

**Minutes
Throop Borough Council
Special Monthly Meeting
for General Purposes
Thursday, September 11, 2003
following the 6:30 p.m. Work Session**

The meeting opened with the Pledge of Allegiance.

“God Bless Our Military and the Coalition”

A moment of silence was observed for the victims and the families who were affected by the tragedy on September 11, 2001 caused by terrorists.

ROLL CALL:

Members of Council:

Anthony Chrzan - A

James Barnick - P

Vice President- Thomas Lukasewicz - P

President-James Mellody Jr. - P

George Marushock - P

Daryl Menichetti - P

Joseph Barone - P

Mayor - Stanley Lukowski - P

Solicitor - Attorney Louis Cimini - A

Treasurer - Lenore Dolan - A

Administrator/Secretary - Elaine Morrell - P

Announcements: None

Audience comments on tonight’s agenda:

Larry Hartshorn, 140 Dimmick St. - Didn’t have anything personally against these girls that went out to play baseball but didn’t agree with council reimbursing \$125 (for pizza) and Hose Co. #2 was given \$250 for a hundred years of service. He also why the pizza was not purchased from a Throop business. He was glad the \$250 was brought up by Councilman Marushock but thought it was a shame. *Elaine explained she did not have enough petty cash and the amount was paid out of the persons pocket and the Throop pizza business owner was closed on Sunday. The owner of where the pizza was purchased from is a resident of Throop.*

2003 Street Paving Program Bids:

Name of Bidder	Address	Amount of Bid
Pennsylvania Supply Inc. DBA Slusser Brothers	West Hazleton, PA	Part I Base Bid - \$121,498.85 Part I Base Bid with alternates \$125,323.85 Part II Base Bid \$37,587.50 Part II Base Bid with alternates \$162,911.35
Kaminski Brothers, Inc.	Pittston, PA	Part I Base Bid - \$142,922.43 Part I Base Bid with alternates \$146,722.43 Part II Base Bid \$60,553.06 Part II Base Bid with alternates \$207,275.49

1. Motion by Lukasewicz

Seconded by Marushock

To refer the 2003 Street Paving Project bids to Frederick C. Spott & Associates, Engineer, Robert Kalinoski, Street Commissioner and Louis Cimini, Solicitor, for their review and recommendation. To award the bid to the lowest, most responsible bidder with favorable recommendations of the Engineer, Solicitor and Street Commissioner.

On the question:

Menichetti: What do they mean by the most responsible bidder?

Lukasewicz: If someone has shoddy work that you're aware of. If you have a reason not to give it to somebody, if you've had problems with them before and if you can justify it.

Barone: Yeah, I've heard that Slusser, I don't know if it's the same one, bought Kaminski out. Would that make a difference? I don't know how true it is.

Lukasewicz: I have no idea.

All in favor

Barnick, Provided it's covered within the Budget

Motion carried

2. Motion by Marushock

Seconded by Lukasewicz

To ratify the rollover of the Sunny Day Fund CD # 40-302321-5 in the amount of \$71,567.24 at the FNCB for 5 mos. at a rate of 1.25%. (First Liberty Bank .50 %, Penn Star 1.10%.) (In January 2004 we can combine this CD with the CD that will be maturing plus the January quarterly check..)

On the question:

Marushock: Were there rates compared from other banks on this motion? *Elaine replied yes.*

All in favor

Motion carried

3. Motion by Lukasewicz

Seconded by Barnick

To replenish the borough's petty cash in the amount of \$174.60.

All in favor

Motion carried

4. Motion by Barone

Seconded by Lukasewicz

To reimburse Jack Dolan \$125.00 for 25 trays of pizza purchased from Calabria's for the State Champion Softball Team Recognition at the Washington Street Park on Sun., Sept. 7, 2003.

All in favor

Motion carried

5. Motion by Barone

Seconded by Lukasewicz

To authorize Lackawanna County Redevelopment Authority to submit an application and administration of a HOME Program Grant on behalf of Throop Borough.

On the question:

Lukasewicz: It's amazing that we never realized that they can do that for us and we paid to have it done, amazing. Whatever else they could provide for us, that's wonderful. What was that, \$2,000? Could you imagine that? \$2,000 wasted a couple of times, it's amazing.

Barnick: They helped with the other one, too.

Menichetti: When did you find this out?

Elaine had called them for information on the application and they then informed her they could do the application. A discussion took place.

All in favor

Motion carried

6. Motion by Marushock

Seconded by Lukasewicz

To refer the "Draft Copy" of the Throop Borough Employee Handbook to Louis A. Cimini, Borough Solicitor for his review and recommendation.

All in favor

Motion carried

7. Motion by Barone

Seconded by Lukasewicz

To begin bore hole testing at the 48 acres in the area where the DPW Complex is to go.

Three in favor - Barnick, Lukasewicz, Barone

Three against - Marushock, Menichetti, Mellody

Tie Vote - Mayor Lukowski, in favor

Motion carried

8. Motion by Barnick

Seconded by Lukasewicz

To direct Louis Cimini, Solicitor, to prepare a Resolution as soon as possible objecting to Advanced Geo Services requested changes to the monitoring and modifications and submit the Resolution to EPA and DEP immediately. Additionally, have Atty. Cimini contact both agencies immediately via telephone and that we are in the process of faxing resolutions and that we strongly oppose it.

All in favor

Motion carried

9. Motion by Barone

Seconded by Lukasewicz

To direct Louis Cimini to obtain information for the Jefferson Township Sewer Line as soon as possible through whatever legal means are necessary.

All in favor

Motion carried

10. Motion by Barone

Seconded by Lukasewicz

To authorize the purchase of four new benches for outside the borough building (green or brown).

All in favor

Motion carried

11. Motion by Marushock

Seconded by Mellody

To allow Ron Green, Jr. to return to work effective Sept. 22 until Sept. 30.

On the question:

Marushock: Also, if we're going to extend any of his time that we have Mr. Kalinoski submit a request (to the union) and to update the status of projects and what is running behind. And if we did extend any time, with the union approval.

All in favor

Motion carried

12. Motion by Lukasewicz

Seconded by Barnick

To send a letter to the Lackawanna County Commissioners to request Throop Borough be included in the 16 million dollars worth of work regarding the sewage overflows in the Lackawanna River.

All in favor

Motion carried

13. Motion by Lukasewicz

Seconded by Lukasewicz

To purchase a collapsible gate for the stairway and to install a wall to attach the gate.

All in favor

Motion carried

14. Motion by Menichetti

Seconded by Marushock

To reopen negotiations up with Mr. Rinaldi in reference to purchasing his land.

On the question:

Lukasewicz: Realistically, it will not happen and it will not be done in the time frame that he set here for us. There is no way that anyone could move that amount (of land/dirt) in one month. It will not happen. Be a realist if you watched Scranton Craftsmen with all the machinery he has, it's not going to happen.

Barnick: I'm tired of explaining myself. Come up with the fees that he owes first before any type of negotiations go on with that man. Think about all the other stuff that he owes out there.

Menichetti: Do you have any idea of why he is so *inaudible* because *inaudible* \$7,000 is nothing. Is there a reason? Is there an underlying reason that maybe we don't know about?

Marushock: We can have these fees be part of the negotiations to have this resolved with the borough. *A discussion ensued. Elaine said the fees were owed for a very long time and there was also a paving assessment.*

Three in favor - Marushock, Menichetti, Mellody

Three against - Barnick, Lukasewicz, Barone, only if
he comes up with the money first.

Tie Vote - Mayor Lukowski, in favor

Motion carried

Audience Comments:

Larry Hartshorn, 140 Dimmick St.: Why are you only bore testing where you're going to build that building if you own all that land over there? I'm just telling you, (what do you do) if you go out and put a pool or whatever you put up there, then you discover there's a fire underneath there? You have nothing in writing telling you there's no fire there.

Marushock: Very good point. Just to bring light, if there's any recourse, the borough has no recourse at all for any of that 48 acres as per Article 6 of that agreement concerning the 48 acres.

Menichetti: Because we're going to put other things there. We're going to put like a skating rink and maybe we just need to know how stable the land is.

Lukasewicz: I don't think these bore testings are to evaluate if there's a fire. There only going to go down just a short distance to evaluate..... *few speaking at once.*

A discussion ensued.

The meeting was adjourned.

Elaine Morrell, Administrator/Secretary

Minutes by Christina Sullivan, Assistant Secretary