellody, is....

Chrzan: Hey, he wants the job, you give it to him. He can take it home.....

Barnick: As long as he wants the job, I'll vote for it myself.

Chrzan: I will too.

Everyone speaking at once.

Barnick: I'll be more than happy.

Chrzan: It's ridiculous. *Everyone speaking at once.*

Menichetti: You can't even communicate. This is communication? This is screaming...

Chrzan: Screaming?

Menichetti: There's no communication.

Rocco: All we hear is fighting, nothing is being done, all you're doing is fighting. Get together and start doing stuff, we're the ones that suffer, the taxpayers, *inaudible*, it's the whole town that's got to suffer. The whole year nothing was done.

Chrzan: Rocco, is this guy doing his job? Rocco.....

Rocco: Because there's no money.

Chrzan: Has he been doing his job?

Rocco: Well, I think he always did in my opinion.

Menichetti: So you think that nobody else is doing anything? Is this what you're saying?

Chrzan: You're not a damn thing.

Barnick: What did you do, now? *Everyone speaking at once.*

Chrzan: What did you ever do?

Menichetti: What do you want me to do?

Chrzan: What did you ever do?

Menichetti: What do you want?

Barnick: Name one thing.

Chrzan: What did you ever do?

Menichetti: What do you want?

Barnick: Name.

Chrzan: You don't even know where Vaughn Street is.

Menichetti:participate in everything that goes on.....

Dolan: Come on.....

Inaudible. Barnick inaudible.

Menichetti: I have to work, Jim, I don't have the..... *inaudible*.....like you do.

Barnick: I'm sorry, I'm sorry, but you asked for this. You asked for this.

Inaudible.

Chrzan: *Inaudible*...when she was running down the Civic Center all the time. Cutting the bottles over there.

Menichetti: Well, I found one missing.

Chrzan: Sure you did.

Menichetti: I sure did.

Chrzan: Oh, that's right.

Menichetti: And you sure tried to cover it up, buddy.

Chrzan: No, we didn't try to cover it up.

Menichetti: Oh, yes you did.

Chrzan: Yep, but there was some changes made there, wasn't there?

Menichetti: Yeah, who walked out of a meeting when I wanted to give a report?

Chrzan: Not me.

Menichetti: You and Joe Barone.

Chrzan: Not me.

Menichetti: Oh.

Chrzan: I never walked out of a meeting.

Menichetti: Yes, you did.

Barnick: All right.

Chrzan: I come in, I had to see Jack.....

Menichetti: Yes, you did.

Chrzan: Yeah.

Dolan, Treasurer: Mr. President, could I say something? I don't know what's going to happen tonight but Motion #13 whether you change or not, that has to leave. It has to leave and has to be signed or we're going to lose our workmen's comp.

Barnick: We already did.....

Chrzan: We already did.....

Dolan: Well, we're not going to lose it again. And it takes, I mean, I'm not saying not to change President's, that's not what I'm saying, but I'm saying this takes time, a lot of paperwork from a bank. But this, whatever you's do, this check has to leave. I want that on record.

Morrell: In regards to Lenore mentioning #13, did council look at the memo in the packet?

Everyone speaking at once. Morrell continued: Because they charged, I'm wondering if we can just do away with Volpe as an agent and deal directly with SWIF. I sent a memo down to them (SWIF) today to find out what can be done and not have a middle man as Volpe. All they've done is, they've been a

disaster.....

Dolan: I agree. But we do still have to pay them.

Morrell: We have to pay workers compensation.

Dolan: We still have to pay, right.

Morrell: No matter who we pay.

Dolan: Right, right.

Morrell: But we may be better off just dealing directly with the state fund.

Chrzan: Can we do that.....

Dolan: Yes, we can.

Morrell: And just drop the agent, drop the middle man. All they've done is made a mess of everything this year.

Marushock: When does this have to be delivered, number one, and again, can we do that, can we eliminate the middle man on our own *inaudible* because we don't want to lose the workmen's comp....

Morrell: That I don't know.

Marushock: What is the time frame.....

Dolan: November 5th it has to be in their hands. The payment has to be in their hands.

Chrzan: Just pay it.

Morrell: Can council pass a motion to make a payment to workers compensation?

Dolan: It's not the payment.

Lukasewicz: What's the problem then?

Morrell: Whether it's directly to SWIF or directly to Volpe?

Dolan: Signing, the signing.

Menichetti:the signing cards.

Dolan: The signing.

Lukasewicz: What, It takes a few minutes.

Dolan: It's not just a few minutes, they have to wait for the paperwork to come back from the bank.

Morrell: I'm talking about something else. Lenore's concerned about the signatures on the account.

Menichetti: You're talking about getting rid of Volpe?

Dolan: Yes, the middle man.

Morrell: I'm talking about getting rid of Volpe.

Menichetti: I don't know why we need him anyway.

Morrell: I don't know why we need him anyway, either. I mean, usually an agent is here to work for you and work through problems. They've caused our problems.

Marushock: Do we have a couple of days that we could play with right now that we can make a determination to see if we can't eliminate him *inaudible*.

Morrell: Not for the next meeting. If we can approve a payment for the workers comp.....

Lukasewicz: We'll make the payment as is and.....

Dolan: Mr. Marushock, you have to pay this.

Inaudible.

Dolan: Then you could do your negotiations.

Lukasewicz: Don't fool around with.....

Chrzan: The fine is \$300 a day if you don't have workmen's comp.

Lukasewicz: We'll take the payment down there tomorrow and it's over.

Chrzan: \$300 a day.

Lukasewicz: Have the police hand deliver it, it's no big deal.

Dolan: Wait, Tommy, it's not the mail or anything, the only thing I'm stressing is, Elaine and I will be here to sign the checks, it's the other person to sign the checks. If you'd please authorize whoever's the president, right now, to sign that check. Do you know what I'm trying to say, Tommy?

Lukasewicz: We would be agreeable with that, this way just to help speed along...

Barnick: *Inaudible*, just let him sign.....

Chrzan: Let him sign it, he wants to change.....

Dolan: He can't sign it, he's got to be on the card.

Morrell: Lenore, that's not a problem, I just, when we..... *everyone speaking at once*. Morrell continued: Signatures are not a problem, we can handle that.

Dolan: No, I've been here, as long as I'm sitting here it takes about four or five days. And I've been here four years and it changed many times. All I'm asking is just for the payment to be on time. That's all, thank you.

Chief Furiosi: Jimmy, I spoke to Joe Barone about Dudley Street. I don't know what he discussed with the other members of council about making Dudley Street a one way going west.

Barone: To make Dudley Street a one way from Cypress to Dunmore Street.

Furiosi: The reason for that, my request, is we don't have a major problem there with accidents but we do have accidents occurring there and what's happening is the people that are coming from Franko Street or if they're coming down George Street and they want to swing around to go up Dudley, the traffic coming off of South Valley? You have the accidents and one of these days it's going to be with a truck.

Barnick: Yeah, I do that all the time. I do, really.

Furiosi: I think it's for safety..... *inaudible*.

Barnick: Well, did you do the study on it?

Furiosi: I'll do a study on it but, you know.

Barnick: This way if the people come up here, hey, this was what was recommended. *Few speaking at once*.

Furiosi: Like I said, we don't have a major, major problem there, every week an accident but we do have accidents that occur there.

Barnick: Put together something for the next meeting and then.....

Furiosi: Well, I can't put a letter together for you with my recommendation.

Marushock: Do we study first before we can act on this?

Barnick: Well, then the next, you know, because then you've got to be changing an Ordinance.

Furiosi: It's not a state road.

Barnick: Yeah, but you're going to be changing or making an Ordinance out of a one way street and then you've got to hold a hearing, advertise an Ordinance, and get people *inaudible*, that they don't want it a one way street and they have a right to come up here to vent their problems with it. So, that's why if you have your reasoning behind it and it passes, hey, this is the reason for it.

Barone: It's a safety reason.

Furiosi: That's my opinion, just for safety.

Barnick: But they still have a right to defend and voice their concerns.

Furiosi: With the trucks coming off of South Valley Avenue and you're down below, and if they want

to make that up-grade and you're going to have cars *inaudible*.

Barnick: So if you can something in by the next meeting and then we'll just vote to go from there, following procedures.

Furiosi: Not a problem. Thank you.

Frank Galli, Kossuth St. - I have a problem too with a person, item on the agenda this evening. I'm not saying who does a good job, who does a bad job, but you can't just switch presidents and vice presidents, just like Lenore says, takes time with the bank and everything else. When I spoke with Elaine today, they just got the paperwork done with the bank today. At that point, why don't you even consider it? I mean, it's a situation where if you don't agree with what Mr. Barnick is saying, it's not a situation like little kids where you could go home and take your baseballs and go home and play somewhere else. I mean, the seven of you are adults, you have to work together and I'm sure you can agree upon things and I don't know who's got the time up there to do what he does. I mean, Tommy, you said at the last meeting you're busy working, it takes a lot and you've done it, you know how much time it takes to be council president *inaudible*. Believe me, I don't envy anybody up there but I'm just saying you people, like I've just said, you could get a lot done in the community, *inaudible*, you just changed president and vice president. Consider that when you're making your votes. *Inaudible*.

Menichetti: Mr. Galli, the president, the council president, the duties of the council president are to set the agenda and have to have the meeting, that's it. They do not rule the town. There's seven people on this board and equal votes. Council president can set the agenda and run the meeting, that's it.

Galli: I know what it is, I know what it is.

Menichetti: He's not the Lord and ruler.

Galli: But he's not the Lord and ruler.

Menichetti: I mean, you have a misconception about this. This is what the duties are and he has have to sign checks.....

Chrzan: Then why are you trying to change it if *inaudible*.

Galli: I mean, if that be the case *few speaking at once*.

Menichetti: Well, this is the attitude, let's vote the way.....

Chrzan: And then you don't do a damn thing. What do you people do? You don't do nothing.

Menichetti: We could talk about that all year and now we've got no money because we can't afford.....

Chrzan: Yeah, because you wanted to spend \$350,000 for an old junky barn up there and \$180,000 to fix it.

Menichetti: Well, at least they would of had it some place by now.

Chrzan: Yeah, you would have had some place all right.

Galli: You're still going to have the majority vote and you're still going to have *inaudible*, but you know I've said this for years and I'll say this till the day I die, I mean, like I said *inaudible* you're elected officials up there, behave and act like elected officials and I know sometimes it doesn't always work that way but you are working for the people, remember that.

Menichetti: Oh, I know that quite well.

Galli: The people is what counts. *Few speaking at once*.

Barnick: And just before I go to vote, let me explain one thing. It's not just setting an agenda or going to meetings.

Chrzan: Yes, it is.....

Barnick: She has no idea. She has no idea what's even going on behind the scenes. Meeting with

Robbie Kalinoski, going over the contractors who meet with the state, meeting to try to get grants, making phone calls continuously with the solicitor, you have no idea whatsoever what goes on with the president. The President's the director of the administrator (directs the administrator) to write a letter, to do certain things. You have no idea whatsoever. That's why you haven't done nothing yet.

Barone: For the same pay as everybody else.

Barnick: But like I said the last time, I says I really didn't want it, but I'm hoping, I says, I, right now, when this comes to a vote, I am asking Mr. Mellody if he's going to take it because I am going to vote for you.

Chrzan: I'll vote for him.

Barnick: Just so you *inaudible*, are you Mr. Mellody? Do you intend to take the Presidency?

Barone: Let's have the vote on it first.

Barnick: Do you intend to take it?

Mellody: If someone nominates me, yes, I will.

Barnick: What's that?

Mellody: If somebody.....

Chrzan: Let's give it him.

Barnick: Let's give it to him. *Few speaking at once*. Because next you're going to find out a lot of other things are going to happen later on, here.

Barone: Let's have the vote first. Now, I want to say one thing. Regardless of how this vote goes, there's not a better, as far as I'm concerned, there's not a better councilman for helping the town than this guy right here, Jim Barnick. Now, Daryl said she works, granted, fine. Tommy works, Mellody works, this guy works. Now supposing he's out, which one of you's are going do everything? You all work *inaudible* going to tell me the town's not going to go anywhere because you all work.

Menichetti: How do the other towns manage?

Barone: I don't care about the other towns. *Both speaking at once, inaudible*. I'll tell you, if this guy is voted out and the one that's voting him in, the people of this town, and you could put this is the paper whatever your name is, people call me for favors, I going to be nice to people of Throop but I'm going to tell them either see one of these four people here, do not call me. Because if I go to, *few speaking at once*, do something they're going to vote against you anyway.

Larry Hartshorn: That's the big problem up there, you guys are fighting amongst yourselves.

Barone: You're right.

Barnick: And you're hurting.....

Chrzan: You're right Larry, we have to agree with you.

Hartshorn: And next year election's coming up.

Chrzan: You forget who argued with the landfill to get more money, too.

Barnick: Yeah, *inaudible*.

Barone: Okay, let's get this going here.

Barnick: But, that's his friend, so.

Morrell: I said on the signatures that it.....

Chrzan: Tax-free loan.

Morrell: I said the signatures are not a big problem. It's not a big problem for the borough, the bank has to re-type every single account and every CD. What I do when there's a change, I do the one Resolution with the change and I fax it down. I just want to make that clear, and we just sent them

back last week because that's how long it took the bank to get them all done.

Menichetti: Well, Joe, you at every meeting was bringing up to vacate the presidency last year, I was on the council then but you.....

Chrzan: Because Tommy said he was too busy.

Barone: That's right, that's right.

Chrzan: Didn't you say that, Tommy? You were too busy and you had a new friend, you said.

Barone: Come on, Tommy, tell.....

Chrzan: Come on, Tommy.

Lukasewicz: I'll tell you something.

Chrzan: Yeah.

Lukasewicz: If you really want to know.

Chrzan: Yes, go ahead Tommy. We know you.....

Lukasewicz: What was that, Tony? Go ahead, Tony. Say again.

Dolan: He worked hard.

Lukasewicz: No, you wouldn't, see that's what you, *inaudible*, but I'll tell you...

Chrzan: That's right.

Lukasewicz:one thing, as President, *inaudible*, as much I can do all the time. *Inaudible*, with everybody up here on council and everyone in this meeting room. That's a *inaudible* of a council president. All seven other people have the right to interfere, all day here, to get the borough to run properly. It's not the job of the president to run the borough of Throop. It's the job of seven individual councilmen to work as one.

Barone: Yeah, but every....*few speaking at once*.

Barnick: How many come up here and.....

Lukasewicz: Jimmy, everyone should come up here. If they don't, they don't.

Barnick: They don't.

Lukasewicz: Okay? But don't degrade me that I didn't do what I, I've been here.....

Chrzan: You told us that you didn't have time because you were too busy with your job and you had a new friend.

Lukasewicz: Never mind. *Chrzan, inaudible*.

Lukasewicz: A new what, Tony?

Chrzan: You said you had a new friend.

Lukasewicz: A what?

Chrzan: A new friend. Isn't that what he said, Joe? Joe, what did he say?

Menichetti: I never remember him saying that.

Lukasewicz: You people have problems.

Menichetti: Yeah, *inaudible*.

Chrzan: No, you have the problem. And we don't want to bring any personal problems in.....

Lukasewicz: Oh, God, Tony.

Chrzan: A couple of people had personal problems.

Barnick: Okay.

Lukasewicz: You're something.

Barnick: Let's go on. Motion #.....

Chrzan: The truth hurts don't it, Tommy?

Lukasewicz: The truth hurts?
Barnick: All right. *Lukasewicz inaudible*.
Barnick: Let's go on with the meeting.

1. Motion by Lukasewicz **Seconded by Marushock**

To vacate the President's seat.

On the question:

Barnick/Chrzan: Good luck to you.

Barnick: And there won't be nothing accomplished, I could tell you that because nobody spends the time.

On roll call:

Chrzan: Only if, I'll vote for it if Mr. Mellody takes the job.

Menichetti: Well, that's not the motion. *Unknown: No, it isn't.*

Barnick: For, if Mr. Mellody takes the job. Cause we already seen what Mr. Lukasewicz could do.

**Six in favor - Mellody, Menichetti, Lukasewicz,
Chrzan, as noted, Marushock, Barnick,
as noted**

One against - Barone

Motion carried

Barone: I just want to ask question. This question is directed at Mr. Marushock. How come a two weeks ago you voted to put the guy on, all of a sudden, *inaudible* take him out, while the guy is starting to do things again?

2. Motion by Lukasewicz **Seconded by Marushock**

To appoint James Mellody as President of Council.

All in favor

Motion carried

Chrzan: He's the president, let him take over.

3. Motion by Lukasewicz **Seconded by Marushock**

To vacate the Vice President's seat.

Five in favor - Menichetti, Lukasewicz, Chrzan, Marushock, Mellody

Two against -Barnick, Barone

Motion carried

4. Motion by Marushock

Seconded by Menichetti

To appoint Thomas Lukasewicz as Vice President of Council.

On the question:

Barnick: Do you think you're going to get any help here? I certainly hope so. I mean, like I said before...

Menichetti: I have....

Barnick: it's a heck of a job to do and..... *Barone, inaudible.*

Chrzan: He'll handle it.

Barnick: Like I said, and there's like, say, up to twenty issues that have got to be resolved that haven't been resolved in over a year and a half.

Menichetti: Well, all seven of us will resolve them.

Chrzan: Oh, you tell.....

Mellody: We'll work together.

Unknown: Why don't you just quit right now..... *Everyone speaking at once.*

Barnick: Can I finish on the question. Can I finish on the question, please? Mr. President, can I...

Mellody: Sure, Mr. Barnick.

Barnick: What people don't realize here, if you don't have that majority, what you don't realize is the time you spend out there on an issue, you spend hours and hours researching and getting all your facts together and then you come into a meeting here and they vote you down for personal reasons. That's what happens and that's what you people don't understand out here. That's what it's all about. That's why you don't get the other ones to do anything because they get voted down after they spent all that time on an issue. And then half of them don't even read the Borough Code, they have no idea of what's going on in that Borough Code, no idea, following state laws and everything else. They can't get them on the phone, how many complaints I've got from just walking in the borough where they can't *inaudible* contact him, can't contact nobody.

I'll return a call in a minute, but that's all over with now.

All in favor

Motion carried

5. Motion by Lukasewicz

Seconded by Marushock

To accept the police report, zoning report, landfill inspectors reports and the minutes of the September 30th and October 10th 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.

Dolan: The Civic Center revenue for the month of October was \$4,810.11. The checkbook balance as of today is \$1,141,851.06. If all items for payment are approved, the balance will be \$803,233.80. If all the motions tonight (\$4,859.67) are approved, the balance will be \$798,374.13.

6. Motion by Lukasewicz

Seconded by Menichetti

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

Unpaid bills:	\$338,617.26
Paid bills:	\$74,695.83
Grand total	\$413,313.09

Keystone Landfill Credit (10/15)	\$5,673.91
Home Program	\$8,653.71
Revenue Report	\$1,149,182.65
General Fund CD Matured- Deposited in GF checking account	(707,977.72)
Actual Revenue Collected	(441,204.93)

On the question:

Marushock: I have a question regarding a vendor, Atlantic Environmental, for services due for July 5th in the amount of \$18,707.96. Lenore, can you please tell me what that was for? Dolan: Here it is, it’s in regards to Elliott, Reihner (et, al), it’s for consulting services for Marjol. Do you want to see it, Geddy? *Inaudible, few speaking at once.*

Morrell: No, it’s different than Acker, Daryl. No, Acker’s what \$6,800 something, Atlantic Environmental is different. This is a firm that Doug brought in - in the lawsuit of Throop v. Gould.

Dolan: Would you like me to read the letter? It’s in regards to Thomas R. Hunt, President, Atlantic Environmental for services from June 1, 2002 to July 5, 2002 and it’s in the amount of \$18,707.26 and the check would go to....

Morrell: There was a motion passed by council to, to get him in, to get the firm in.

Marushock: Continuing on the question in the items for payment for the month of October, 2002, I will be against the invoice from Atlantic Environmental in the amount of \$18,707.26, against the elected officials part of the Blue Cross/Blue Shield bill, against the \$6,250. for the Scartelli Law

Civic Center Account	250.00
Civic Center Petty Cash	250.00
Sunny Day Fund CD's	2,184,697.83
Home Program State Grant	8,653.71
Community Revitalization (20-192-0947)	418.06
Civic Center After School Program	500.00
Warsaw Playground	27,979.62
Liquid Fuels Account	67,234.74
Grand Total	\$3,122,802.61

On the question:

Barnick: I was having a Budget Work Session coming up. What do you intend to do for the rest of the year? Do you have plans?

Mellody: At the present time, no, but I'm going to have to come up with something. We're way over budget and.....

Barnick: I just hope that you don't....*inaudible*.

Mellody: We're all going to have to get together and work on it.

Lukasewicz: How we going to sell the borough? I just want to understand this.

Menichetti: Yeah, I don't either.

Lukasewicz: I don't understand where you guys are, sell the borough out, let the people know what you mean by sell..... *Everyone speaking at once*. Lukasewicz continued: you have expenses, you spend your revenue, what do you mean by that? What do you mean by that?

Barnick: Why wasn't, wasn't.....

Lukasewicz: What do you mean by this already?

Barnick: What's wrong? What's wrong? Are you getting upset?

Chrzan: Are you getting upset, Tommy, or what?

Lukasewicz: You know what's wrong, *inaudible*, talking to you.

Chrzan: Where was the \$350,000 coming from, that's what I want to know?

Lukasewicz: We don't have it so you can't spend it. *Both speaking at once*. If you don't have it, you don't have it. *Both speaking at once*. If we spend money on other projects, you don't have a building. *Menichetti inaudible*. Lukasewicz continued: It's as simple as that.

Barnick: *Inaudible*, adopted the Ordinance, you're not opening the road, you're adopting an ordinance, we'll get to that one.

Chrzan: We're going to get to that one, don't worry about that. We're going to have fun with that one.

Mellody: Do we have any more comments on motion #9?

All in favor

Motion carried

10. Motion by Marushock

Seconded by Menichetti

To ratify the purchase of the Sunny Day Fund CD Account # 51-102228-4 in the amount of \$151,614.43 on October 19, 2002 at FNCB for one year at 2.6 % interest. (This included Sunny Day Fund C.D. Account # 51-102147-6 - \$111,559.62 that matured on October 19, 2002 plus \$40,054.81 which was 10% of the October quarterly host municipality check.

On the question:

Marushock: Elaine, I'm sure this has been verified, rates compared with other banks again?

Morrell: Yes, yes, this was the highest rate.

Marushock: This was the highest?

Morrell: Yes.

Marushock: Thank you.

All in favor

Motion carried

11. Motion by Chrzan

Seconded by Lukasewicz

To reimburse Charles Reed \$159.81 for prescriptions.

On the question:

Menichetti: Why is this on?

Dolan: It missed it, it missed it, and so did the other one.

All in favor

Motion carried

12. Motion by Lukasewicz

Seconded by Menichetti

To reimburse Marc Murcko \$354.06 for prescriptions.

All in favor

Motion carried

13. Motion by Lukasewicz

Seconded by Marushock

To authorize payment to Volpe Insurance in the amount of \$3,946.00 toward the worker's compensation policy.

On the question:

Marushock: Is this what Elaine had explained a little bit earlier this evening that we need to have a timely signing of the check and have this money forwarded so that there's no lapse in coverage?

Menichetti: What do we have to do to get rid of Volpe as the agent.

Morrell: I'm going to find out from State Workmen's Insurance Fund how we can just go directly with them take over and avoid Volpe as the agent.

Menichetti: I wonder if that would be wise in view of the fact that we're still.....

Mellody: Did you get a response from that?

Morrell: No, not yet. I faxed it down this afternoon.

Mellody: Okay.

Marushock: Elaine, will you be able to handling that checking into regarding replacing this agent and dealing directly with the company? *Inaudible*, motion to have this done?

Morrell: I have a fax down to SWIF to see what steps need to be taken to do that. Louie, Jim Mellody just asked if there would be any problem getting rid of Volpe at this point in regards to possible litigation we may have against them.

Cimini: It wouldn't effect *inaudible*, litigation, *inaudible*. Their proposal included an amount for their commission, right? A certain percentage? 3% or.....

Morrell: Right.

Cimini: Yeah, that may be an issue but other than that....

Morrell: Being that their the ones that, they actually defaulted on not starting our insurance policy on the day they were supposed to anyway.

Cimini: Yeah, I'm not, I don't think they have a good argument, that's probably the only argument, is the commission. I wouldn't, it won't affect the litigation.

All in favor

Motion carried

14. Motion by Marushock

Seconded by Menichetti

To allocate \$200.00 to Ed Bocan, Fire Marshal. (This represents ½ of the budgeted allotment.)

All in favor

Motion carried

15. Motion by Marushock

Seconded by Menichetti

To allocate \$100.00 each to Maurice Menichetti and Jerry Barone , Assistant Fire Marshals. (This represents ½ of the budgeted allotment.)

All in favor

Motion carried

Chrzan: Let me ask you a question. This Maurice Menichetti, *inaudible*, councilman by any chance?

Menichetti: Yes, he's my nephew.

Chrzan: Okay, and you're voting on it.

Menichetti: *Inaudible*.

Chrzan: I'm only asking a question.

Menichetti: Mr. Cimini, he's not, *inaudible*.

Cimini: Right.

Chrzan: I'm only asking a question, that's all. What are you getting nervous for.

Cimini: You can vote.

Menichetti: Okay.

16. Motion by Chrzan

Seconded by Barone

To specify and approve the civic center pay rate for newly hired monitors will be \$6.50 per hour and for newly hired monitors/assistant group supervisors will be \$7.00 per hour effective immediately.

On the question:

Barone: What's newly hired monitors and assistant group supervisors?

Gail Ercoli, Civic Center Director: Assistant group supervisors are people who meet the qualification to work with the children downstairs, not an A.D.

Few speaking at once.

Dolan: Excuse me, Mr. President. Do I have a right to ask you a question about this one or do you want me to wait until you vote. It's up to you.

Mellody: It's on the question, go ahead, yes.

Dolan: Could I? I don't agree with it. I don't agree with this at all. Only for the mere reason is, now this is just my opinion only, it's based on a job, not a person. A monitor, if there's two monitors they do the same job so you can't pay one \$6.50 and another one \$7.50, in my opinion only, because you're not going to get the satisfaction as two, as the one working for \$6.50 vs. \$7., or \$7.50. I was against this, this came to our, many times across our table. Another reason I'm against this is if you do this for one then why don't you do it for other qualified people in the borough like the landfill inspectors. They start at the same rate as a person leaving 'cause they go in and do the same job. To me, I'm basing this \$7.50 on the job, not the person, job. And I believe that they're all, over there, equal. Now, if this does get approved I think the ones that are going to get hurt on this are the older ones that are there the longest because if you're watching your budget, you're going to take a person for \$6.50, opposed to the \$7.50 that they're making now and that's not fair to them either like, again I said, I think this is a job, not the person. It's a monitor job just like a landfill inspector job. They get a certain rate, if somebody quit, they go in with that rate, thank you. It's just my opinion, thank you.

Mellody: Did we set any time frame on how long we pay, *inaudible*, considered newly hired.

Morrell: Next budget is what council mentioned. Council mentioned like any changes not until the next budget like next year. Council can change any time they want, they could pass a motion.

Marushock: This would be for newly hired, the people that are on *inaudible* would stay where they are.

Dolan: Right, and if you're son or daughter came in they would come in at a \$1.00 less but do the same job.

Marushock: Correct. Yeah, but this, we're trying to establish a rate where someone would not come in and be making the full rate as someone.....

The tape was changed here and started:

Dolan: That's true, but that's....

Barone: *Inaudible*, if we hire a monitor, just a plain monitor.....

Dolan: Excuse me, they only can't do it because of age. Age is a factor downstairs, that's all, not qualifications, it's age.

Gail Ercoli, Civic Center Director, inaudible.

Dolan: Age, age is the factor.

Mayor: Excuse me just a minute, let me tell you something, rates are not based on jobs. They're based on job descriptions, responsibility, that's the core.

Dolan: Well, you're right, you're right, Mr. Mayor, you're right and they all have the same responsibilities.

Mayor speaking, inaudible: If they're going to do extra added duties then they get more money.

Dolan: Absolutely.

Mayor: Just like in the government, if you're a GS-1, you're there typing, if you go to GS-2.....

Both speaking at once, inaudible, Barnick, inaudible but started: You have people that have been there for four or five years, as long as it's been open. They going to stay at a rate of \$6.50 an hour or whatever.....

Dolan: They get \$7 something.

Barnick: I'm sorry, no, they're new ones coming, they're new.

Dolan: Yeah, they're going to stay at \$6.

Barnick continued: They need to start at the bottom and work their way up and that's it, that's everywhere you go, it's longevity, seniority, time and time in service, I mean.....

Dominick Rocco, speaking, making inaudible.

Morrell: Even our part time police officers.

Barnick: I was just going to say, even the police officers, they start at like \$28,000 grand....

Dolan: Well, then why don't you do your landfill inspectors like that? They started new, they went in at the same rate.

Barnick: It wasn't adopted. None of this stuff was adopted.

Dolan: Oh, okay, all right. See, because I based on the job.

Barnick: They, *inaudible*, to get raises, though.

Dolan: I think you're going to have problems, I really do, and that's all I'm stating it on tape.

Menichetti: The landfill inspectors don't get raises, Lenore, where these employees do. So you can't, if there's someone's been working for five years and making \$10 an hour, it's not fair to have somebody just start work and get \$10 an hour, it's not fair to the people that have been working there a long time.

Dolan: But then, Daryl, they should all have job descriptions and the ones getting \$10 should be responsible for more, *someone speaking in background*, they should be responsible for more and then I'll agree with you but over there that's not how it is. When you put two monitors on the floor, one doesn't do more than the other, they both work together.

Morrell: There's some people over there that work a lot harder.

Dolan: Absolutely.

Speaking in background, inaudible.

Morrell: At every place, every company, yes, every company you have some employees who work harder just in general.

All in favor

Motion carried

17. Motion by Marushock

Seconded by Mellody

To cancel the meeting in Philadelphia with USEPA Region III, Regional Administrator Don Welsh on Friday, November 8, 2002 - 10:00 a.m. to 12 Noon - RE: Marjol Battery Site. (To notify Attorney Doug Blazey not to attend this meeting if there will be any cost to the borough.)

On the question:

Menichetti: Do you think maybe we should go and just have Gannett Fleming go through all of this? If we don't know when we're going to get these people back again.

Marushock: I believe what we were trying to do is set up a meeting here.....

Menichetti: I know, but that didn't materialize.

Barnick: I know this meeting's been going, it's supposed to be going on for months, Mr. Lukasewicz sat here in the meeting and said he was going to attend this meeting with the engineer...

Menichetti: He did say he was going to go.

Barnick continued:and Doug Blazey, exasperated by it, then they asked me if I was going and I said no, I cannot make it, period, I cannot make it. Then he said the other night he couldn't make it, he wouldn't be able to make it. *Barnick/Lukasewicz both speaking at once.*

Lukasewicz: The other night I said I would go.....

Chrzan: You wanted to know who was going.

Lukasewicz: ... want to know what's going on with this meeting, is it just going to be me going and no one else wanted to go and *inaudible, few speaking at once.*

Marushock: *Inaudible*, comment that he did not want to attend this meeting as a lone borough councilmen.

Barnick: Well, then maybe Mr. Mellody will go on it. *Chrzan: Maybe the new president should go.*

Barnick: Hey, why not? Start, Mr. Mellody and Mr. Lukasewicz should go. *Chrzan: Daryl will go.*

Barnick: Don't cancel it, why not? *Everyone speaking at once.*

Mayor: What did Susan Shortz say, they went down a year ago, and nothing ever happened. *Dominick Rocco speaking at the same time as the Mayor, inaudible, inaudible, everyone speaking at once.*

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

Two against - Menichetti, Lukasewicz

Motion carried

Elaine Morrell explained that this meeting was primarily for Gannett Fleming to give a presentation.

18. Motion by Chrzan

Seconded by Barone

To ratify the allocation of an additional \$129.48 for David Morrell toward the expenses to attend the training for Host Municipality Landfill Inspector. This training course was a 5 day course and not the 3 day course. The total expenses were \$629.48. All receipts were submitted to the borough.

On the question:

Marushock: I will again be voting against this motion, I voted against the original \$500 expense of that and it's simply nothing against Mr. Morrell, he's a fine individual, however, if there was an opening or we were going to hire a new landfill inspector, I feel that all citizens of the borough should have been appraised of the opening that perhaps other people may have been interested in that position. That is my reason for voting against that motion.

Barnick: I don't think we're hiring Dave.

Chrzan: We didn't hire Dave. *Both speaking at once, inaudible.*

Marushock: For the expense.

Chrzan: *Inaudible*, in case somebody got sick, so if somebody gets sick Dave could fill in for them.

Marushock: Just as I explained.

Barone: The school was closed anyway. They're not taking anymore because the school's not going to teach anymore because there aren't enough *inaudible*.

Morrell: Until May, the class has been postponed until May.

Barone: Can't get a better guy than Dave, *inaudible*.

Chrzan: He was #1 in a class of three, right Dave?

Five in favor - Menichetti, Lukasewicz, Chrzan, Barnick, Barone, Melody

One against - Marushock

Motion carried

19. Motion by Marushock

Seconded by Lukasewicz

To approve Change Order # 7, pipe cleaning, (Increase \$2,635.00) regarding the CDBG - Warsaw Section Storm Sewer Project and to approve Change Order # 8 for a time extension (12 days) due to inclement weather, **as per the recommended approval of the borough engineer and street commissioner (approved by county).**

Chrzan: What is change order #7, and what's change order #8, I don't know.

Morrell: #7, Robert said it's in regards to pipe cleaning and #8 was just to extend 12 days, no change in cost, just to extend 12 days because of inclement weather.

Chrzan: *Inaudible*, \$2,635., what's that?

Morrell: That was for the pipe cleaning, whatever change order, whatever pipe cleaning needed to be done on #7.

Chrzan: Does that come out of the CDBG funds?

Morrell: Yes, and the county has already approved the change order but council does want to also vote on change orders.

Marushock: This is with the recommendation of the borough engineer and the street commissioner?

Morrell: And the county.

On the question:

Marushock: Just so we have for the record that it is with the recommended approval of the borough engineer and the street commissioner.

All in favor

Motion carried

20. Motion by Lukasewicz

Seconded by Marushock

To authorize St. Paul Mercury Insurance Co. to accept the settlement agreement regarding the Vincent Cesari III vs. Throop.

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

Two against - Menichetti, Mellody

Motion carried

21. Motion by Marushock

Seconded by Menichetti

To authorize the President of Council to sign the "Settlement Agreement and Release" in the amount of \$16,500.00 (to be paid by several parties) from premature activation of fire protection system on May 29, 1998 at the Civic Center.

Menichetti, Barnick, Barone, Marushock, Mellody

**Abstain - Lukasewicz, does not know much about this and Chrzan,
does not want to get involved**

Motion carried

Barone: Wait a minute, hang on, go back on the question on this. Aren't they supposed to cover those sprinklers over there?

Morrell: You mean put guards on them?

Barone: Yeah.

Morrell: Robert checked into it and I don't even know with who but there are some people that says that the guards around it may affect the way the sprinkler is going to operate.

Chrzan: Obstruct it.

Morrell: Exactly, they would obstruct it.

Chrzan: Is that the right word?

Morrell: Yes, that's the word.

Barone: In other words, what they're saying is you can't put any kind of guards on there.

Morrell: Right.

Marushock: Maybe what we need to do to eliminate this problem from happening again is just limit the type of games or activities that are conducted inside of that facility.

Dolan: It's a basketball court, Mr. Marushock. *Few speaking at once.*

Chrzan: Don't let the kids in there, that's what.....

Marushock: What I'm saying is that, *inaudible, few speaking at once*, damage was caused by a baseball, baseball should not be played indoors at that facility, stand a chance of doing this type of damage, it's that simple, *inaudible, few speaking at once.*

Dolan: Ged, it was an indoor ball, it wasn't a baseball. I think it was just a freak accident, it really was, the way it hit. You know the chances of you hitting that again? I mean, I know you need insurance, the borough.....*few speaking at once, inaudible.*

Mayor: Well, the adult basketball league plays eleven out of twelve months of the year, I heard.

22. Motion by Chrzan

Seconded by Barone

To authorize Chief Furiosi to purchase the Extended Warranty Agreement for the 2003 Ford Crown Victoria at a cost of \$1,600.00 for 5yr./100,000 miles. (No deductible.)

All in favor

Motion carried

23. Motion by Marushock

Seconded by Menichetti

To send a letter to Lackawanna County regarding the intersection of Sanderson St./Marshwood Rd. and Underwood Rd. in reference to the letter from Penn DOT.

On the question:

Chrzan: What's that all about? *Few speaking at once, inaudible.*

Marushock: This is something that needs to be addressed and the stop sign, where the stop sign is currently in place there's a problem. People *inaudible* come to the intersection and proceed forward and the people coming down Marshwood Road....

Chrzan: Well, that's near Bolus'.

Marushock continued..... have no stop sign whatsoever. It's a situation that needs to be addressed and somehow you've got to get the county involved, the state involved, whatever. We need to move forward to make improvements at that intersection.

Mayor: Or there will be a disaster. *Marushock: Exactly.* Mayor: There really will be a disaster there.

Marushock: We've had a couple of close calls there already. *Everyone speaking at once, inaudible.*

All in favor

Motion carried

24. Motion by Marushock

Seconded by Barnick

To adopt Throop Borough Resolution # 21 disputing Lackawanna County's decision to use the landfill post closure fund. (A copy of the resolution will be sent to the county.)

On the question:

Barnick: I know you've read about Taylor disputing the same, use of that 8.1 million dollar fund. That was money that was collected off a per ton fee, .25 cents. Prior to 1999, it used to be where the county and the municipality, when that landfill closes, it would be split between them but in '99 the law changed and gave all the authority to use that money to the county. Well, instead of giving a tax increase because, I don't know they're failing, their election is one reason, but they're failing to, the county cut the cost in the county, they're going to use this money and *inaudible* the taxes. But you have an appeal that's been out there with Mid Valley on the assessment of that place which would bring in almost a million dollars a year. That's been sitting there almost a year and a half. As a matter of fact, the hearing's coming up on November 12th at noon and no decision is still going to be made

and I could just about bet it ain't going to be made before the next election either because it's such a controversial issue and so much pressure involved, it's not going to be made. And I just hope this whole borough supports Mid Valley and gets down there in an effort to collect as much as possible on that landfill.

All in favor

Motion carried

Barnick: I've got to say just one more thing. You know, that fund there should have been a safety gap right there or something like if what happened with Marjol. That money should be sitting right there, that's from both landfills, that's from the Empire and Keystone (Sanitary Landfill). Well, they say there's bonds that cover it. Them bonds, look at the problems we're having just to get the bonding company in here just about the project in the Boulevard. Just to get all the problems fixed related to that project. So, the bonds to me is a bunch of propaganda. They should not be using that money, that should be a safety valve right here, for these landfills. If something major was to happen up there, that money's there in reserve and that's the way it should stay. I mean, look at Marjol, the amount of money. They said they could use it for three different issues. One was recreation, the other one was environmental and there's one more. The biggest environmental disaster in the whole county is sitting right here in Throop but, are they going to pay the money that they promised us, the twenty something thousand dollars? Haven't seen a dime of it yet. That's it.

Chrzan: You're not going to see it, either.

Barone: If Jim stays out of Scranton, then we'll get it.

Barnick: That ain't going to happen either.

25. Motion by Marushock

Seconded by Barone

To authorize Attorney Louis A. Cimini, Borough Solicitor to prepare and advertise an ordinance establishing a Speed Limit 20 MPH on Coppernick St.

All in favor

Motion carried

26. Motion by Chrzan

Seconded by Barone

To authorize Robert Kalinoski to purchase various needed signs: stop signs, speed limit and street names.

All in favor

Motion carried

A short discussion took place with regard to house numbers.

27. Motion by Marushock

Seconded by Lukasewicz

To authorize Robert Kalinoski to have the Packmaster repaired, replace the entire carrier panel assembly, at an approximate cost of \$ 2,993.93 plus labor, installation, any pins, rollers or bushings.

Marushock: Both of them have the stipulation in there, if additional parts are needed, it would be an additional cost. *Few speaking at once, inaudible.* The motion that is made is to replace the entire carrier and not piecemeal it.

All in favor

Motion carried

28. Motion by Barnick

Seconded by Chrzan

To include the following proposed sanitary sewer projects on the “Needs Assessment” for the CDBG Grant: Meade St. as the priority, Mary St., Goodman St., the rear of the 500 block of Charles St. by the tracks, and Eddy & Franko Streets.

All in favor

Motion carried

29. Motion by Marushock

Seconded by Lukasewicz

To amend the 2002 Budget as follows:

Decrease the income by \$340,000.00:

Decrease Keystone Landfill Revenue from \$2,400,000.00 to \$2,060,000.00.
(Host Municipality Fee)

Decrease the expenses by \$340,000.00:

Decrease - Land Development (48 acres) from \$250,000.00 to Zero.
Decrease - Garage/Salt Shed from \$250,000.00 to \$160,000.00

On the question:

Barone: I don’t understand this, to decrease the....oh, okay, go ahead.

All in favor

Motion carried

30. Motion by Lukasewicz

Seconded by Menichetti

To authorize the following 2002 Budget transfers:

Budget Amount to transfer:	Budget transfer from G.L. #:	Budget transfer to G. L. #:
\$4,000.00 Total \$4,000.00	# 480-31900 - Miscellaneous	# 480-16200 PA Unemployment Compensation
20,000.00 5,000.00 10,000.00 10,000.00 15,000.00 Total \$60,000.00	# 409-37301 - Improvements # 414-31004 - Planning Consultant # 414-31302 - Planning Engineer # 436-31002 - Planning Consultant Sani/Sewers # 454-24000 - Recreation	# 480-31300 - Engineers Expense
\$213,137.59 Total \$213,137.59	# 480-45002 - Marjol Expense	# 480-45005 - Marjol Gannett Fleming
\$157,500.00 12,000.00 Total \$169,500.00	# 432-24502 - Garage/Salt Shed # 480-35100 Borough Insurance Package	# 480-45002 - Marjol (Blazey) Elliott Reihner Siedzikowski Egan) <i>This G.L. line is still over budget. When the Throop vs. Gould settlement is received we can make another adjustment.</i>

On the question:

Marushock: I will voting against the second, I'm sorry, the third fourth rows of transfers (pertaining to Marjol).

Six in favor - Menichetti, Lukasewicz, Barnick, Barone, Marushock, for the first two only (as noted), Mellody

One Abstain: Chrzan, Does not know nothing about it. Motion carried

31. Motion by Marushock

Seconded by Menichetti

To adopt Throop Borough Resolution # 22 changing signatures on all bank accounts and CD's. (President, Treasurer, Administrator/Secretary and Vice President signs in the absence of any of the three. Three signatures required.)

All in favor

Motion carried

32. Motion by Chrzan

Seconded by Barone

To make/authorize payment to Scranton Craftsmen, Inc. for the South Valley Avenue Project upon the approval by the engineer.

On the question:

Marushock: I'm not quite sure Mr. Chrzan can make that motion. I have observed his son working on the project down there as a sign man. Is that a conflict of interest?

Chrzan: The man's been working there for years for them *inaudible*.

Barone: I don't think it's a conflict, the only time I think it's a conflict is, *everyone speaking at once*.

Chrzan: I won't vote on it. Your brother works for DeNaples but nobody says anything.

Marushock: My brother does not work for.....

Chrzan: One of them works, one of your relatives works up there.

Marushock: You're correct, he does.

Chrzan: Who does?

Marushock: My nephew.

Chrzan: Your nephew, but you still vote on things for DeNaples.

Marushock: He's not an immediate family member.

Chrzan: He's not immediate family? *Everyone speaking at once, inaudible*.

Lukasewicz: I'll make the motion.

Mellody: Tommy made Motion #32.

Lukasewicz: There's already a second.

Chrzan: And his family does things for DeNaples, nobody says a word, you hauling garbage? We've got pictures of your family hauling garbage. *Both speaking at once*.

**Six in favor - Menichetti, Lukasewicz, Barnick, Barone
Marushock, Mellody**

One Abstain - Chrzan

Motion carried

Dolan, Treasurer, asked for clarification, that this could be paid as soon as it comes to her desk.

33. Motion by Barnick

Seconded by Lukasewicz

To adopt Ordinance #13 of 2002 for the Ash Street West Extension.

On the question:

Marushock: That was to open that road, correct?

Mellody: Yes.

Barnick: This is to open an access with the 48 acres. Nobody saying how far they're up, nobody is saying the road is going to be opened either. It's going to months and months. But this is the lot that opens the road, that's all it is. I doubt you're even going to have the money to open the road, inaudible.

Four in favor - Lukasewicz, Chrzan, Barnick, Barone,

Three Against - Menichetti, Marushock, Mellody

Motion carried

34. Motion by Marushock

Seconded by Mellody

To authorize the payment of a \$500 reward for the arrest and conviction in reference to the vandalism at the Washington Street Playground.

All in favor

Motion carried

Barone: Yeah, I'd like to know what we're going to do with this land over here. I went after Mr. Rinaldi *inaudible* to submit to a meeting for a year and a half. We had a meeting with Mr. Cimini and Robbie Kalinoski, now if you're not going to do anything, *inaudible*, you're making jerks out of us. If you want.....

Menichetti: Would he be willing to wait until we get money.

Barone: We won't know unless we talk to him. What I'd like to see him do is have him hire his own appraiser and have him appraise it and then we can go from there.

Marushock: I believe the asking price that was asked for that parcel of property was \$100,000 of which \$25,000 would come back as a donation for Civic Center. However, the appraisal that was done on that, I believe the appraisal come in at \$31,000. Now, evidently the property owner is in disagreement *with that appraised value*. If he would like to get perhaps his own appraiser and see if it's in the same ball park as far as valuation of that land - maybe that's something we need to do before we spend that amount of money. I'd like to keep the ball rolling, however, I cannot see spending \$100,000 when the property was only appraised at \$31,000.

Barone: You're actually only spending \$75,000.

Marushock: Okay, but still we're almost, we're better than two times the fair market value on that parcel of land.

Barone: I'd like to see him, if that's okay with council. Have him, I'll talk to him and let him get his own appraisal. *Dominick Rocco interrupting, speaking in background*. I think the man's entitled to

that, I mean, he's the one, we called him don't forget, he didn't call us.

Dominick Rocco: Yeah, but is that part of the dump or is that the dump?

Barone: Well, part of the dump is included, I would imagine.

Rocco: What is it going to cost to get rid of that dump.

Barone: We don't know, we've got to figure this out. *Inaudible, everyone speaking.*

Marushock:willing to do that, let's get that done and do that in comparison with the evaluation that we have got so far to see where we are, if there's a big difference.

Lukasewicz: See, you have to look at it from a different aspect. Fair market value, that's a value of a certain individual and what they wanted for it. What we want it for, it's beneficial to us, even if..... *someone speaking, inaudible.....* partly because it's so close to this building in proximity. So maybe it's not worth it to you or someone else but to me it's worth... *few speaking at once, inaudible.*

Barone: Not only that, we're going to take the salt away from the Little League, correct? You're going to have it covered and you've got \$200,000 worth of equipment that won't be sitting outside - maybe more.

Marushock: As far as that property, it would also require a substantial amount of money, in my estimation, to remove it.

Lukasewicz: Only if we *have* to move it. Why do we have to move it? It's been there forever.... *Everyone speaking at once, inaudible.*

Barone: Maybe he'll move it, let's just talk to the guy. The worst he could say is no.

Marushock: Well, I'm not saying we're not *inaudible*, don't misunderstand me. I would love to see something come to reality here. It's the best location in my estimation. Forget whatever happened up in the Industrial Park, that's behind us. *Barone/Marushock speaking together.*

Barone: Larry, let me ask you a question. Down that acreage he has, *inaudible*, where you could push that stuff *inaudible* instead of hauling it away? *Hartshorn response inaudible.*

Lukasewicz: What you should do is *inaudible* stipulation that if we do purchase this from him and he in the future develops his land... *inaudible, coughing heard, everyone speaking at once.*

Morrell: Wasn't he supposed to take that dump down?

Barone: Huh?

Morrell: Wasn't he supposed to take that culm bank down?

Chrzan: Within two years, and when he purchased it for \$15,000.

Morrell: Why don't you see if he'll take the culm bank down?

Chrzan: \$12,000. \$12,000, I'm sorry. *Marushock speaking, inaudible.* Chrzan continued: It's 2-3% combustible too, remember that.

Barone: You want to go down and talk to him, Lou? Set up an appointment, *inaudible*, and even Robbie, because Robbie knows exactly what has to be done down there and he knows the legalities and we'll go from there.

Hartshorn: How much are they going to give you? He promised to take that dump out of there before.

Barone: How much acreage?

Hartshorn: What is he going to give you back to take that dump out of there?

Barone: Is that okay with council? All right, well we'll call him up tomorrow?

Lukasewicz: Stanley, are you all set up for Halloween night, do you have enough officers on, additional police, if needed? *Few speaking at once, inaudible.*

Chrzan: Are you going to wear a mask that night, Mayor?

Barone: I got a call again from the people in the Boulevard, on Pendel Street, on that fence. They're complaining all *inaudible* can't get into their yards. Are we going to do anything about it? Go down and look at it?

Rocco: Well, that's too bad. Everybody else likes to have a driveway too, a place to park.

Mayor: Yeah, me too.

Rocco: We spent thousands of dollars to put that in there, it would take thousands of dollars to get rid of it.

Barone: Well, they're not going to sell you any land and if.....

Rocco: We don't want to sell it.

Barone: ...they do, what do you think they're going to ask for it, Rocco?

Rocco: Huh?

Barone: They're not going to sell you a piece of their land to open that up. What do you think they're.....

Rocco: They don't have to. What makes you think they have to open it up?

Both speaking at once, inaudible.

Rocco: Everybody wants to get in their back yard.

Barone: Anything to help those people down there.

Marushock: We had a plan in place originally *inaudible*, before fences were put in place. I believe we had all the parties involved in agreement with the original proposal. One of the parties *inaudible* is now deceased. What that was, was if we didn't access across that first property then actually we weren't going to have it across for them all. Are the survivors of that deceased individual willing to renegotiate or perhaps open that and maybe at the people's expense down there, they could put a gate in where they could cross over that first property where the original site was, without making any other changes, without having anyone trespass over the field or anything else that's there.

Barone: In other words, you want them to give you 10' of their property.

Marushock: But they are benefitting..... *Rocco, interrupting.....* Marushock continued: They are the benefactors of that. They're all going to win in this and I believe originally they were all working together, including the first property owner. For some reason later on in the negotiations the original, the first property owner there, backed out of the original agreement. Am I correct in that statement?

Hartshorn: Isn't there an 8 or 10' barrier there between the Tiffany Estates and.....

Few speaking at once responding, no.

Marushock: But what had happened is as per the original agreement, the first property owner was going to give everyone above him access to cross over his property. The second property owner would likewise do the same, and the third and fourth and on up and down the road and everyone would benefit from it. After the people backed out of the original proposal we had changed plans *inaudible* to have the plans withdrawn.

Barone inaudible, everyone speaking at once.

Chrzan: I wanted to either sell it to them or give it to them, it's wasted anyway. No, you people want to charge them, *inaudible*, put a gate up.

Marushock: The way it is right now *inaudible*, they're going to have to probably cross over the existing..... *inaudible, everyone speaking at once.*

Barone: What he's saying is he.....*inaudible*..... they screwed them people... *everyone speaking at once, inaudible*.

Mellody: I'd like to take audience comments at this time.

Chrzan: The what?

Mellody: I'd like to audience comments at this time.

Chrzan: *Inaudible*.

Barone: That's the.....

Chrzan: I was ready to sell that land to them or give it to them because it was a waste of time.

Barone: Well, that's the one at the top, *inaudible*.

Chrzan: Right.

Inaudible, few speaking at once.

Morrell: Jim, I have one question in regards to the bills we received from Third Party Solutions in regards to Marc's prescriptions. Louie, do you know what we should do on that? The bills came here.

Cimini: No, I had spoken to him, I spoke to them last week, *inaudible*.

Morrell: Right.

Cimini: Yeah.

Morrell: See, the bills came here. Originally we thought that Workmen's Comp would cover the prescriptions, they did not. They have called us for payment and Blue Cross and Blue Shield won't cover it, you have to pay so much up front and then they'll reimburse 80% or whatever under, I think, it's Major Medical. It's over \$1,000. and Marc's deductible is not going to be met until he meets \$500, he has a few hundred here now, but they did make him pay cash for the bills last time he went. Any decision on what to do with those? They did call again.

Barone: Jim, are you (?) going to have Mr. Marushock go down and see all the people down there and see what he can get out of them.

Mellody: Yeah.

Mellody: Mr. Murcko's prescriptions, do you have any comments on that?

Menichetti: I'm waiting for, Mr. Cimini, is there any advice?

Lukasewicz: How do you advise, Attorney Cimini?

Cimini: I don't know.

Dolan: Council has to pay, don't they? They have to pay them.

Cimini speaking inaudible, Dolan was talking, but started: Everything's going to take a while, I mean, without payment, there's going to be a problem, for Marc.

Dolan: That's right.

Barone: So we should pay them.

Menichetti: So should we pay them and then try and.....

Cimini: I mean, in his best interest, it would be interest *inaudible*, but don't expect reimbursement any time soon.

Few speaking at once, inaudible.

Morrell: Maybe from now on though, he could pay it and he'll get the money back from Blue Cross and Blue Shield but he's not going to meet his deductible unless the first parts are paid. I don't know what to say.

Cimini: It's a mess.

Barone: Well, until we figure it out I think we should still pay for the guy, man, he put his years into the borough, don't throw him out to the wolves now.

Morrell: And I have to tell you, Marc has never in all the years of his prescription plan.....

Dolan: Used it.

Morrell: Used one dollar, in all the years never one dollar.

Chrzan: Louie, should we be discussing this now or.....

Dolan: This is the first year.

Menichetti: Are they due now?

Morrell: They're past due, they're past due. These bills are from August when the original.....

Dolan: How much money we talking.....

Morrell: It's over \$1,000 - it's about \$1,100. \$1,100. and some.

Lukasewicz: I'd like to make a motion to pay the bills.....

The following motion failed, as follows:

35. Motion by Lukasewicz

Seconded by Barone

To pay the prescription bills for Mr. Marcel Murcko, Third Party Solutions.

Barone: I'll second that, the guy needs the meds. I don't want to see him die without medicines.

Mellody: Lukasewicz made the motion, Daryl seconded it, on the question? Roll call.

Morrell started roll call.

Chrzan: How about audience comments?

Lukasewicz: Yeah, Jim, let's have some audience comments first on that motion.

Audience Comments on Motion #35:

Galli: Why is this, does he have a prescription plan with the borough? Is that, I'm confused on why it's not being paid in the first place. Does he have medical coverage?

Chrzan: I don't think we should discuss that, Louie.

Galli: Well...

Chrzan: No, there's a problem, Frank.

Galli: Well, I don't know, that's why I'm trying to figure it out here. I mean, everybody, I know.....

Mayor: How's your coverage at the time? Is it pretty good?

Galli: My coverage at the....

Mayor: Yeah. Well, why should we, but why should we, what I'm trying to get at - why should we delve into this now, it's personal. *The tape was changed here and started:*

Morrell: Volpe Insurance.

Galli: obviously paid, it's, I don't know. But that was my question, I'm sitting here trying to figure out how this happened.

Morrell: Progress, that was the progress over the last year.

Galli: That was my question. I mean, I'm not, it's, I just don't know how it happened.

Mayor: ...on the spot, you know what I mean? And he's hurting, Marc, too.

Galli: Well, Mayor, I don't doubt it, he's a good man, I don't have a problem with that. My concern was as a citizen, I'm thinking, *inaudible*, our police don't have any medical coverage.

Morrell: No, Frank, bottom line, Volpe did not file for the new insurance police, the new coverage, when they've been our agent for several years now and the insurance policy comes into effect August

1st. They did not file for the new coverage until August 5th. Marc was injured on August 3rd as a Volunteer Fireman who is covered under Workers' Comp.

Rocco: I think they should pay it.

Marushock: Definitely, my only question is as an elected official do we have the legal obligation? What is our legal duty here? To do, I don't want to see anyone suffer, however.....

inaudible, interrupted.....

Unidentified person said, pay it and go after it.

Marushock: But what is our legal stance here and are we doing the right thing in approving them or are we doing the right thing in not approving it? We're in the middle, always.

Galli: Well, the way I look at it is if you don't pay it and he gets a lawyer, he can sue.

Marushock: Right, I mean.....

Barnick: I'm not the one signing the checks.

Marushock: Pardon?

Barnick: I won't be the one signing the checks.

Marushock: That's beside the point in this. The fact of the matter is he's been a borough employee for what? About twenty years or there? Okay? A very loyal employee.

Barnick: I understand that but when the meeting was on Monday, you sign the check on Tuesday, it went out Tuesday, it would have been there a week ahead of schedule.

Marushock: In my opinion, *both speaking at once, inaudible*, with the agent who was at fault, that's a whole different story there.

Chrzan: The check didn't get there on time.

Morrell: The check got there. Wait a minute, wait a minute. The check got there on time.

Barnick: On a Saturday.

Chrzan: But it wasn't transferred to the right place on time.

Morrell: The check got there. It may have got there on a Saturday, we can't control the mail.

Chrzan: Well, why wasn't it signed on Tuesday?

Barnick: But, Elaine, if the check was signed....

Morrell: Because I was.....

Barnick:on Tuesday, the day after.....

Morrell: Because Elaine Morrell....

Barnick:meeting, it would have been fixed already, there wouldn't have been a problem.

Morrell: Oh, Jim. I have to disagree with you on this.

Barnick: I'm sorry.

Morrell: Elaine Morrell was in deposition over in Gould and Elaine did not sign it that day and when it went in the mail it was, it....

Barnick: So it was signed on Wednesday.

Morrell: It went right in the mail, it did. *Barnick speaking, inaudible*. Morrell: No, it did.

Barnick: On Thursday.

Morrell: It did, it did. That's what I'm trying to tell you. I personally put it in the mail. Dominick Verrastro.....

Barnick: But on Thursday.

Morrell: But we're on the question but Dominick Verrastro did not say, Elaine, I need this check today, I need this check immediately. Jim, we would have called him up, picked it up, we would have hand

delivered it, we would have taken it to SWIF, so I can't say it was check signing. In all the other years, last year I checked back, their first check, police was effective August 1, they never got the check until, I faxed it to you, August 22nd? August 22nd.

Barnick: But we weren't with that other company.

Morrell: But we were with Volpe. We were with the same agent, this same agent....

Barnick: Same agent but a different insurance company.

Morrell: But Jim, they did not tell us.

Barnick: *Inaudible*.

Morrell: They did not tell us. This is definitely, absolutely, not the borough's fault. It's not the borough's fault.

Galli inaudible.

Morrell: It's the agent.

Everyone speaking at once, inaudible.

Barnick: I disagree. I'm sorry, I disagree. Once a determination is made on what to do with it *inaudible*.

Mellody asked for roll call:

Three in favor - Menichetti, Lukasewicz, Mellody

Four Abstain - Chrzan, because legal problems are going to develop and I don't want to go to court again. **Barnick**, because there's too much involved and there's not enough facts set in the record.

Barone, same. **Marushock**: Because there's not enough knowledge and facts to vote on it.

Motion failed

Barnick: What matters is the man is getting paid every week, right? That's it. He gets his prescriptions reimbursed, what are you worried....

Morrell: But why aren't we reimbursing this one then? Why aren't we paying it? Then why don't we pay Marc and let him pay it? This is a prescription for over a \$1,000, Jim.

Menichetti inaudible.

Chrzan: What does it say in the Union Contract?

Morrell: They have \$1,000. They have \$1,000 under the Police Contract and the Motion, we're paying the one because he did an out of pocket expense of whatever it is, \$300 and some. \$354.

Dolan: Louie, what do you say?

Morrell: Then he's still entitled to \$600 and some dollars.

Few speaking at once, inaudible.

Marushock: *Inaudible*.

Morrell: Oh, I'm not telling you to change your vote, I'm just telling you my opinion.

Mellody: Back on audience comments.

Frank Galli, 609 Kossuth St. - Gentlemen, *inaudible*, everybody's got to work together. I wish you luck, Mr. Mellody, in your new position as Council President. I hope you have the time to put in for this job, I don't know if you do or whatever. I just hope you do some *inaudible*. Once again, it's a

situation where not everybody's going to agree on everything in life and that's a fact of life, okay? Everybody has difference of opinions and it seems like once again we go with this oh, he did this and did that and we're going to get even. You've got to stop that, both ends, it's got to stop. Otherwise, we're just going to end up with major, major, problems here. It's got to stop, it's better for the people of Throop, you guys have to work together. Everybody's been elected by the citizens of Throop, we expect you, as citizens, to work together not he said, she said, he did this, he did that, I did this, who didn't do this, who did this. It's coming, I mean, it's coming to a head. I mean a perfect example is we almost ran out of money this year and there's no way you can tell me that this town is going to run out of money. I mean, I know the landfill is cut (income), sometimes you have to tighten the belt a little bit, *inaudible*. But you guys got to get up there and start working together and it's just not happening and I mean, we all disagree, we're all citizens of Throop, we all live in the town, we all have families in town, it's time that we all put our differences aside and start working together.

And the other thing I want to recommend is, I know you have a new budget, I don't even know if the budget's been approved or whatever, I think this council chamber needs a refurbishing. I think it's long overdue for refurbishing. I mean these chairs are from the old Throop High School and I think it's, a little sprucing up here, a little brightened up, maybe we won't have the big arguments that we have.

Everyone speaking at once, inaudible. Serious, I think you should look into remodeling the chambers.

Barone:new heat and air conditioning system, that's what it needs.

Morrell: Frankie, do you remember the old metal chairs that were twisted and broken.

Galli: I'm just telling you's, you might spruce the place up, make it a little bit more joyful. Maybe we won't have as much temper *inaudible*.

Dominick Rocco, 110 Sanderson St. - I just agree with Frank, you've got to work together. This fighting back and forth you know, we're hurting, we're all going to hurt. Not you guys, the citizens of Throop are going to hurt. Work together, put everything to sleep, work together, you know? That's the only way anything is going to be done. You guys are fighting too damn much, all you do is open your mouth, the other guy's down your throat. That's for all seven of you. Work together, do something.

Joseph Wargo: I was here during a work session, it wasn't too long ago and I asked council if they could help us, the Scouts (the trailer), and they recommended me to Robbie. Robbie gave me an answer today, he said the State, they'd give him a trailer but what we're looking for, it won't be exactly the same but it's got to be a year before you could put it into use or whatever *inaudible* and it could be two years before we get it. So what way do I go now? Can I come back to you fellows and ask for a little bit of help or which way do I go? For a trailer for the scouts.

Menichetti: How large a trailer are you asking for?

Wargo: 6' x 12'.

Barone: What do you got lots of equipment, Joe, you've got to keep in the trailer, or what?

Wargo: Yes.

Chrzan: Joe, did you get any prices or anything?

Wargo: Yes, I gave Robbie the brochure, the folder. *Few speaking at once.* The picture of the trailer, the size of the trailer, the dimensions and everything.

Chrzan: I'm sure if we get Robbie to come to the next meeting we'll do something.

Wargo: See, I didn't know what he wanted me to do so that's why I'm bringing it up now.

Chrzan: We'll help you out, I'll help you out anyway.

Mayor: Joe, you worked thirty years at Tobyhanna. There's property supposedly.....

Wargo inaudible.

Mayor: Yeah, but they could go elsewhere.

Wargo: Let me finish. They released them, they bought all new, in other words there's a five year before they get rid of them again.

Chrzan: Jerry Barone knows about Harrisburg.

Mayor: And Harrisburg.

Wargo: I think that's where Robbie went.

Chrzan: Jerry Barone is on that committee.

Wargo: That's what I tell you, they said that the State, Harrisburg, we'll give it to Robbie or the Borough but it's got to be so much time before he puts in use and it's got to be in use one year before you could release it.

Morrell: We have an old trailer down at the old Hose Company #1 according to Robert. I really don't know the size of it but it had a canvas top, but no longer has a canvas top, there's no top. I talked to Robert today, maybe something, maybe we can get a new canvas top or maybe build a box or something but I don't know the size. But on Thursday Robert mentioned maybe you could check it with U-Haul, you know?

Menichetti: Yeah, maybe we can get a donation of one something.

Morrell: Yeah, but maybe the, you know, even the size of the one down at the Old #1....

Wargo: Unless you want maybe a brochure, *inaudible*, and he said a U-Haul would be too small for what we're looking at.

Morrell: 6 x 12 is big, isn't it? I don't if the one they have down #1 is that size or not.

Wargo: So, whatever you come up with, why, we'd appreciate it.... *inaudible*.... so I know about just what direction to take, you know? Thank you.

Chrzan: That's a storage trailer, right?

Morrell: No.

Wargo: Yes, wanted for storage, to go on trips, camping or whatever, they put all their equipment in there and go.

Morrell: It's a towing trailer, not just for storage.

Few speaking, inaudible.

Dave Morrell, 315 George St. - I hope we're going and doing something with Volpe Insurance with this expense that I'm sure *inaudible* going to incur and number two, are we having a Halloween Party this year? What happened to our Halloween Party?

Chrzan: They just had one there.

Morrell: I meant for the kids.

Chrzan: Oh.

Dolan: You mean at the center?

Chrzan: We just had.....

Morrell: Well, wherever. They had one, did they have one for the kids?

Dolan: It's posted on there, the dates, of the Halloween. Isn't it Friday and Saturday.

Few speaking at once.

Elaine Morrell: That's not the one. Dave asked me about, for the little kids, not just the dances.

Dave Morrell: No, not the dance.

Dolan: Oh, you mean the little kids like up in Washington Street.

Morrell: Yeah.

Dolan: Oh, okay.

Morrell: I know every year they used to have one, a parade the one year, and then we had the, they used to have it up at the Washington (Street Park) and they would have, all the little kids went up there, they had pumpkin carving, they had, is that all this year, or?

Ercoli: Well, nobody told me anything about that. I wasn't here last year. *Inaudible.*

Morrell: Well, we ought to put it on for next year, you know, make sure next year we have it for....

Dolan: No, you're, if I'm not mistaken last year they approved to have it over the center because the weather was bad.

Ercoli: Yeah, nobody told me anything. The only thing that I.....

Dolan: Yes, but in previous years we did have it up there.

Ercoli: *Inaudible, both speaking at once.* 'Cause nobody told me anything about Halloween parties for the kids.

Dolan: Well, you have one the kids up there. You do have one for age, school, he's talking about little, little kids.

Ercoli: I know, but I'm talking like when I first got the job they told me about the Breakfast with Santa, they told me about *inaudible*, nobody from council told me anything about a Halloween Party so I didn't do anything. *Inaudible, speaking at once.*

Dolan: Cause we did have one for the three year olds over the center.

Ercoli:the borough, is that the borough?

Morrell: Well, it was the Civic Center but he asked me about it and *inaudible*, gave him the answer.

Dolan: They approved it, the Civic Center did it.

Lukasewicz: Think about it for next year. *Few speaking at once, inaudible.*

Ercoli: We could do it next year.

Jack Dolan, 941 South Valley Ave. - On Motion #23, you're sending a letter to the county about the intersection up at Sanderson and Marshwood Road. I think maybe some of the members from council should just go up there and see the paving job the county did in the last month. They paved about 40' by the stop sign then they skipped about 30' and then they did about 40' more, the road's worse now than it was before they paved it. And *inaudible*, the blacktop's going to be gone.

Chrzan: They do their own paving, Jack.

Dolan: Well, maybe somebody from the borough should inspect it before they do it. And on Motion #29, you're decreasing land development from the 48 acres, \$250,000 *inaudible*. Didn't we, when the Planning Commission and Council worked on it years ago, wasn't there an agreement with the state that the borough was required to put in so much money per year for ten years to keep that project alive or you would lose it? So, I guess we're going to lose it now after four or five years.

Chrzan: Well, that's what some people want, Jack.

Larry Hartshorn - Yes, you're talking about Rinaldi's *inaudible*. He wants \$75,000 after he gives his donation, right? What is it going to cost you to take the dump off part of the land? What does he owe this borough? Why can't you go in there and condemn that piece of land? I think we've got the legal

right to do that.

Barone: First of all, I don't know what it's going to move that. Second of all, if you condemn it, it's going to be years, we'll never get that salt shed.....

Hartshorn: Well, he won't, because he hasn't been doing nothing for years, for twenty years he didn't do a darn thing over there except..... *both speaking at once.*

Menichetti inaudible, something about being in court for twenty years.

Hartshorn: Well, that's the feeling of this place here. Well, we've got too much money tied up in lawyers fees so we're going to leave the man alone. Why, is he a perfect character down there??? You spend the money on different places and I have nothing against about spending money for Marjol and that but if you spend it why can't you spend it on there? *Few speaking at once.* You've got a piece of land down there, I can't get in my backyard because he don't want to, *inaudible*, to put a road in there because we're touching his land. I mean, this guy's getting away with murder.

Morrell: How long of a process is it to condemn land?

Cimini: Well, the condemnation process doesn't take long but *inaudible* use of the property, it's *inaudible*, that takes a long time. But that property, you're condemning it for the value of the property, you still have to pay whatever..... *Few speaking at once, inaudible.*

Jack Dolan - If I could recall in the Borough Code I think there's something that it's illegal for a Borough to buy land or buy anything that's the cost is greater than the equal value of land around it or something like that. You can't take, the Borough Code is the borough can't pay too much for land.
Barone: *Inaudible.* If you have justification..... *few speaking at once.*

The meeting was adjourned.

Elaine Morrell, Administrator/Secretary

Minutes by Christina Sullivan, Asst. Sec.