

1 THROOP COUNCIL  
 2 THROOP, PENNSYLVANIA  
 3  
 4 IN RE: BI-MONTHLY COUNCIL MEETING  
 5  
 6  
 7 AUGUST 29, 2005  
 8 7:30 P.M.  
 9 THROOP MUNICIPAL BUILDING  
 10 436 SANDERSON STREET  
 11 THROOP, PENNSYLVANIA  
 12  
 13 COUNCIL MEMBERS:  
 14  
 15 DARYL MENICHETTI, PRESIDENT  
 16 CINDY JOHNSON, VICE PRESIDENT  
 17 JOSEPH BARONE  
 18 JAMES BARNICK  
 19 THOMAS LUKASEWICZ  
 20 GEORGE MARUSHOCK  
 21 SUSAN SHORTZ  
 22 MAYOR STANLEY LUKOWSKI  
 23 JOHN BRAZIL, ESQUIRE, SOLICITOR  
 24  
 25 Mark Wozniak

1 MR. HEGEDUS: Present.  
 2 MS. MENICHETTI: There are no  
 3 announcements this evening. I would like to  
 4 ask if there are any other motions to be added  
 5 on to tonight's agenda?  
 6 MRS. SHORTZ: I have a question  
 7 regarding -- I'm not sure if it's a motion  
 8 that could be added or not. Another  
 9 complaint. I just received a complaint from  
 10 Boricks, who are present here in the audience  
 11 today, concerning a house next door to  
 12 theirs. And I know there's been issues with a  
 13 couple other properties in the area that are  
 14 not being maintained by the owners and are at  
 15 the very least a public nuisance, but in some  
 16 instances are also posing health risks with  
 17 the neighbors residing along them. And I'm  
 18 wondering is there -- I don't think there's  
 19 currently an ordinance in place to handle  
 20 these types of issues, but if there isn't one  
 21 is it possible to get something moving  
 22 forward, working to see if that can be done?  
 23 I have some pictures here that Mrs.  
 24 Borick gave me of the house next door to  
 25 theirs, which is in very poor condition. I

1 MS. MENICHETTI: This meeting will  
 2 now come to order. Please stand.  
 3 (Whereupon the Pledge of Allegiance  
 4 was recited.)  
 5 MS. MENICHETTI: Mr. Novack is not  
 6 here. Christine?  
 7 MRS. HARTSHORN: Mr. Barone?  
 8 MR. BARONE: Here.  
 9 MRS. HARTSHORN: Mr. Barnick?  
 10 MR. BARNICK: Here.  
 11 MRS. HARTSHORN: Mr. Lukasewicz?  
 12 MR. LUKASEWICZ: Present.  
 13 MRS. HARTSHORN: Mr. Marushock?  
 14 MR. MARUSHOCK: Present.  
 15 MRS. HARTSHORN: Mrs. Shortz?  
 16 MS. SHORTZ: Present.  
 17 MRS. HARTSHORN: Ms. Johnson?  
 18 MS. JOHNSON: Here.  
 19 MRS. HARTSHORN: Ms. Menichetti?  
 20 MS. MENICHETTI: Present.  
 21 MRS. HARTSHORN: Mayor Lukowski?  
 22 MAYOR LUKOWSKI: Here.  
 23 MRS. HARTSHORN: Attorney Brazil?  
 24 MR. BRAZIL: Here.  
 25 MRS. HARTSHORN: Mr. Hegedus?

1 guess there's been bats in the attic and it's  
 2 just really a mess. And like I said, I know  
 3 over the years we've talked about other  
 4 properties in the town that have been issues  
 5 as well.  
 6 So I'm just wondering can we put a  
 7 motion on to look into what needs to be done  
 8 to get an ordinance in place that we could  
 9 maybe start handling some of these situations  
 10 for the citizens that live near them.  
 11 MR. LUKASEWICZ: Whose house?  
 12 MRS. SHORTZ: This one is on  
 13 Delaware Street.  
 14 MS. MENICHETTI: I know of two other  
 15 properties that need to be condemned, too.  
 16 MAYOR LUKOWSKI: I called him up  
 17 several months ago and he said he'd get right  
 18 to it.  
 19 MRS. BORICK: Twenty-eight years  
 20 we've been waiting.  
 21 MS. MENICHETTI: Is there someone  
 22 living in this residence? There is? The  
 23 windows all boarded up like that?  
 24 MR. BORICK: The inside is beautiful  
 25 because the lady painted every room in the

1 house and fixes it up herself.

2 MR. BARNICK: I feel like letting  
3 Mr. Kalinoski know about it. I know the chief  
4 went down there one time. There's legal  
5 issues involved, too, at the same time. And  
6 there's not much you can do. Structurally  
7 it's there.

8 MRS. BORICK: Can't you pass an  
9 ordinance here against anything?

10 MS. MENICHETTI: We can't just pass  
11 an ordinance. What we have to do is adopt an  
12 ordinance, we have to advertise. Do we have  
13 an ordinance on the book or does it go under  
14 that nuisance ordinance?

15 MR. BRAZIL: What's the particular  
16 problem, the outside of the house?

17 MS. MENICHETTI: Evidently.

18 MRS. SHORTZ: In this case it's the  
19 outside.

20 MR. LUKASEWICZ: The appearance of  
21 the outside.

22 MR. BRAZIL: I don't know if we have  
23 an ordinance but certainly you can adopt an  
24 ordinance.

25 MR. LUKASEWICZ: Amend the ordinance

1 to include the appearance.

2 MS. MENICHETTI: We have at least  
3 two other properties in this town that are in  
4 terrible, terrible disrepair and I really  
5 don't know what we'd do with them. Can we  
6 just condemn these buildings?

7 MR. BRAZIL: You probably can  
8 condemn them. When you're condemning them  
9 you're indicating that they're unsafe. I  
10 mean, you're more talking about the general  
11 appearance.

12 MS. MENICHETTI: No, I'm sure they  
13 are unsafe.

14 MR. BARNICK: No, they're not.

15 MR. LUKASEWICZ: This one is safe.

16 MRS. SHORTZ: It's the appearance,  
17 but there are some that aren't safe.

18 MRS. BORICK: There's nothing with  
19 that.

20 MR. BORICK: There's tarpaper all  
21 over. The windows are tarpapered up. All the  
22 back and sides.

23 MR. BRAZIL: You have the right to  
24 condemn under the buildings codes. Under the  
25 construction code you have that right.

1 MRS. BORICK: There's so much  
2 tarpaper on every window. I think they only  
3 have three windows that haven't got tarpaper  
4 on them.

5 MR. BRAZIL: I've seen ordinances  
6 that dealt with the outside of structures and  
7 regulations to maintain them, upkeep.

8 MS. MENICHETTI: But if you look at  
9 our ordinance --

10 MRS. SHORTZ: Could you look into  
11 that and see --

12 MR. BRAZIL: I don't think it does.  
13 I remember taking a look since I don't think  
14 it does.

15 MS. MENICHETTI: I know it's grass  
16 and hedges and things like that.

17 MRS. SHORTZ: Can you research,  
18 then, if it doesn't, some information on how  
19 we could --

20 MR. BRAZIL: You just have to amend  
21 your nuisance ordinance or do an entirely  
22 separate ordinance dealing with that issue.  
23 I'll look at it.

24 MS. MENICHETTI: Does anyone else  
25 have any other motions?

1 MR. LUKASEWICZ: Yeah, I have a  
2 motion I'd like to put on for vote. There was  
3 a determination by the unemployment bureau  
4 that the former civic center director was able  
5 to collect, and I believe there's a time frame  
6 of August 31 of this month that we can appeal  
7 it. I'd like to see a motion put on to appeal  
8 it.

9 And while we're on the subject of  
10 that, was there anything --

11 MS. MENICHETTI: Melissa Casey to  
12 appeal the judgment set forth by the --

13 MR. LUKASEWICZ: She's been allowed  
14 to collect by the state.

15 MS. MENICHETTI: Unemployment  
16 compensation.

17 MR. LUKASEWICZ: I was wondering was  
18 anyone in the borough contacted by the bureau  
19 of unemployment in regard to this, Daryl, do  
20 you know?

21 MS. MENICHETTI: The only thing I  
22 know is they did send a form and they asked  
23 why she was not with us and we just said she  
24 resigned.

25 MR. LUKASEWICZ: Okay.

1 MS. MENICHETTI: That's the only  
2 thing I know.

3 MR. LUKASEWICZ: I haven't seen that  
4 form. That's why I was wondering.

5 MS. MENICHETTI: I'm not sure where  
6 that form is.

7 MR. LUKASEWICZ: When someone  
8 resigns you don't collect unemployment. I  
9 don't want to get into it. I think, though,  
10 we should have the opportunity to appeal it.

11 MRS. SHORTZ: I think that's what  
12 you have to do, is appeal.

13 MR. LUKASEWICZ: We have to appeal.  
14 That's what I'm saying. You only have until  
15 the 31st of the month. If not the borough  
16 will be responsible for paying her  
17 unemployment compensation because the borough  
18 pays 100 percent unemployment compensation.

19 MS. MENICHETTI: And you want to  
20 appeal? Do you have a reason why you want  
21 to?

22 MR. LUKASEWICZ: I'd like to have  
23 someone from the borough fill out the proper  
24 paperwork and appeal it.

25 MS. MENICHETTI: Anyone else? Does

1 make a motion that when it does come in if  
2 maybe Carl and Robbie looked at it that it can  
3 go out to bid before the next meeting so that  
4 we have --

5 MR. LUKASEWICZ: I have no problem  
6 with that. The thing is, I know there might  
7 be some questions with property lines and  
8 legal issues. Is that right, attorney  
9 Brazil?

10 MR. BRAZIL: There may be. I mean,  
11 I don't know what the final design is,  
12 although she has generally discussed about  
13 putting in catch basins in certain areas. I  
14 don't know if she's going to require  
15 easements -- or my understanding is there's  
16 already a water line there. I don't know.

17 MR. LUKASEWICZ: Only the one, but  
18 that's a private water line. Anywhere the  
19 storm catch basins would have to go that would  
20 be between Mr. Gangi's property and --

21 MR. BARNICK: The borough.

22 MR. LUKASEWICZ: The borough's  
23 property.

24 MS. MENICHETTI: Well, motion number  
25 17, if I may interrupt you, to authorize

1 anyone else have a motion?

2 MS. JOHNSON: Yes. Maybe you can  
3 help me with this. I'd like to put a motion  
4 on of some sort for Carl from Gangi's. I  
5 guess Betsy was here on Thursday with a  
6 general idea of what's going to happen at this  
7 business.

8 MR. LUKASEWICZ: Like I stated  
9 earlier, she has been working on it. And it  
10 was three weeks this Thursday that she's been  
11 working on the project. And she did have --  
12 Daryl was there at the work session.

13 MS. MENICHETTI: She said she had  
14 surveyed.

15 MR. LUKASEWICZ: She has some  
16 surveys and does know where we talked about  
17 putting in catch basins. Carl and I did meet  
18 with her one day and I would assume that  
19 within a week or two she's going to have  
20 something solid for us to look at.

21 MS. JOHNSON: Then it will come  
22 before us we and we will put it out to bid?  
23 Is that correct?

24 MR. LUKASEWICZ: Yes.

25 MS. JOHNSON: Would we be able to

1 Frederick C. Spott and Associates to design  
2 corrective storm water measures on the  
3 property owned by Mr. Riota.

4 MR. LUKASEWICZ: We already did  
5 that. We did that a month ago to give them  
6 permission to move. The thing is we're just  
7 waiting to see something in hand.

8 MS. JOHNSON: Well, would that be so  
9 much that we're going to ask for it to be put  
10 out for bid just for time wise? I mean, that  
11 would be another month before the next  
12 meeting.

13 MR. LUKASEWICZ: I have no problem  
14 with that whatsoever.

15 MS. MENICHETTI: Could we change  
16 this to authorize not to design corrective  
17 storm water measures but to place it out to  
18 bid as soon as it is designed?

19 MR. LUKASEWICZ: To design and place  
20 it out to bid. And when it is designed I'm  
21 comfortable sitting down and looking at it. I  
22 have a good idea what's been happening there  
23 for years. I can be helpful if I look at it.  
24 It's got to be done soon.

25 MR. RIOTA: If we can put it on a

1 fast track.  
 2 MR. LUKASEWICZ: Well, I assumed it  
 3 was going to be on a fast track.  
 4 MS. JOHNSON: It will just save us  
 5 time with the bidding process before the --  
 6 MR. LUKASEWICZ: What if someone  
 7 calls down there tomorrow and says this is a  
 8 priority and it's got to be fast tracked and  
 9 we want something done with it fast, can it be  
 10 done? It's not a big project.  
 11 MS. JOHNSON: Is it okay for the  
 12 bid?  
 13 MR. LUKASEWICZ: That's fine.  
 14 MS. MENICHETTI: Yes.  
 15 MS. JOHNSON: Possibly maybe we'd  
 16 have it for the end of the month meeting in  
 17 September, possibly?  
 18 MR. LUKASEWICZ: You should be able  
 19 to have it ready to go out in two weeks. It's  
 20 not that big of an issue. If someone would  
 21 just sit down and put it together. And they  
 22 get very detailed when you're an engineer.  
 23 They look at things and all these -- because  
 24 they have to make sure they design did it that  
 25 if there's a problem with it they're not

1 liable. So they want to make sure they dot  
 2 their I's and across their T's. But I'm sure  
 3 it can be done -- it's been a month.  
 4 MR. RIOTA: Yes. I talked to the  
 5 engineer the last work session. About three  
 6 weeks she'll have the plans ready. The only  
 7 thing that concerns me is sometimes three  
 8 weeks turn into three months. So that's the  
 9 only thing that concerns me.  
 10 MS. MENICHETTI: Well, let's add on  
 11 to that motion. Excuse me, Mr. Riota. Let's  
 12 add on to that motion to have it completed by  
 13 the end of September.  
 14 MR. LUKASEWICZ: Once it's designed  
 15 you might even be able to have the borough  
 16 guys go in there and do a lot of it. It's not  
 17 that complicated.  
 18 MS. JOHNSON: I'm just concerned  
 19 with the time and the rain for Carl. You  
 20 know? I don't want to see him go through that  
 21 anymore.  
 22 MAYOR LUKOWSKI: This has nothing to  
 23 do with the motion or anything like that, but  
 24 a lot of us in our section of the community  
 25 experienced a deep rust in their water today.

1 MS. JOHNSON: The borough water  
 2 today, Mayor, is dark.  
 3 MAYOR LUKOWSKI: Was that widespread  
 4 across the community?  
 5 MS. JOHNSON: Yes.  
 6 MS. MENICHETTI: I'd like to  
 7 entertain questions from the floor on the  
 8 agenda items only. Who would like to speak?  
 9 Mr. Bolus, please, would you step up to the  
 10 podium, state your name and address for the  
 11 stenographer. Agenda items only.  
 12 MR. BOLUS: Thank you. Bob Bolus,  
 13 Sanderson Street, Throop. On the agenda, on  
 14 number seven, an ordinance authorizing the  
 15 purchase of real estate from Rinaldi. I, for  
 16 one, would be against something like that.  
 17 It's been bounced around. We listened to  
 18 engineers in the past about the water problems  
 19 with this. Just this location and just the  
 20 engineering that would have to go into that  
 21 and the feasibility here, I just think it's a  
 22 bad piece of property to get involved in,  
 23 especially the past history of having dirt or  
 24 debris or garbage underneath it and everything  
 25 else. I really think that that's just not

1 where we need to be.  
 2 I still believe we need to be on the  
 3 48 acres. And it was raised in the past how  
 4 do we get up there and plow the snow. Well,  
 5 you simply back a truck up the hill and spread  
 6 behind it. I mean, that was literally the  
 7 least important reason for not being more  
 8 astute to go up on the 48 acres, is that  
 9 reasoning. It's just wrong. But I would  
 10 recommend that you still go to the 48 acres.  
 11 On motion number eight, you want to  
 12 authorize Fred C. Spott and Associates to  
 13 begin design on a new DPW complex, but how do  
 14 you design where you don't know where you're  
 15 putting it? You don't know the topography  
 16 you're dealing with, you don't know sewerage  
 17 you're dealing with. I mean, you have a  
 18 hundred other questions. You know, your  
 19 entrances, your exists. A whole bunch of  
 20 things. I don't see how you can design this  
 21 until you actually nail down where you're  
 22 going to put the DPW complex. So I mean, I've  
 23 never gone out and built a building somewhere  
 24 and said gee, let me go find a piece of land  
 25 now and let's see if I can fit this little

1 building on it. It just doesn't work that  
2 way. You have electrical, you have a million  
3 other things to go into the property. So I  
4 think that would just be putting the cart  
5 before the horse until you decide what piece  
6 of land you're buying.

7 On motion number 11, it's sad that  
8 we have to come here in this borough and  
9 continuously see lawsuits, especially this  
10 here now for harassment by Melissa Casey. But  
11 I'm not surprised they're being sued, Mr.  
12 Barnick and Mr. Barone. You know, I'm not  
13 making this personal, but, you know, we've all  
14 sat here and watched time after time after  
15 time the abuse the women take. The three  
16 women sitting here. They've been called  
17 idiots by Mr. Barnick, they've been called by  
18 this name and that.

19 Basically you people just don't  
20 belong in society. I think that's wrong. I  
21 think we're going to have more litigation, Mr.  
22 Barnick, unless you kind of tone down and  
23 maybe give the respect to the women that are  
24 sitting here as equals as you would Mr. Barone  
25 or Mr. Lukasewicz or Jeddy. And I think

1 you're really wrong in what you're doing and  
2 you got us into litigation. But it was  
3 coming.

4 And, you know, I've watched -- and  
5 I'm sure everybody here will agree -- that the  
6 disorder that comes in here with the abuse  
7 going back and forth -- for whatever reason I  
8 don't know, but we're going to have three  
9 women in Scranton that are going to be the  
10 majority. And come down and see how the  
11 decorum is there. The respect their fellow  
12 councilmen have for the people and the women  
13 speaking there. And maybe if you had taken a  
14 lesson there we wouldn't be in litigation.

15 So my advice would be, just as an  
16 observer here, that if you want to keep us out  
17 of litigation and you want to move this  
18 borough forward give the respect to the women  
19 here as equals and maybe tone down a little.  
20 Thank you.

21 MS. MENICHETTI: Thank you, Mr.  
22 Bolus.

23 MR. BARNICK: Just to comment in  
24 reference to that, since he mentioned my name,  
25 Mr. Bolus, this claim of harassment is bogus

1 as is the other ones. They're fabricated.  
2 And we all know where your political side is.  
3 It's right with them four.

4 MR. BOLUS: As I said, Mr.  
5 Barnick --

6 MR. BARNICK: I'm not done. We all  
7 know this, Mr. Bolus. And, you know, you come  
8 here each and every meeting and you try to  
9 throw these wrenches into the wheel. And you  
10 continuously try to do that. You know, I  
11 don't know how these other towns operate  
12 without having a Bob Bolus. Down in Scranton,  
13 I mean, I just can't imagine how any borough  
14 can operate without having a Bob Bolus. I  
15 mean, the intelligence -- I don't know what to  
16 do now. Exactly.

17 MR. BOLUS: Mr. Barnick --

18 MR. BARNICK: I never harass  
19 anybody. I treat everybody the same, just  
20 like I'm treating you.

21 MR. BOLUS: Mr. Barnick, you have  
22 harassed me, but more importantly I can defend  
23 myself against you as any other gentleman in  
24 this place can. When it comes to speaking to  
25 women, there is not one member of that council

1 here or anywhere else that will ever say I  
2 verbally abused them in the context in the  
3 past. You have been on camera abusing these  
4 people.

5 So to sit here and say that I'm  
6 politically motivated, you know, take your  
7 head out of the sky. There are no political  
8 motivations on my agenda. My agenda is for  
9 what's right for this borough or whether it's  
10 for the city of Scranton or whether it's  
11 Dunmore last week regarding my property that  
12 you had an involvement in, causing a problem.

13 MR. BARNICK: Sorry, Bob, I wasn't  
14 involved in that and I couldn't care about  
15 your property.

16 MR. BOLUS: Oh, Mr. Barnick --

17 MR. BARNICK: The only property I  
18 care about is yours here. As long as that  
19 place stays clean up there, that's all I care  
20 about. Really.

21 MR. BOLUS: My place runs itself.

22 MR. BARNICK: I couldn't give a damn  
23 about the one up in Dunmore, Bob.

24 MR. BOLUS: Well, Mr. Barnick,  
25 that's neither here nor there. It was all set

1 up with --

2 MR. BARNICK: It doesn't bother me,  
3 your property up there. Sell all the hot dogs  
4 you want.

5 MR. BOLUS: Mr. Barnick, I attended  
6 the Dunmore Borough council and we resolved  
7 it. What I do is, I'm not a person that  
8 speaks behind someone's back or anything. I  
9 confronted Dunmore Borough as an investor and  
10 developer in that borough for over 40 years.

11 MR. BARNICK: I had nothing to do  
12 with your property up there and I never will  
13 because I really don't care about it. It's  
14 not in Throop. That's the only property I  
15 care about, is Throop.

16 MR. BOLUS: I'm glad to hear that.  
17 Now, if you concern yourself as much with the  
18 respect of the members of council -- and  
19 that's all members as well as the audience --  
20 I think we'd have a better council here and a  
21 better town with more respect.

22 Again, my motives are far from  
23 political. They're about what's right and  
24 what's wrong and it's about credibility. And  
25 that's the important thing.

1 MR. BARNICK: Respect is earned,  
2 Bob.

3 MS. MENICHETTI: Who else would like  
4 to speak? Mr. Galli, step to the podium,  
5 please. Agenda items only, please.

6 MR. GALLI: Frank Galli, Kossuth  
7 Street, Throop. My question is on motion  
8 number 28. Once again we're hiring another  
9 monitor at the civic center. Once again my  
10 son Robert is not being interviewed or asked  
11 about being hired here. I believe a couple  
12 months ago you said -- I believe that Mr.  
13 Barnick and Mr. Barone brought up the motion  
14 to hire my son and you said you didn't want to  
15 take a chance on hiring him because of  
16 regulations. What qualifications does this  
17 girl have that you're going to hire?

18 MS. MENICHETTI: From what I  
19 understand -- are you asking me this  
20 question?

21 MS. GALLI: Also, besides the  
22 qualifications, is she a resident of Throop?

23 MS. MENICHETTI: No, that's not a  
24 prerequisite for that position.

25 MR. GALLI: I understand that. When

1 are we going to start hiring people in  
2 Throop?

3 MS. MENICHETTI: She is working and  
4 she has worked all summer in the summer  
5 program. She's just being transferred from  
6 that program to a monitor, as she expressed an  
7 interest in staying on.

8 MR. GALLI: What agency?

9 MS. MENICHETTI: I don't know.

10 MR. GALLI: You have no idea.

11 MS. MENICHETTI: No.

12 MR. GALLI: All right. My son's  
13 been working at the Dickson City civic center  
14 for almost two years. I think he's got quite  
15 a bit experience. Quite a bit. I personally  
16 think it's a political agenda against me, I  
17 think against my family. And like Mr. Bolus  
18 said, you know what? What's another lawsuit  
19 to have in this town. Maybe you should hire  
20 and then I will file a lawsuit against this  
21 borough. Thank you.

22 MS. MENICHETTI: Thank you, Mr.  
23 Galli. Is there anyone else who would like to  
24 speak?

25 MR. MARUSHOCK: It's evidently

1 another threat. If we don't vote the way a  
2 certain individual wants we are threatened  
3 with a lawsuit.

4 MS. JOHNSON: Just like last  
5 meeting.

6 MR. MARUSHOCK: We had that same  
7 situation happen with an attorney at the last  
8 meeting.

9 MS. MENICHETTI: We are constantly  
10 being threatened here at these meetings. If  
11 we don't vote the way the people want we are  
12 being threatened. We vote our conscience.

13 MR. GALLI: It's not about being  
14 threatened.

15 MS. MENICHETTI: You just threatened  
16 me with a lawsuit.

17 MR. MARUSHOCK: Prior to the vote.

18 MR. GALLI: I'm not threatening you,  
19 you neglected my son from being hired. There  
20 was numerous people hired over him. What is  
21 the reason? He's never even been  
22 interviewed. Never even been interviewed. To  
23 me, I think it's political vengeance against  
24 me because I supported Mr. Barnick, because I  
25 support Mr. Lukasewicz.

1 MS. MENICHETTI: Well, that's your  
 2 opinion, Mr. Galli. It's your opinion and  
 3 that's all it is, is your opinion.  
 4 MR. GALLI: Well, you're telling me  
 5 a different story here. Why didn't he get  
 6 hired?  
 7 MS. MENICHETTI: I don't know why.  
 8 MR. GALLI: You should know. You're  
 9 council president.  
 10 MS. MENICHETTI: Our recommendations  
 11 come from our borough manager, who interviews  
 12 all of the new applicants.  
 13 MR. GALLI: You're saying everybody  
 14 was interviewed? My son was never reviewed.  
 15 Never. Never.  
 16 MS. MENICHETTI: All right. Thank  
 17 you. Are you finished?  
 18 MR. GALLI: Thank you.  
 19 MS. MENICHETTI: Anybody else,  
 20 please? State your name and address for the  
 21 stenographer, please.  
 22 MRS. MORRELL: Elaine Morrell, 315  
 23 George Street. Motion number seven, purchase  
 24 of the real estate from Rinaldi, what price?  
 25 Was there a price on this land?

1 MS. MENICHETTI: The price of the  
 2 land is \$100,000. It's \$80,000 to clear, and  
 3 he's returning or donating \$25,000 to the  
 4 civic center.  
 5 MRS. MORRELL: When you say clear,  
 6 is that going to be all prepared, then --  
 7 MS. MENICHETTI: Prepare for  
 8 building.  
 9 MRS. MORRELL: It will be prepared  
 10 for building.  
 11 MS. MENICHETTI: That's my  
 12 understanding, yes.  
 13 MRS. MORRELL: Are there going to be  
 14 core borings on that or were there --  
 15 MS. MENICHETTI: We already did  
 16 that. That's already been done. We had an  
 17 environmental study, we did core borings. Did  
 18 we do anything else? We did the same as we  
 19 did for all the other properties.  
 20 MRS. SHORTZ: Surface mining  
 21 studies.  
 22 MS. MENICHETTI: We did the same  
 23 thing for all three properties.  
 24 MRS. MORRELL: Motion number 11, is  
 25 that a lawsuit, to accept the request for

1 minutes from O'Malley & Langan for the  
 2 complaint by Melissa Casey? This is a lawsuit  
 3 that was received?  
 4 MS. MENICHETTI: Yes. According  
 5 to -- from what I understand it was. And I  
 6 wanted it --  
 7 MR. BARNICK: It is? I didn't get  
 8 any --  
 9 MR. LUKASEWICZ: There's no lawsuit  
 10 filed as of yet. What it is, the EEOC has  
 11 been dismissed. Them cases have been  
 12 dismissed.  
 13 MS. MENICHETTI: Did we get a  
 14 notification on that? I've never seen  
 15 anything.  
 16 MR. LUKASEWICZ: I received a  
 17 packet --  
 18 MRS. SHORTZ: No, they haven't been  
 19 dismissed.  
 20 MR. LUKASEWICZ: I received a packet  
 21 which had to be that thick.  
 22 MRS. SHORTZ: That is the attorney's  
 23 response to the complaint. That is not a  
 24 dismissal by the EEOC.  
 25 MR. LUKASEWICZ: Have we actually

1 been sued by Ms. Casey? No.  
 2 MRS. SHORTZ: The EEOC grievance  
 3 goes through.  
 4 MR. LUKASEWICZ: This is a request  
 5 from her potential lawyers to review minutes.  
 6 That's all this is.  
 7 MS. MENICHETTI: That's right.  
 8 MR. LUKASEWICZ: There's no need for  
 9 that to be a vote of council.  
 10 MS. MENICHETTI: Why not?  
 11 MR. LUKASEWICZ: Any person that  
 12 comes in can request minutes or whatever the  
 13 procedure is. You go to the borough  
 14 manager --  
 15 MS. MENICHETTI: Because it's a  
 16 potential lawsuit I wanted to do it by motion.  
 17 MR. LUKASEWICZ: So you're doing it  
 18 because it's a potential lawsuit.  
 19 MS. MENICHETTI: Yes. That's why I  
 20 felt I should do it by motion.  
 21 MR. MARUSHOCK: It's actually a  
 22 complaint.  
 23 MR. LUKASEWICZ: But there is no  
 24 lawsuit as we sit here this evening?  
 25 MS. MENICHETTI: I have the word

1 complaint in there, do I not? I have the  
2 complaint submitted by Melissa Casey. I don't  
3 have the word lawsuit.

4 MRS. MORRELL: That's why I asked if  
5 it was a lawsuit.

6 MS. MENICHETTI: It was a  
7 complaint.

8 MRS. MORRELL: Number 13 is to  
9 authorize payment to Cathy Egan regarding  
10 transcription of minutes for April 13 and  
11 August 30. Were they minutes that she just  
12 completed now or were they completed in the  
13 past and she was never paid for them?

14 MS. MENICHETTI: They have been  
15 completed in the past.

16 MRS. MORRELL: Any reason why she  
17 wasn't paid? Was it just recently or did she  
18 complete them a while ago?

19 MS. MENICHETTI: We just got the  
20 bill for this, did we not? We just received  
21 the bill for it.

22 MRS. MORRELL: Number 17 is in  
23 regards to Carl Riota's property, the Gangi  
24 property. Do you have any plans of assistance  
25 like pumps on hand if there's going to be a

1 someone's there to do it. That's a great  
2 idea.

3 MRS. MORRELL: As most people know,  
4 my sister does live right next door. She just  
5 had her property surveyed and the are pins  
6 there, and I just asked -- she just asked if  
7 you are going to do work in the area where the  
8 pin is, survey pin, if it would be replaced.  
9 The property line is there.

10 Number 26, accepting the minutes of  
11 July 25. Were they the only minutes to be  
12 accepted this month, were the July 25th?  
13 That's all I have.

14 MS. MENICHETTI: Is there anyone  
15 else who would like to speak?

16 MR. MORRELL: David Morrell, 315  
17 George Street. On that Rinaldi property, it's  
18 \$100,000 plus \$80,000?

19 MS. MENICHETTI: Correct.

20 MR. MORRELL: That's \$155,000 after  
21 the \$25,000.

22 MS. MENICHETTI: Correct.

23 MR. MORRELL: What is this \$25,000?  
24 Is it \$155,000 or is it \$180,000 and kicking  
25 back 25?

1 storm coming in order to have the pumps ready  
2 and pump it up into the storm drain instead of  
3 letting the entire driveway basin fill up  
4 again?

5 MS. MENICHETTI: We purchased six  
6 new pumps for the fire department and the DPW  
7 and they're available to the residents if they  
8 need them.

9 MRS. MORRELL: Yeah, but are they --  
10 don't you think there should be -- I shouldn't  
11 say those things. Do you have any plans of  
12 having those pumps ready, knowing that he gets  
13 flooded, instead of waiting for him to get  
14 flooded?

15 MS. MENICHETTI: I hope so.

16 MR. LUKASEWICZ: It would be a  
17 wonderful idea to have one on hand right on  
18 his property instead of calling the guys up  
19 and everything. That's a great idea.

20 MS. MENICHETTI: That's up to our  
21 DPW, but I would hope that they could do that.

22 MR. LUKASEWICZ: I think we could  
23 coordinate that with Mr. Kalinoski to have one  
24 right there on Mr. Riota's property, if that's  
25 all right with him. If it does start

1 MS. MENICHETTI: He's donating  
2 \$25,000 in memory of his deceased son.

3 MR. MORRELL: What does that have to  
4 do with purchase of the property? If he wants  
5 to donate \$25,000 why doesn't he just do it?  
6 What does it have to do with the purchase  
7 price of the property?

8 MS. MENICHETTI: Well, that's what  
9 he offered. He offered to charge us \$100,000  
10 and donate back \$25,000.

11 MR. MORRELL: So he gets to write  
12 \$25,000 off the sale of his property as a  
13 write-off?

14 MS. MENICHETTI: I don't know that,  
15 Mr. Morrell.

16 MR. MORRELL: I want to know if you  
17 can make a motion to grant me, number 11,  
18 concerning number 11, grant a motion to grant  
19 me the minutes of last April until now? If it  
20 works for O'Malley and the law firm maybe it  
21 can work for me.

22 MS. MENICHETTI: If we have the  
23 minutes, Mr. Morrell, you may have them.

24 MR. MORRELL: I'm waiting just about  
25 over a year.

1 MS. MENICHETTI: I don't know what  
2 minutes they're requesting. They may be  
3 requesting them from 2002. I'm not sure.  
4 Those minutes are available here in the  
5 borough building. If you'd like them they are  
6 available. The minutes you're requesting may  
7 not be transcribed. We're in the process of  
8 having Christine do them. She is trying to  
9 get through to them -- or get through the  
10 minutes.

11 MR. MORRELL: That's what you told  
12 me the last meeting, that's what you told me  
13 the meeting before that.

14 MS. MENICHETTI: No, I'm talking  
15 about -- we passed a motion at the last  
16 meeting to have Christine Hartshorn start to  
17 transcribe the minutes. Okay? And she is  
18 trying to do them.

19 MR. MORRELL: Thank you.

20 MS. MENICHETTI: Anyone else would  
21 like to speak, please raise your hand. If  
22 not, we'll begin.

23 MR. BARONE: Daryl, I'd like to say  
24 something on that. Maybe I can't count  
25 right. The original agreement with him was

1 \$75,000 for the land and \$80,000 to remove  
2 that. So he ups it up to \$100,000 so he can  
3 give you \$25,000 back for a plaque for his  
4 son? Which is a good gesture. But we're  
5 paying for the plaque. He's not because he's  
6 charging us \$100,000 and originally it was  
7 \$75,000.

8 MS. MENICHETTI: He didn't specify a  
9 plaque, Joe.

10 MR. BARONE: Well, whatever it is.

11 MS. MENICHETTI: A donation to do  
12 whatever you want.

13 MR. BARONE: Whatever it is. It's  
14 in memory of his son. Correct? Now, the  
15 original price of that land was \$75,000 -- he  
16 was right, \$155,000. That counts the  
17 removal. All the sudden he ups it from  
18 \$75,000 to \$100,000. Now he's going to give  
19 you the \$25,000 back.

20 MS. MENICHETTI: He didn't up it.  
21 That was always the price from day one.

22 MR. BARONE: No, it wasn't.

23 MS. MENICHETTI: Yes, it was.

24 MR. BARONE: No, it wasn't. When me  
25 and Robbie went down to see him, and Lou

1 Cimini, it was \$75,000.

2 MS. MENICHETTI: Not to my knowledge  
3 ever.

4 MR. BARONE: Well, you better check  
5 because I'm almost 100 percent positive. I  
6 think I'm right.

7 MS. MENICHETTI: Not to my  
8 knowledge.

9 MR. BARONE: You're paying for what  
10 that \$25,000 is going for.

11 MS. MENICHETTI: He's wrong.

12 MAYOR LUKOWSKI: Joe, I remember it  
13 \$100,000, but then he was going to take the  
14 dump completely away. What that would have  
15 cost, I mean, you got back.

16 MR. BARONE: The original price was  
17 \$75,000, \$80,000 to move the dump. That come  
18 to \$155,000. Dave Morrell was right. All the  
19 sudden he ups it \$100,000 for the land and  
20 he's going to give \$25,000 back. He takes  
21 \$25,000 off the \$25,000.

22 MR. BARNICK: I'm going to give you  
23 one better involving this land. Mr. Rinaldi  
24 was planning the village square, I believe was  
25 the name of it. That development there. He

1 was giving the borough almost two acres of  
2 land right there at that corner. Just giving  
3 the borough.

4 MS. JOHNSON: What happened?

5 MR. BARNICK: Got me. Never went  
6 through. None of that went through. But he  
7 was giving the borough that two acres of land  
8 over there, if you remember that, Tommy. That  
9 was years ago.

10 MR. LUKASEWICZ: I forgot all about  
11 that.

12 MR. BARNICK: I didn't. Not only  
13 was he giving it --

14 MR. MARUSHOCK: How come they never  
15 bought it?

16 MR. BARNICK: He never developed it.

17 MR. LUKASEWICZ: The development  
18 fell through for some reason. He did offer  
19 that to us.

20 Can I ask one question, Daryl? And  
21 attorney Brazil, maybe you can help me with  
22 this also. When this property is purchased,  
23 what will the purchase price be? \$100,000?  
24 \$180,000? \$155,000? What will the actual  
25 purchase price be?

1 MR. BRAZIL: \$180,000.

2 MR. LUKASEWICZ: This property, to  
3 include the grading of the property in the  
4 amount of \$80,000 and give it to the  
5 individual that you're buying it from instead  
6 of putting the grading out to bid, you know,  
7 you're taking \$80,000 of borough funds and  
8 handing it over to one contractor to prepare a  
9 parcel of land. I believe you can buy land  
10 but I don't believe you can authorize an  
11 individual to prepare your the property  
12 without putting it out for bid. I would like  
13 legal opinion on that. I think a legal  
14 opinion on that or at least a good answer to  
15 my question this evening is warranted before  
16 any vote is taken on this because it's very  
17 iffy.

18 I know one thing, I will abstaining  
19 for that reason for one fact, because I  
20 believe it's not proper to give out \$80,000 of  
21 borough funds without putting it out for bid.

22 MR. BARNICK: Isn't it also proper  
23 that once you reach a \$25,000 threshold that  
24 you must be state mandated hourly wages when  
25 they're doing work?

1 any other property here with a building on it  
2 and said we'll buy it but we want the building  
3 raised, well, you're just negotiating to buy a  
4 piece of land. Okay? The fact that he's  
5 going to clear it is up to him. I mean, he  
6 negotiated he wanted more money to do that but  
7 that's his choice.

8 MR. MARUSHOCK: Attorney Brazil, I  
9 may be intervening here. I know, as you said,  
10 we looked at the legality of having the land  
11 cleared by the individual we were purchasing  
12 it from, and I believe there is documentation  
13 here on file in our borough building where we  
14 solicited quotes to have that land prepared by  
15 outside individuals and they all came in  
16 substantially higher. So that also was a  
17 factor why we would spend the \$80,000 for the  
18 clearing of that piece of property.

19 MR. BRAZIL: Jeddy --

20 MR. LUKASEWICZ: To bring something  
21 out for bid where individuals actually bid on  
22 it is a completely different process.

23 MR. MARUSHOCK: I understand that.

24 MR. LUKASEWICZ: I hate to say it  
25 but you are avoiding the bidding process.

1 MR. BRAZIL: Correct.

2 MR. BARNICK: Once you meet that  
3 threshold, he signed a contract for \$80,000 to  
4 clear it and you have to meet the \$25,000 now.  
5 Right?

6 MR. BRAZIL: Correct.

7 MR. BARNICK: And he has to pay the  
8 state --

9 MR. BRAZIL: We had this discussion  
10 about six months ago when it first came up,  
11 and those were two concerns I brought up at  
12 the time. We had the discussion last year  
13 sometime and those were two issues I brought  
14 up: is he subject to the prevailing wage or  
15 would we have to put this out to bid. And  
16 after doing some research and, in fact,  
17 calling the prevailing wage, that was no  
18 longer an issue.

19 It was also my opinion at the time  
20 that the fact that he is entering into a  
21 contract with you to remove -- to give you the  
22 land at grade level did not involve the  
23 bidding. That was something that happened  
24 quite a while ago. That was something I  
25 looked at early on. It's simply if you bought

1 MR. MARUSHOCK: You're not.

2 MR. LUKASEWICZ: Anything that you  
3 do by the borough code in any representation  
4 or misrepresentation to avoid the bidding  
5 process can get you in hot water very fast.  
6 You have to be so careful.

7 MR. MARUSHOCK: It's not to sidestep  
8 the bidding process.

9 MR. BRAZIL: I will give you an  
10 opinion now that I don't think that's  
11 improper. You can negotiate to get -- I mean,  
12 when you buy a car, you buy it put together.  
13 There's a whole bunch of individual parts.  
14 You don't have to go and bid each of them.  
15 You've negotiated with this gentleman for a  
16 certain price that he's going to give you this  
17 property clear.

18 It would be the same as if you  
19 negotiated with the owner of a building and  
20 you wanted the building but you wanted it  
21 cleared. You negotiated a price. You're not  
22 avoiding the bidding, you've just negotiated  
23 the price with him and how you want the  
24 property.

25 MR. BARNICK: One point of issue,

1 one last point of issue regarding this land.  
 2 At the last meeting when it was proposed that  
 3 you were going to buy this land I asked for a  
 4 simple general statement as to the location of  
 5 the property when it was advertised. It  
 6 didn't happen. First of all, I know when you  
 7 have to advertise an ordinance there has to be  
 8 general place. I mean, things of that nature,  
 9 general. But not just to purchase real  
 10 estate. That's the ad, to purchase real  
 11 estate. That's all it said. That is an  
 12 illegal ad. Correct me if I'm wrong.

13 MR. BRAZIL: I don't believe it is.

14 MR. BARNICK: You don't believe it  
15 is to purchase real estate? That's it.

16 MR. BRAZIL: A summary of --

17 MR. BARNICK: And that follows the  
18 Sunshine Act, it follows all the borough  
19 codes.

20 MR. BRAZIL: Quite frankly --

21 MR. BARNICK: According to you.

22 MR. BRAZIL: -- I don't put in the  
23 ads.

24 MR. BARNICK: I understand that, but  
25 is it legal?

1 Chorba, same as the other ones.

2 MS. MENICHETTI: All right. Motion  
3 number one, to accept the zoning report and  
4 landfill inspector's report. May I have a  
5 motion, please.

6 MR. MARUSHOCK: I'll make that  
7 motion.

8 MS. MENICHETTI: Motion by Mr.  
9 Marushock. Second?

10 MS. JOHNSON: I'll second.

11 MS. MENICHETTI: Seconded by  
12 Ms. Johnson. On the question? Roll call,  
13 please?

14 MRS. HARTSHORN: Mr. Marushock?

15 MR. MARUSHOCK: For.

16 MRS. HARTSHORN: Ms. Johnson?

17 MS. JOHNSON: For.

18 MRS. HARTSHORN: Mr. Barone?

19 MR. BARONE: For.

20 MRS. HARTSHORN: Mr. Barnick?

21 MR. BARNICK: For.

22 MRS. HARTSHORN: Mr. Lukasewicz?

23 MR. LUKASEWICZ: For.

24 MRS. HARTSHORN: Mrs. Shortz?

25 MRS. SHORTZ: For.

1 MR. BRAZIL: Yes.

2 MR. BARNICK: It is legal?

3 MR. BRAZIL: Yes.

4 MS. MENICHETTI: And it was posted.

5 MR. BARNICK: To heck with all the  
6 people along this back court over here that  
7 are opposed to it. They don't even know that  
8 this land is being purchased for a DPW garage  
9 because a general statement was put in the  
10 paper to purchase real estate. We don't know  
11 what real estate but we're going to purchase  
12 some someplace. All these people don't know  
13 what's going on but they're going to have a  
14 DPW garage in their back yard or at their  
15 front door, some of them.

16 And right here I brought it up at  
17 this meeting, and he promised, along with  
18 Kenny Novack, when he was here, that it was  
19 going to be in there stating the location and  
20 they never put it in.

21 MS. MENICHETTI: That's my fault  
22 because I did authorize it.

23 MR. MARUSHOCK: The ad as it was  
24 placed was legal. Correct?

25 MR. BRAZIL: Yes. Same as we did on

1 MRS. HARTSHORN: Ms. Menichetti?

2 MS. MENICHETTI: For. All in  
3 favor. Motion carried.

4 Motion number two, the treasurer's  
5 report. Robert J. Hegedus, treasurer, will  
6 read the treasurer's report and the total of  
7 paid and unpaid monthly bills.

8 MR. HEGEDUS: Unpaid bills for  
9 August 2005, items for payment, \$67,196.41.

10 Paid bills for July 2005,  
11 \$162,849.14.

12 The revenue report for July 2005,  
13 \$713,048.08.

14 MS. MENICHETTI: May I have a  
15 motion, please?

16 MS. JOHNSON: Motion by Ms.  
17 Johnson. Second?

18 MR. MARUSHOCK: I'll second it.

19 MS. MENICHETTI: Second by  
20 Mr. Marushock. On the question?

21 MR. LUKASEWICZ: On the question,  
22 Mr. Hegedus, the bill for the upgrading of the  
23 telephones, why are we paying this a month  
24 before they're installed?

25 MR. HEGEDUS: The vender did ask for

1 an advance.

2 MS. MENICHETTI: A deposit.

3 MR. LUKASEWICZ: No, it says nine  
4 thousand some-odd dollars. Why are we going  
5 to pay a bill before the work --

6 MS. MENICHETTI: I thought that was  
7 a deposit.

8 MR. LUKASEWICZ: I don't understand  
9 that. I just don't understand that. Correct  
10 me if I'm wrong, but I believe there's nine  
11 thousand some-odd dollars and there's a check  
12 that will be cut, so we're going to pay  
13 somebody before they even do the work. I  
14 don't understand that type of business.

15 MRS. HARTSHORN: He's starting out.  
16 He needs to order most of the materials and  
17 they're very costly. He just started his own  
18 business so he had asked --

19 MR. LUKASEWICZ: So this is a new  
20 guy that we're giving a break to. Did you put  
21 it out for bid?

22 MRS. HARTSHORN: We did.

23 MS. MENICHETTI: We did. We had  
24 several bids on it. This was by far the  
25 lowest.

1 MR. LUKASEWICZ: We're going to pay  
2 an individual --

3 MRS. HARTSHORN: He's not new, he's  
4 just --

5 MR. LUKASEWICZ: We're going to pay  
6 him all the money for a job and then he's  
7 going to come and do the job, and if the job's  
8 not right --

9 MS. MENICHETTI: He's already  
10 started, hasn't he, Christine? He's already  
11 started.

12 MR. BARNICK: So his bid was \$9,000  
13 or just below \$10,000, actually. It should  
14 have went out to bid if there was other quotes  
15 that were over \$10,000.

16 MR. LUKASEWICZ: Correct.

17 MR. BARNICK: He's really not a  
18 professional service.

19 MS. MENICHETTI: From what I  
20 understand it did go out to bid.

21 MR. BARNICK: Just on the question  
22 of the treasurer's report, I will not be  
23 voting for the video tape. I think it's a  
24 waste of money.

25 And the dirt, we got that settled up

1 at the field, now? We're not paying \$11,000,  
2 we're paying \$1,000?

3 MR. LUKASEWICZ: Correct.

4 MR. BARNICK: I will not be voting  
5 for any doors or to pay for the solicitor.

6 MR. MARUSHOCK: On the question, I  
7 will vote against the purchase of baseball  
8 park dirt in the amount of \$1,301 from  
9 Northern Nursery, Incorporated. Especially  
10 right now being the end of our baseball  
11 season. At the last meeting we gave approval  
12 for the colleges to use this. Why are we  
13 spending that money for an outside firm from  
14 our community? Why not save it and spend that  
15 in the spring for the children of our town.

16 MR. LUKASEWICZ: Daryl, on the  
17 record --

18 MS. MENICHETTI: Just one question  
19 for Mr. Barnick. You said on the doors. What  
20 do you mean, the security system on the  
21 doors?

22 MR. LUKASEWICZ: That's not on for  
23 this evening.

24 MS. MENICHETTI: What did you mean  
25 the doors?

1 MR. LUKASEWICZ: We're going to pay  
2 an individual --

3 MRS. HARTSHORN: He's not new, he's  
4 just --

5 MR. LUKASEWICZ: We're going to pay  
6 him all the money for a job and then he's  
7 going to come and do the job, and if the job's  
8 not right --

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10 started, hasn't he, Christine? He's already  
11 started.

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13 or just below \$10,000, actually. It should  
14 have went out to bid if there was other quotes  
15 that were over \$10,000.

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18 professional service.

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20 understand it did go out to bid.

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22 of the treasurer's report, I will not be  
23 voting for the video tape. I think it's a  
24 waste of money.

25 And the dirt, we got that settled up

1 MR. BARNICK: The doors itself. You  
2 got \$2,000 you put out. Are they in here?

3 MR. LUKASEWICZ: He might be talking  
4 about the \$2,300 for the speaker system that  
5 was --

6 MR. BARNICK: Oh, I will not be  
7 voting for that.

8 MR. LUKASEWICZ: I don't know if  
9 anybody else notices a difference. I don't  
10 notice a difference with the microphones.

11 MR. BARNICK: I don't see anything.

12 MR. LUKASEWICZ: I still talk in the  
13 manner I talked before and everybody still  
14 hears me. I don't know why we spent \$2,300  
15 for microphones. But then, again, maybe  
16 \$2,300 is similar to the \$9,950 we're going to  
17 do to upgrade the telephone system in the  
18 borough of Throop. I don't -- I should say  
19 the borough building. I don't understand  
20 \$9,950 to upgrade the phones in this building,  
21 the only phones that we have. I know when you  
22 call up here usually you get someone to  
23 answer, unless -- I did something today. I  
24 have a phone that doesn't show my phone  
25 number. It's a private phone. And I called

1 the borough building today, and you know what,  
 2 they wouldn't take my call. What if someone  
 3 else had a private number and needed a  
 4 policeman or needed an ambulance or maybe  
 5 their house was getting flooded or whatever?  
 6 I guess their call won't come through either.  
 7 So I don't understand why this just occurred  
 8 this week because I've been calling with same  
 9 phone for several years. So --

10 MS. MENICHETTI: We don't have  
 11 caller ID here.

12 MR. LUKASEWICZ: You don't need it.

13 MS. MENICHETTI: I don't understand  
 14 what you're talking about.

15 MR. LUKASEWICZ: Well, you call here  
 16 with a phone that has a caller block on it it  
 17 doesn't go through anymore, for some reason.  
 18 And that's wrong.

19 MS. MENICHETTI: Can you answer  
 20 that, Christine, why that is?

21 MRS. HARTSHORN: I can speak for  
 22 myself. The reason being that I get three or  
 23 four hang-ups a day. And every time I try to  
 24 star 69 to see who called they block their  
 25 number. And I know that the police department

1 also has voiced concerns about calls they've  
 2 received and they don't know who is calling  
 3 because they don't have caller ID. We're  
 4 probably the only borough in Lackawanna County  
 5 and police department that doesn't have caller  
 6 ID.

7 MR. LUKASEWICZ: Let me ask a  
 8 question. If you call 911 and you have a  
 9 blocked number I would say they probably  
 10 answer. Right? In this day and age? I don't  
 11 understand. No, I don't understand this.  
 12 It's still an emergency. You're trying to  
 13 call the borough building.

14 The main thing is we don't have to  
 15 spend \$10,000 to upgrade these phones. And  
 16 then we're going to spend, I believe at the  
 17 last meeting, \$7,000 or so to upgrade the  
 18 doors.

19 MS. JOHNSON: Tommy, somebody broke  
 20 into our office and we don't know what they  
 21 took. I don't understand why no one in this  
 22 place is concerned. They took the video tape  
 23 showing them breaking into the office.

24 There's something wrong there.

25 MR. LUKASEWICZ: You're saying they

1 took the video tape?

2 MS. JOHNSON: Yeah. We have a  
 3 tape --

4 MR. LUKASEWICZ: I've never scene an  
 5 official record that said the video tape was  
 6 taken.

7 MS. JOHNSON: I'm sure you heard  
 8 about it, Tom. Weren't you concerned?

9 MS. MENICHETTI: We had the state  
 10 police here fingerprinting the doors.

11 MS. JOHNSON: Nobody has a concern.  
 12 You know, it makes you wonder.

13 MR. LUKASEWICZ: Twenty-some  
 14 thousand dollars -- \$23,000 will go a long way  
 15 with the borough of Throop. I just don't  
 16 understand. And I've been hearing for a long  
 17 time that we are financially strapped from the  
 18 majority but you kiss \$23,000 away in five  
 19 minutes. I don't understand it. Just so you  
 20 know --

21 MS. MENICHETTI: You have to bring  
 22 technology into the borough.

23 MR. LUKASEWICZ: You're talking the  
 24 borough of Throop. We have 4,500 residents.  
 25 We never had a problem with the phone being

1 answered in this borough building before.

2 MS. MENICHETTI: You have to bring  
 3 it into the 21st Century.

4 MR. LUKASEWICZ: You can create  
 5 whatever illusion you want to create. This is  
 6 a small town.

7 MS. JOHNSON: I'll call the  
 8 question.

9 MS. MENICHETTI: The question has  
 10 been called. May I have roll call, please.

11 MRS. HARTSHORN: Ms. Johnson?

12 MS. JOHNSON: For.

13 MRS. HARTSHORN: Mr. Marushock?

14 MR. MARUSHOCK: For.

15 MRS. HARTSHORN: Mr. Barone?

16 MR. BARONE: Against.

17 MRS. HARTSHORN: Mr. Barnick?

18 MR. BARNICK: Against.

19 MRS. HARTSHORN: Mr. Lukasewicz?

20 MR. LUKASEWICZ: For, except against  
 21 the money for the upgrading of the phone  
 22 system and for these microphones I can't tell  
 23 any difference with, \$2,300.

24 MS. MENICHETTI: Continue, please.

25 MR. HARTSHORN: Mrs. Shortz?

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1 MRS. SHORTZ: For.  
 2 MRS. HARTSHORN: Ms. Menichetti?  
 3 MS. MENICHETTI: For. Four in  
 4 favor. Motion carried.  
 5 Motion number three, to pay all the  
 6 employees of Throop Borough.  
 7 MR. MARUSHOCK: I'll make that  
 8 motion.  
 9 MS. MENICHETTI: Motion by Mr.  
 10 Marushock. Second, please?  
 11 MR. LUKASEWICZ: I'll second the  
 12 motion.  
 13 MS. MENICHETTI: Seconded by  
 14 Mr. Lukasewicz. On the question? Roll call,  
 15 please?  
 16 MRS. HARTSHORN: Mr. Marushock?  
 17 MR. MARUSHOCK: For.  
 18 MRS. HARTSHORN: Mr. Lukasewicz?  
 19 MR. LUKASEWICZ: For.  
 20 MRS. HARTSHORN: Mr. Barone?  
 21 MR. BARONE: For.  
 22 MRS. HARTSHORN: Mr. Barnick?  
 23 MR. BARNICK: For.  
 24 MRS. HARTSHORN: Mrs. Shortz?  
 25 MRS. SHORTZ: For.

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1 MRS. HARTSHORN: Ms. Johnson?  
 2 MS. JOHNSON: For.  
 3 MRS. HARTSHORN: Ms. Menichetti?  
 4 MS. MENICHETTI: For. All in  
 5 favor. Motion carried.  
 6 To accept the correspondence as read  
 7 or posted.  
 8 MR. LUKASEWICZ: I'd like to make  
 9 that motion.  
 10 MS. MENICHETTI: May I have a  
 11 second?  
 12 MR. MARUSHOCK: I'll second.  
 13 MR. LUKASEWICZ: On the question, I  
 14 just found out this evening about our borough  
 15 manager's resignation. Did he give a written  
 16 resignation?  
 17 MS. MENICHETTI: Yes. It's in an  
 18 envelope here.  
 19 MR. LUKASEWICZ: Do I have one?  
 20 MS. MENICHETTI: Well, before I read  
 21 that, I have something else that I wanted to  
 22 read.  
 23 MR. BARNICK: They all got  
 24 envelopes. We don't.  
 25 MS. MENICHETTI: It was in my mail

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1 box. That's where I got it. I just went in  
 2 there and took it out of my mail box.  
 3 MR. LUKASEWICZ: I don't have a key  
 4 to get in there.  
 5 MS. JOHNSON: Kick the door in like  
 6 everybody else does.  
 7 MS. MENICHETTI: Please. May I have  
 8 order, please.  
 9 MR. LUKASEWICZ: How did it get on  
 10 the agenda if you just got the resignation in  
 11 your hand?  
 12 MS. MENICHETTI: Mr. Lukasewicz, I  
 13 have the floor. Do you mind? At the last  
 14 meeting you made a comment, and I'm going to  
 15 read it right from the written minutes. Mr.  
 16 Marushock mentioned about a bill from Tomark.  
 17 Okay? And I mentioned to Mr. Marushock that  
 18 the bill wasn't on the list of payments. So  
 19 he said I think we were still reviewing it.  
 20 So you said to me, "how come he has  
 21 a copy and I don't get a copy of it"?  
 22 And I said, "I don't know."  
 23 And you said, "am I a councilman"?  
 24 And Mr. Marushock said to you, "I'll  
 25 give you a copy."

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1 And you said, "it happens every  
 2 month. Certain councilmen get items before  
 3 other councilmen get them. Certain councilmen  
 4 know what happens in the borough and other  
 5 councilmen don't know."  
 6 Here's my reply to you.  
 7 MR. LUKASEWICZ: Before that --  
 8 MS. MENICHETTI: Here's my --  
 9 MR. LUKASEWICZ: The agenda was  
 10 printed up 4:00 this afternoon. It has the  
 11 resignation of Mr. Novack on there. You have  
 12 a copy that --  
 13 MS. MENICHETTI: Excuse me. I have  
 14 the floor. At the general meeting held on  
 15 7/25/05 I was accused by Mr. Lukasewicz of  
 16 keeping bills from he and fellow council  
 17 members on a monthly basis. For your  
 18 information, Mr. Lukasewicz, the bills are  
 19 located in the treasurer's office located in  
 20 the rear of the borough building and are  
 21 available for you to inspect at any time the  
 22 building is not locked. They are not copied  
 23 for council and you are well aware of that  
 24 fact. I do look at the bills on a monthly  
 25 basis and I do question bills if I feel there

1 is a discrepancy or a procedure has not been  
2 followed.

3 Do not accuse me of keeping bills,  
4 as I do not keep anything from council. I  
5 receive the same correspondence that you do.  
6 If you do not take the time or the interest in  
7 the financial well-being of the borough do not  
8 place any blame on the people who do.  
9 Mr. Marushock and myself have been going  
10 through the bills on a monthly basis and will  
11 continue to do so.

12 When I took this office I did not  
13 shirk my responsibilities at any time. And  
14 even when I lost the election I will continue  
15 to work to improve the quality of life to the  
16 citizens in this borough.

17 In the future, stick to the facts  
18 and stop trying to puff yourself up by tearing  
19 someone else down, which is exactly what  
20 you're doing.

21 MR. LUKASEWICZ: Well, when I was at  
22 the work session on Thursday, you attended and  
23 myself and all other council members, and I  
24 looked through the items for payment. And I'm  
25 looking through here -- and this is something

1 the record, do I not have that highlighted?  
2 This is in the old set of bills for payment,  
3 the current, revised bills for payment, and I  
4 did not question that or raise objections to  
5 that payment because it is not on the revised  
6 list of bills for payment, period.

7 MS. MENICHETTI: That's why we have  
8 work sessions.

9 MR. MARUSHOCK: You're making an  
10 issue out of nothing.

11 MR. LUKASEWICZ: Issue out of  
12 nothing?

13 MS. MENICHETTI: We have work  
14 sessions. We were the only two people here at  
15 the work session. No one else was even here.

16 MR. LUKASEWICZ: Here's the issue at  
17 hand. I came in this afternoon to ask if the  
18 minutes were prepared -- the agenda. Jeddy  
19 and I were here. Was the agenda prepared? It  
20 was quarter to four and I was told no, I  
21 haven't started preparing the agenda yes.

22 MRS. HARTSHORN: That's not what I  
23 said.

24 MR. LUKASEWICZ: Irregardless of  
25 what's going on --

1 you just stated for the record that you and  
2 Jeddy have lots of time on your hands and you  
3 look through all items for payment. Well,  
4 this is not the revised one after Thursday's  
5 meeting but this is the original one that I  
6 looked at on Thursday. We had an invoice here  
7 and a bill for \$11,646.36 for Martin  
8 Limestone, Incorporated, for premium diamond  
9 dirt. Okay? What is this? We never paid  
10 this much. You said you found it a little  
11 high.

12 Well, I ask Mr. Hegedus to go check  
13 his bills. It's a typo. It was only going to  
14 be \$1,100.

15 MS. MENICHETTI: That's correct.

16 MR. LUKASEWICZ: We would have paid  
17 \$11,646 to a vender. So you're doing such a  
18 good job. You're doing a good job.

19 MS. MENICHETTI: This is why we have  
20 work sessions.

21 MR. BARNICK: I have to ask, though,  
22 if it was \$11,000 and it was typo, just add a  
23 zero there, why isn't it \$1,100 and not  
24 \$1,300?

25 MR. MARUSHOCK: Mr. Lukasewicz, for

1 MRS. HARTSHORN: That's not what I  
2 said.

3 MR. LUKASEWICZ: The agenda was  
4 prepared --

5 MRS. HARTSHORN: I said I was  
6 working on it.

7 MS. MENICHETTI: She said she was  
8 working on it.

9 MR. LUKASEWICZ: The agenda was  
10 prepared, the agenda was distributed in the  
11 hallway for all of the audience. You're  
12 council president. You knew there was a  
13 resignation this evening. It was put on an  
14 agenda. Me and the councilmen didn't even  
15 know there was a resignation of probably the  
16 most vital person to this borough. Why was I  
17 not told? Was it because I'm the minority?  
18 Why am I not told? It just shows what I was  
19 trying to say earlier.

20 MS. MENICHETTI: Mr. Lukasewicz, I  
21 went in there and picked up my mail, and I got  
22 this letter of resignation when I went in  
23 there and picked up my mail. Nobody placed it  
24 in front of, nobody hand delivered things to  
25 me.

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1 MR. LUKASEWICZ: Everybody --  
 2 MS. MENICHETTI: You have to take  
 3 the initiative and do it on your own. You're  
 4 so used to having things just done for you.  
 5 MR. LUKASEWICZ: My point is made.  
 6 MS. MENICHETTI: This letter of  
 7 resignation is dated August 29, which is  
 8 today.  
 9 MR. LUKASEWICZ: Why is Mr. Novack  
 10 not here today?  
 11 MS. MENICHETTI: "I am writing this  
 12 memo to inform council that I will be  
 13 resigning my position as borough manager of  
 14 Throop effective September 15, 2005. I have  
 15 received notification of reinstatement of my  
 16 previous position in Dickson City.  
 17 I would like to thank council for  
 18 allowing me to serve them in that capacity and  
 19 I wish only the best for the borough and  
 20 residents of Throop. Sincerely, Ken Novack."  
 21 Anyone else on the question? Roll  
 22 call, please.  
 23 MRS. HARTSHORN: Mr. Lukasewicz?  
 24 MR. LUKASEWICZ: For.  
 25 MRS. HARTSHORN: Mr. Marushock?

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1 MR. MARUSHOCK: For.  
 2 MRS. HARTSHORN: Mr. Barone?  
 3 MR. BARONE: For.  
 4 MRS. HARTSHORN: Mr. Barnick?  
 5 MR. BARNICK: For.  
 6 MRS. HARTSHORN: Mrs. Shortz?  
 7 MRS. SHORTZ: For.  
 8 MRS. HARTSHORN: Ms. Johnson?  
 9 MS. JOHNSON: For.  
 10 MRS. HARTSHORN: Ms. Menichetti?  
 11 MS. MENICHETTI: For. All in  
 12 favor. Motion carried.  
 13 Motion number five, to accept the  
 14 resignation of Ken Novack, borough manager,  
 15 effective September 15, 2005. Motion,  
 16 please?  
 17 MRS. SHORTZ: I'll make that motion.  
 18 MS. MENICHETTI: Motion by  
 19 Mrs. Shortz. Second?  
 20 MR. MARUSHOCK: I'll second.  
 21 MS. MENICHETTI: Second by  
 22 Mr. Marushock. On the question? Roll call,  
 23 please.  
 24 MRS. HARTSHORN: Mrs. Shortz?  
 25 MRS. SHORTZ: For.

1 MRS. HARTSHORN: Mr. Marushock?  
 2 MR. MARUSHOCK: For.  
 3 MRS. HARTSHORN: Mr. Barone?  
 4 MR. BARONE: For.  
 5 MRS. HARTSHORN: Mr. Barnick?  
 6 MR. BARNICK: For.  
 7 MRS. HARTSHORN: Mr. Lukasewicz?  
 8 MR. LUKASEWICZ: For.  
 9 MRS. HARTSHORN: Ms. Johnson?  
 10 MS. JOHNSON: For.  
 11 MRS. HARTSHORN: Ms. Menichetti?  
 12 MS. MENICHETTI: For. All in  
 13 favor. Motion carried.  
 14 Motion number six, to hire Robert  
 15 Hegedus as borough manager at a salary of  
 16 \$37,500 effective September 16, 2005, and to  
 17 resume the duties of the treasurer until one  
 18 is hired. Motion, please?  
 19 MS. JOHNSON: I'll make that motion.  
 20 MS. MENICHETTI: Motion by Ms.  
 21 Johnson. Second?  
 22 MR. MARUSHOCK: I'll second this.  
 23 MS. MENICHETTI: Second by Mr.  
 24 Marushock. On the question?  
 25 MR. MARUSHOCK: On the question,

1 this \$37,500 salary, that is for borough  
 2 manager and treasurer combined. Correct? The  
 3 salary will be adjusted upon the hiring of a  
 4 new treasurer?  
 5 MS. MENICHETTI: Ms. Johnson, you  
 6 made the motion.  
 7 MR. MARUSHOCK: I believe the  
 8 ordinance allows Mr. Hegedus -- if he becomes  
 9 the borough manager I believe he can also do  
 10 both jobs of manager and treasurer.  
 11 MS. MENICHETTI: Yes, he can.  
 12 MR. MARUSHOCK: If we have him at  
 13 both I have no problem with the \$37,500.  
 14 However, if we're going to hire someone else  
 15 as treasurer that creates a problem in that  
 16 price structure.  
 17 MS. MENICHETTI: Does that meet with  
 18 your approval, Mr. Hegedus?  
 19 MR. HEGEDUS: Yes.  
 20 MR. LUKASEWICZ: On the question, we  
 21 just received the resignation this evening and  
 22 it's dated September 15. We've got a few  
 23 weeks before he resigns. I don't understand  
 24 how the input of other councilmen or rights of  
 25 individuals to apply for such a position have

1 been overstepped. You know, I have to state  
2 for the record again it's a majority and a  
3 minority and the majority making the decisions  
4 prior to the meetings. Now, there has to be  
5 some discussion amongst council of the  
6 majority prior to this meeting to having this  
7 motion placed on the agenda, which is  
8 improper. There's a proper way of doing  
9 things ethically --

10 MS. JOHNSON: Are you saying the  
11 four of us are meeting? What are you trying  
12 to say here?

13 MR. LUKASEWICZ: I'm stating to the  
14 point that there's an ethical way of doing  
15 things and this reeks of impropriety. That's  
16 all I will say. I'm not going to address your  
17 questions.

18 MR. MARUSHOCK: Madam Chairman, on  
19 the question, is it possible that Mr. Hegedus  
20 would be able to start perhaps a week earlier  
21 if he is available, that he can work with Mr.  
22 Novack to get some of the -- a briefing of the  
23 happenings within the borough?

24 MS. MENICHETTI: You should ask him.  
25 MR. MARUSHOCK: Mr. Hegedus, would

1 else on the question? Roll call, please?  
2 MRS. HARTSHORN: Ms. Johnson?  
3 MS. JOHNSON: For.  
4 MRS. HARTSHORN: Mr. Marushock?  
5 MR. MARUSHOCK: For.  
6 MRS. HARTSHORN: Mr. Barone?  
7 MR. BARONE: For -- against. Excuse

8 me.  
9 MRS. HARTSHORN: Mr. Barnick?  
10 MR. BARNICK: Against.  
11 MRS. HARTSHORN: Mr. Lukasewicz?  
12 MR. LUKASEWICZ: Against.  
13 MRS. HARTSHORN: Mrs. Shortz?  
14 MRS. SHORTZ: For.  
15 MRS. HARTSHORN: Ms. Menichetti?  
16 MS. MENICHETTI: For. Four in  
17 favor. Motion carried.

18 Motion number seven, to adopt  
19 ordinance number 13 of 2005, an ordinance  
20 authorizing the purchase of real estate, the  
21 Rinaldi property.

22 MS. JOHNSON: I'll make the motion.  
23 MS. MENICHETTI: Motion by Ms.  
24 Johnson. Second?  
25 MR. MARUSHOCK: I'll second that.

1 you be available for that time frame.

2 MR. HEGEDUS: I will do my best to  
3 meet with Mr. Novack a week prior.

4 MR. MARUSHOCK: Ms. Johnson, would  
5 you do me a favor and have that changed?

6 MS. JOHNSON: Yes.

7 MR. MARUSHOCK: So that date will  
8 become, instead September 16, September 9.

9 MR. BARONE: You're talking like  
10 he's already hired.

11 MR. BARNICK: He is.

12 MR. MARUSHOCK: I'm just saying if  
13 he does.

14 MR. BARONE: You're hiring somebody  
15 as a monitor across the street you have a big  
16 interview. You interviewed everybody. A job  
17 as important as this you don't want --

18 MR. MARUSHOCK: That's what the  
19 motion is for, to change before it goes to the  
20 floor. Put the proper changes in.

21 MR. BARONE: Come on.

22 MR. MARUSHOCK: This motion will  
23 stay at \$37,000 effective September 9, 2005,  
24 and not September 16, 2005.

25 MS. MENICHETTI: All right. Anyone

1 MS. MENICHETTI: Second by Mr.  
2 Marushock. On the question?

3 MR. BARNICK: On the question, it's  
4 the wrong place, wrong time, wrong land, wrong  
5 everything about it.

6 MR. MARUSHOCK: That's your opinion.

7 MR. BARNICK: It shouldn't be done  
8 there. Especially after he was giving land to  
9 the borough. There's many other issues  
10 involved, but just so people know, 1.5 acres  
11 of the three acres cannot be used for  
12 development. It's rock and runoff.

13 MS. MENICHETTI: Anyone else on the  
14 question?

15 MR. BARONE: I still can't  
16 understand why you want to pay him \$80,000 to  
17 move that dirt and land when he was supposed  
18 to do it himself 25 years ago. You want to  
19 pay him \$80,000 to move it.

20 MRS. SHORTZ: On the question, what  
21 occurred 25 years ago I can't attest to. I  
22 can only attest to what I've been on council  
23 for for two years. And it's been repeatedly  
24 stated over and over that we need this DPW  
25 complex. I, myself, have been accused by

1 members of the audience on several occasions  
 2 as being the stumbling block for why this has  
 3 not occurred, even though I was not involved  
 4 with any prior negotiations over this  
 5 property. I only know what I have seen and  
 6 have witnessed as a visitor in the audience as  
 7 well as since I'm on council. We need a  
 8 site. This site went through all the rigors  
 9 because when we first proposed this site  
 10 several months ago and the minority was  
 11 against it they brought up all kinds of  
 12 accusations concerning that sight. There was  
 13 an environmental impact study done which was  
 14 okayed, there were mine drillings done which  
 15 were okayed. The engineers looked into the  
 16 possibility of the storm water management on  
 17 the site and didn't have a problem.

18 Likewise, the Chorba property went  
 19 through the same type of scrutiny and there  
 20 were numerous issues raised on the Chorba  
 21 property. Neither site was perfect.

22 In my opinion this is the better  
 23 site, the better location. Therefore, I'm in  
 24 favor of this purchase.

25 MR. LUKASEWICZ: On the question,

1 nothing. There it is. Case closed.  
 2 MRS. SHORTZ: For the record also,  
 3 when you guys -- we had this ordinance  
 4 advertised last time and this was brought  
 5 forward and at one point there was a tie vote,  
 6 and that's that time the mayor's comment was  
 7 although he agreed that that was the better  
 8 site and his preferred site, he was going  
 9 along with you guys because he wanted the site  
 10 in place.

11 So I don't understand now why  
 12 suddenly it's not such a good site when it was  
 13 a site that --

14 MAYOR LUKOWSKI: Because there's  
 15 \$80,000 at stake.

16 MRS. SHORTZ: Excuse me. Both of  
 17 them passed. The mayor and Mr. Barone were  
 18 very much in favor of this site. Suddenly now  
 19 they're totally against it without any  
 20 addition --

21 MS. MENICHETTI: One person speaking  
 22 at a time, please.

23 MR. BARONE: Why don't you listen to  
 24 Larry Hartshorn about twenty-five years ago  
 25 how bad it was. You people don't listen to

1 Mr. Brazil, this is by ordinance to purchase  
 2 the property. Correct?

3 MR. BRAZIL: Correct.

4 MR. LUKASEWICZ: And by ordinance,  
 5 it would have to be signed by the president of  
 6 council and the mayor of Throop?

7 MR. BRAZIL: It's legislative, yes.

8 MR. LUKASEWICZ: So if the mayor of  
 9 Throop did not want to sign this ordinance  
 10 then it would have to be revisited by council  
 11 and it would have to be voted on by a super  
 12 majority. Am I correct?

13 MR. BRAZIL: Correct.

14 MR. LUKASEWICZ: So right now this  
 15 is in the hands of the mayor.

16 MR. BRAZIL: If it passes.

17 MR. LUKASEWICZ: Just so everyone  
 18 understands that before any monies are  
 19 allocated or any agreements are completely  
 20 signed or whatever we do need the signature of  
 21 the mayor of the borough of Throop on this  
 22 ordinance.

23 MAYOR LUKOWSKI: Well, let me tell  
 24 you this right off, the man -- and we all sat  
 25 here -- said he would take that dump down for

1 stuff like that. You have a one-track mind.

2 MS. MENICHETTI: Please. Sue,  
 3 continue, please.

4 MRS. SHORTZ: I'm just saying, both  
 5 them have been on record in favor of this  
 6 property in the past, and they have neither  
 7 produced significant reason in my mind to say  
 8 that it now is not a good property. We need a  
 9 DPW complex. I think this is the right site.  
 10 I think we need to move forward. And unlike  
 11 in the past when this was voted on and it was  
 12 the choice and it was reversed by special  
 13 motion at a special meeting because one member  
 14 of council didn't agree and got everybody on  
 15 his side to change that vote. It's just not  
 16 right. We need to move forward. We need to  
 17 get a complex --

18 MR. BARONE: I changed my vote like  
 19 you changed yours. Just like you changed  
 20 yours.

21 MR. LUKASEWICZ: Again, just for the  
 22 record, attorney Brazil, prior to any signing  
 23 of any document with the perspective --

24 MS. MENICHETTI: Are you making a  
 25 statement that that's what is going to occur

1 before a vote is taken? This is another  
 2 threat.  
 3 MR. LUKASEWICZ: I'm stating for the  
 4 record, I am asking attorney Brazil that prior  
 5 to any signing of any agreement of sale that  
 6 the ordinance is properly in place.  
 7 MRS. SHORTZ: Just for the record,  
 8 as the last time that --  
 9 MR. LUKASEWICZ: It's not a threat,  
 10 that is only proper procedure. I'm only  
 11 trying to follow proper procedure.  
 12 MRS. SHORTZ: The last time this  
 13 motion was passed as president of council you  
 14 refused to sign it and then you got the  
 15 majority to come to your side. And today  
 16 you're doing the same by talking in front of  
 17 the public meeting to get the mayor to go  
 18 along on your side.  
 19 MR. MARUSHOCK: That is correct,  
 20 Mrs. Shortz.  
 21 MRS. SHORTZ: So there is no DPW  
 22 again --  
 23 MR. LUKASEWICZ: I asked a question  
 24 of attorney Brazil. I asked a question of  
 25 attorney Brazil. That's all that happened

1 here this evening.  
 2 MS. MENICHETTI: You're manipulating  
 3 the mayor.  
 4 MR. BARONE: The mayor knows what  
 5 he's doing.  
 6 MAYOR LUKOWSKI: Absolutely not.  
 7 MS. MENICHETTI: The question has  
 8 been called. Roll call, please.  
 9 MAYOR LUKOWSKI: There's \$80,000  
 10 involved here.  
 11 MRS. HARTSHORN: Ms. Johnson?  
 12 MS. JOHNSON: For.  
 13 MRS. HARTSHORN: Mr. Marushock?  
 14 MR. MARUSHOCK: For.  
 15 MRS. HARTSHORN: Mr. Barone?  
 16 MR. BARONE: Against.  
 17 MRS. HARTSHORN: Mr. Barnick?  
 18 MR. BARNICK: Against.  
 19 MRS. HARTSHORN: Mr. Lukasewicz?  
 20 MR. LUKASEWICZ: Against.  
 21 MRS. HARTSHORN: Mrs. Shortz?  
 22 MRS. SHORTZ: For.  
 23 MRS. HARTSHORN: Ms. Menichetti?  
 24 MS. MENICHETTI: For. Four in  
 25 favor. Motion carried.

1 Motion number eight, to authorize  
 2 Frederick C. Spott and Associates to begin the  
 3 design for the new DPW complex as soon as  
 4 possible, and if the design cannot be started  
 5 as soon as possible to hire another firm to  
 6 begin that design.  
 7 MR. MARUSHOCK: I'll make that  
 8 motion.  
 9 MR. LUKASEWICZ: Motion to table  
 10 that.  
 11 MR. BARNICK: I'll second it.  
 12 MS. MENICHETTI: The motion has been  
 13 placed on the floor. Mr. Marushock placed the  
 14 motion on the floor. May I have a second?  
 15 MS. JOHNSON: I'll second it.  
 16 MS. MENICHETTI: Second by Cindy  
 17 Johnson. Okay, Mr. Lukasewicz is tabling the  
 18 motion. Is there a second to the table?  
 19 MR. BARNICK: I'll second it.  
 20 MS. MENICHETTI: Mr. Barnick has  
 21 tabled. On the question? Does anybody have  
 22 anything on the question before we take roll  
 23 call? Roll call on tabling the motion.  
 24 MRS. HARTSHORN: Mr. Lukasewicz?  
 25 MR. LUKASEWICZ: For.

1 MRS. HARTSHORN: Mr. Barnick?  
 2 MR. BARNICK: For.  
 3 MRS. HARTSHORN: Mr. Barone?  
 4 MR. BARONE: For.  
 5 MRS. HARTSHORN: Mr. Marushock?  
 6 MR. MARUSHOCK: Against.  
 7 MRS. HARTSHORN: Mrs. Shortz?  
 8 MRS. SHORTZ: Against.  
 9 MRS. HARTSHORN: Ms. Johnson?  
 10 MS. JOHNSON: Against.  
 11 MRS. HARTSHORN: Ms. Menichetti?  
 12 MS. MENICHETTI: Against. Tabling  
 13 motion has failed so the original motion  
 14 remains on the floor. On the question?  
 15 MR. MARUSHOCK: On the question, a  
 16 lot of design for this building on this site  
 17 is already in place. There were sketches of  
 18 how the vehicles would access to the salt  
 19 shed, the water runoff, the construction of  
 20 the building. I believe we spent  
 21 approximately \$8,500 with Spott and  
 22 Associates, I think, the one year to design  
 23 that building there. A lot --  
 24 MS. MENICHETTI: No, I think it  
 25 was --

1 MR. LUKASEWICZ: That was KBA.  
 2 MS. MENICHETTI: No, it was an  
 3 architect that they hired.  
 4 MR. LUKASEWICZ: The plot plan was  
 5 KBA.  
 6 MS. MENICHETTI: It was the same  
 7 fellow that's doing it now.  
 8 MR. MARUSHOCK: The sketch for the  
 9 site is already here in possession of the  
 10 borough and this should expedite the process.  
 11 Again, we're trying to get this done as quick  
 12 as possible, so the motion goes.  
 13 MR. BARNICK: On the question, that  
 14 sketch that was done was for up on the 48  
 15 acres.  
 16 MR. MARUSHOCK: No, it was not.  
 17 MR. BARNICK: Yes, it was.  
 18 MR. MARUSHOCK: No, it was not.  
 19 MR. BARNICK: Because I remember it  
 20 specifically.  
 21 MS. MENICHETTI: I remember  
 22 seeing --  
 23 MR. BARNICK: Secondly, when do you  
 24 plan on --  
 25 MR. LUKASEWICZ: There was a site

1 plan that was prepared by KBA.  
 2 MS. MENICHETTI: I think you might  
 3 be -- it was just a site plan.  
 4 MR. LUKASEWICZ: It was just a  
 5 preliminary site plan.  
 6 MAYOR LUKOWSKI: Let me add my two  
 7 cents worth. You're saying manipulation and  
 8 all this other baloney. Years and years ago I  
 9 said that that thing would never go unless he  
 10 removed that dump down there. Years and  
 11 years. None of you were here then. None. So  
 12 don't give me any baloney.  
 13 MR. MARUSHOCK: Mr. Mayor --  
 14 MR. BARNICK: I want to finish  
 15 there.  
 16 MR. MARUSHOCK: -- what you said a  
 17 while back, just like you double-talk today  
 18 about the 48 acres. I questioned the mine  
 19 fire on the site because I was on the Marjol  
 20 committee where you said that the fire existed  
 21 and a few years ago there was no fire. I  
 22 don't think you know what you're talking  
 23 about.  
 24 MAYOR LUKOWSKI: Absolutely,  
 25 absolutely not.

1 MR. BARNICK: Can I finish? That  
 2 site, are you guaranteeing that building's  
 3 going up this year before the snow flies?  
 4 MR. MARUSHOCK: No, we're not going  
 5 to get --  
 6 MRS. SHORTZ: The building won't be  
 7 up.  
 8 MR. BARNICK: So you're saying  
 9 you're guaranteeing the planning commission,  
 10 the zoning commission? You're guaranteeing  
 11 all that stuff, the county --  
 12 MR. MARUSHOCK: We don't have the  
 13 authority to do that.  
 14 MR. BARNICK: E and S and all that  
 15 stuff?  
 16 MS. MENICHETTI: We have to start  
 17 somewhere.  
 18 MRS. SHORTZ: None of that can take  
 19 place until you have the purchase of a  
 20 property. You can't move forward until you've  
 21 got that.  
 22 MR. BARNICK: It's residential  
 23 property and these people over there do not  
 24 want it there and it shouldn't be there.  
 25 MRS. SHORTZ: I beg to differ.

1 MS. MENICHETTI: From what I  
 2 understand Mrs. Shortz did talk to a lot of  
 3 the neighbors there and they were really happy  
 4 about it, actually.  
 5 MR. BARONE: I don't believe it.  
 6 MR. BARNICK: I don't believe it.  
 7 MR. BARONE: We're going to go talk  
 8 to them.  
 9 MRS. SHORTZ: I know for a fact --  
 10 MS. MENICHETTI: They put up with it  
 11 here for years.  
 12 MRS. SHORTZ: At a meeting it was  
 13 stated that everyone over there said that. I  
 14 spoke to people that said --  
 15 MR. BARNICK: They put up with it  
 16 for years, and I want the opportunity to move  
 17 it away from all these people and you're still  
 18 going to make them put up with it for years.  
 19 MS. MENICHETTI: And you're going to  
 20 put it in another residential and now you're  
 21 going to be next to somebody else.  
 22 MR. MARUSHOCK: I call the question.  
 23 MS. MENICHETTI: The question has  
 24 been called. Roll call, please.  
 25 MRS. HARTSHORN: Mr. Marushock?

1 MR. MARUSHOCK: For.  
 2 MRS. HARTSHORN: Ms. Johnson?  
 3 MS. JOHNSON: For.  
 4 MRS. HARTSHORN: Mr. Barone?  
 5 MR. BARONE: Against.  
 6 MRS. HARTSHORN: Mr. Barnick?  
 7 MR. BARNICK: Against.  
 8 MRS. HARTSHORN: Mr. Lukasewicz?  
 9 MR. LUKASEWICZ: Against.  
 10 MRS. HARTSHORN: Mrs. Shortz?  
 11 MRS. SHORTZ: For.  
 12 MRS. HARTSHORN: Ms. Menichetti?  
 13 MS. MENICHETTI: For. Four in  
 14 favor. Motion carried.

15 ~~Motion number nine, to authorize~~  
 16 payment to JWF Specialty in the amount of  
 17 \$25,000, which is the deductible for the  
 18 \$40,000 settlement granted to Elaine Morrell.  
 19 Motion, please?

20 MR. LUKASEWICZ: I'll make the  
 21 motion.

22 MS. MENICHETTI: Motion by Mr.  
 23 Lukasewicz. Second?

24 MR. BARONE: I'll second it.

25 MS. MENICHETTI: Second by Mr.

1 with the cases.

2 MR. BRAZIL: I'm assuming there were  
 3 no issues on this. If we have a deductible it  
 4 has to be paid.

5 MR. LUKASEWICZ: Why are you not  
 6 voting to pay -- you voted to pay a prior one  
 7 when it was clarified by the solicitor. The  
 8 solicitor is telling you this evening you  
 9 should pay it but --

10 MS. MENICHETTI: I didn't vote for  
 11 that one either.

12 MR. LUKASEWICZ: Okay. Well, I'm  
 13 just asking.

14 MS. MENICHETTI: If you recall.  
 15 Okay, motion number ten, to authorize payment  
 16 to Rainey & Rainey for the year-end audit of  
 17 financials for 12/31/04. And I believe this  
 18 is the balance of \$1,800. Motion, please?

19 MR. MARUSHOCK: I'll make that  
 20 motion.

21 MS. MENICHETTI: Motion by Mr.  
 22 Marushock. Second?

23 MRS. SHORTZ: I'll second it.

24 MS. MENICHETTI: Second by Mrs.  
 25 Shortz. On the question?

1 Barone. On the question? Roll call, please.

2 MRS. HARTSHORN: Mr. Lukasewicz?

3 MR. LUKASEWICZ: For.

4 MRS. HARTSHORN: Mr. Barone?

5 MR. BARONE: For.

6 MRS. HARTSHORN: Mr. Barnick?

7 MR. BARNICK: For.

8 MRS. HARTSHORN: Mr. Marushock?

9 MR. MARUSHOCK: Against.

10 MRS. HARTSHORN: Mrs. Shortz?

11 MRS. SHORTZ: Against.

12 MRS. HARTSHORN: Ms. Johnson?

13 MS. JOHNSON: Against.

14 MRS. HARTSHORN: Ms. Menichetti?

15 MS. MENICHETTI: Against. Four  
 16 against. Motion failed.

17 MR. LUKASEWICZ: Attorney Brazil,  
 18 can I ask you a question, please? This is a  
 19 revisiting of the last bill that was given on  
 20 the prior lawsuit that went around and around  
 21 and around and finally was paid. This one  
 22 probably needs to be paid the same way.  
 23 Correct?

24 MR. BRAZIL: Yeah. I mean --

25 MR. LUKASEWICZ: You're familiar

1 MR. BARNICK: Yeah, on the question,  
 2 how much of this was actually authorized for  
 3 all these audits over the last year? There  
 4 should have been one done after every  
 5 treasurer.

6 MS. MENICHETTI: I don't know. You  
 7 have a budget, Mr. Barnick. You can look it  
 8 up.

9 MR. BARNICK: It's not in there.

10 MS. MENICHETTI: You have a budget.  
 11 You can look it up.

12 MR. BARNICK: The budget is really a  
 13 joke because you add your doors, you add  
 14 phones and all kinds of other stuff on it. So  
 15 why follow the budget.

16 MR. MARUSHOCK: Call roll.

17 MS. MENICHETTI: Just for the  
 18 record, the \$25,000 deductible that we paid  
 19 the last time was in the budget under other  
 20 legal matters.

21 MR. BARNICK: How many?

22 MS. MENICHETTI: \$25,000.

23 MR. BARNICK: There's three.

24 MS. MENICHETTI: Right. There will  
 25 be three more.

1 MR. BARNICK: No, there won't. Not  
2 come January there won't.

3 MRS. HARTSHORN: Mr. Marushock?

4 MR. MARUSHOCK: For.

5 MRS. HARTSHORN: Mrs. Shortz?

6 MRS. SHORTZ: For.

7 MRS. HARTSHORN: Mr. Barone?

8 MR. BARONE: For.

9 MRS. HARTSHORN: Mr. Barnick?

10 MR. BARNICK: For.

11 MRS. HARTSHORN: Mr. Lukasewicz?

12 MR. LUKASEWICZ: For.

13 MRS. HARTSHORN: Ms. Johnson?

14 MS. JOHNSON: For.

15 MRS. HARTSHORN: Ms. Menichetti?

16 MS. MENICHETTI: For. All in

17 favor. Motion carried. Just for the record,  
18 you said that not in January there won't be  
19 those three lawsuits, Mr. Barnick? Just for  
20 the record. I want that on the record.

21 Motion number 11, to accept the  
22 request for minutes from O'Malley & Langan for  
23 the complaint submitted by Melissa Casey  
24 versus the Borough of Throop, Jim Barnick, and  
25 Joe Barone.

1 MR. LUKASEWICZ: For.

2 MRS. HARTSHORN: Mr. Barone?

3 MR. BARONE: For.

4 MRS. HARTSHORN: Mr. Marushock?

5 MR. MARUSHOCK: For.

6 MRS. HARTSHORN: Mrs. Shortz?

7 MRS. SHORTZ: For.

8 MRS. HARTSHORN: Ms. Johnson?

9 MS. JOHNSON: For.

10 MRS. HARTSHORN: Ms. Menichetti?

11 MS. MENICHETTI: Seven in favor.

12 MR. BARONE: Before we go any  
13 further, this complaint was submitted by  
14 Ms. Casey against the borough of Throop. Does  
15 that include the other five or just -- are we  
16 the whole borough?

17 MS. MENICHETTI: We're all mentioned  
18 but you're mentioned -- Joe, you know how it  
19 goes.

20 (Unintelligible outburst.)

21 MS. MENICHETTI: I was reading the  
22 minutes from the last meeting and you'd be  
23 surprised how many times Mr. Barnick and Mr.  
24 Lukasewicz mentioned to people that's another  
25 lawsuit. Read the minutes.

1 MR. LUKASEWICZ: I'll make that  
2 motion.

3 MS. MENICHETTI: Motion by Mr.  
4 Lukasewicz.

5 MR. BARNICK: I'll second it.

6 MS. MENICHETTI: Seconded by Mr.  
7 Barnick. On the question?

8 MR. BARNICK: Yeah, on the question,  
9 I think anybody's allowed to get minutes if  
10 they're available. It's public information.  
11 I don't know why you had to go through this  
12 legal process to put this on. Just let them  
13 come in and get the minutes like every other  
14 lawyer and every other person does. But you  
15 want to play that political side again. Put  
16 Mr. Barnick and Mr. Barone's name up there.  
17 They're claiming harassment. We're going to  
18 fabricate some more. Thank you.

19 MRS. SHORTZ: Thank you for your  
20 political statement.

21 MS. MENICHETTI: May I have roll  
22 call, please?

23 MRS. HARTSHORN: Mr. Barnick?

24 MR. BARNICK: For.

25 MRS. HARTSHORN: Mr. Lukasewicz?

1 Okay, motion number 12, to accept  
2 the amendment of resolution number 25 of 2000,  
3 section 9051A, with proposed changes for  
4 zoning permits. Subsection number three,  
5 residential additions, structural changes and  
6 accessory use is \$2 for each \$500 or part  
7 thereof, for a cost of construction (labor and  
8 materials) but not more than \$100.

9 Subsection four, agricultural,  
10 commercial, industrial and other additions,  
11 structural changes and accessory uses, \$3 for  
12 each \$500 or part thereof for the cost of  
13 construction (labor and materials) but not  
14 more than \$200. Motion, please?

15 John, have you gone over this?

16 MR. BRAZIL: Yes. This was at the  
17 request of council to amend the fee structure  
18 on the zoning permit. I talked to Robbie on  
19 that. He looked at it and he proposed these  
20 changes. I just incorporated them as to the  
21 resolution.

22 MR. MARUSHOCK: Mr. Brazil, would we  
23 be sidestepping the fees that are involved for  
24 the new UCC code?

25 MR. BRAZIL: This is for Robbie to

1 review any application or review it for being  
2 properly zoned, setbacks and things of that  
3 nature.

4 MR. MARUSHOCK: I'll make that  
5 motion.

6 MS. MENICHETTI: Well, I have a  
7 motion by Ms. Johnson. Do you want to second  
8 it?

9 MR. MARUSHOCK: I'll second it.

10 MS. MENICHETTI: All right, motion  
11 by Ms. Johnson, second by Mr. Marushock. On  
12 the question? Roll call, please.

13 MRS. HARTSHORN: Ms. Johnson?

14 MS. JOHNSON: For.

15 MRS. HARTSHORN: Mr. Marushock?

16 MR. MARUSHOCK: For.

17 MRS. HARTSHORN: Mr. Barone?

18 MR. BARONE: For.

19 MRS. HARTSHORN: Mr. Barnick?

20 MR. BARNICK: For.

21 MRS. HARTSHORN: Mr. Lukasewicz?

22 MR. LUKASEWICZ: For.

23 MRS. HARTSHORN: Mrs. Shortz?

24 MRS. SHORTZ: For.

25 MRS. HARTSHORN: Ms. Menichetti?

1 MS. MENICHETTI: For. All in  
2 favor. Motion carried.

3 MR. BARNICK: Excuse me. Just a  
4 quick question. Mr. Brazil, this is to amend  
5 the resolution or to the zoning ordinance, the  
6 fees?

7 MR. BRAZIL: The fees with --

8 MR. BARNICK: Fees are resolution?

9 MR. BRAZIL: The fees are  
10 resolution. It's not a zoning ordinance  
11 change. The fees can be changed by  
12 resolution.

13 MS. MENICHETTI: It says amendment  
14 of resolution number 25.

15 Motion number 13, to authorize  
16 payment to Cathy Egan in the amount of \$192.24  
17 for transcription of the 4/13/05 and 8/30/05  
18 meetings. I think this should just about  
19 clear us up with her, should it not? Okay,  
20 motion, please?

21 MR. MARUSHOCK: I'll make that  
22 motion.

23 MS. MENICHETTI: Motion by Mr.  
24 Marushock. Second?

25 MRS. SHORTZ: I'll second it.

1 MS. MENICHETTI: Second by Sue  
2 Shortz. On the question?

3 MRS. SHORTZ: These are complete  
4 minutes?

5 MS. MENICHETTI: Well, actually  
6 not. From what I understand, on August 30 the  
7 tape was defective and the minutes are not  
8 complete. But there's nothing you can do  
9 about it.

10 MRS. HARTSHORN: The tape was -- her  
11 tape was destroyed. I don't know what  
12 happened but and she could not --

13 MS. MENICHETTI: So she transcribed  
14 what she had. This is only what she had.

15 MR. LUKASEWICZ: Isn't there another  
16 tape? Does the borough have another tape?  
17 Christine, does the borough have another tape  
18 of that meeting.

19 MRS. HARTSHORN: See tried to  
20 transcribe it from the borough tape and she  
21 couldn't --

22 MR. LUKASEWICZ: But does the  
23 borough have a tape? So that tape you'll use  
24 to do whatever to finish the minutes?

25 MRS. HARTSHORN: I haven't gotten to

1 that meeting yet but I'm going to try. She  
2 told me that she was unable to transcribe it  
3 from our tape. She could not hear. And I  
4 don't know if there's something wrong with the  
5 tape. She didn't really go into any detail.  
6 She could not transcribe with our tape either.

7 MS. MENICHETTI: Anyone else on the  
8 question? Roll call, please.

9 MRS. HARTSHORN: Mr. Marushock?

10 MR. MARUSHOCK: For.

11 MRS. HARTSHORN: Mrs. Shortz?

12 MRS. SHORTZ: For.

13 MRS. HARTSHORN: Mr. Barone?

14 MR. BARONE: Against.

15 MRS. HARTSHORN: Mr. Barnick?

16 MR. BARNICK: Against.

17 MRS. HARTSHORN: Mr. Lukasewicz?

18 MR. LUKASEWICZ: Just to finish off  
19 payment to her I'm voting for it.

20 MRS. HARTSHORN: Ms. Johnson?

21 MS. JOHNSON: For.

22 MRS. HARTSHORN: Ms. Menichetti?

23 MS. MENICHETTI: For. Five for, two  
24 against. Motion carried.

25 Motion number 14, a motion to

1 authorize payment to Frederick C. Spott and  
2 Associates in the amount of \$8,892.50 for  
3 services rendered for the month of July,  
4 2005.

5 MR. LUKASEWICZ: I'll make the  
6 motion.

7 MS. MENICHETTI: Motion by Mr.  
8 Lukasewicz. Second?

9 MR. BARONE: I'll second.

10 MS. MENICHETTI: Second by Mr.  
11 Barone. On the question? Roll call, please.

12 MRS. HARTSHORN: Mr. Lukasewicz?

13 MR. LUKASEWICZ: For.

14 MRS. HARTSHORN: Mr. Barone?

15 MR. BARONE: For.

16 MRS. HARTSHORN: Mr. Barnick?

17 MR. BARNICK: For.

18 MRS. HARTSHORN: Mr. Marushock?

19 MR. MARUSHOCK: For.

20 MRS. HARTSHORN: Mrs. Shortz?

21 MRS. SHORTZ: For.

22 MRS. HARTSHORN: Ms. Johnson?

23 MS. JOHNSON: For.

24 MRS. HARTSHORN: Ms. Menichetti?

25 MS. MENICHETTI: For. All in

1 stuff, bring stuff back to the table, they  
2 counteract. We go on for several months. We  
3 never got a lawyer involved until we couldn't  
4 meet any type of contract negotiations. What  
5 are you going to hire a lawyer for? You might  
6 be able to work it right out between the  
7 police. You're throwing away more money.  
8 There's no reason for this.

9 MR. LUKASEWICZ: On the question,  
10 this firm, I believe, is out of Philadelphia?

11 MS. MENICHETTI: Yes.

12 MR. LUKASEWICZ: How are they going  
13 to get --

14 MS. MENICHETTI: We contacted  
15 several lawyers in the area. We contacted Mr.  
16 Goldberg, Mr. Ufberg. None of them were  
17 interested. So this came with a  
18 recommendation. We didn't know where else to  
19 go.

20 MR. LUKASEWICZ: Two hundred and 90  
21 dollars an hour.

22 MS. MENICHETTI: I heard they're  
23 good.

24 MR. BARNICK: Sit down with the guys  
25 first as a negotiating party. That's all.

1 favor. Motion carried.

2 Motion number 15 --

3 MRS. MORRELL: I know we're not  
4 supposed to interrupt, but motion number 13  
5 has tomorrow's date. It was just brought to  
6 my attention by someone else here in the  
7 audience.

8 MS. MENICHETTI: Motion 15, to hire  
9 the law firm of Reed Smith, LLP for police  
10 negotiation at \$290 an hour. Also, there is a  
11 \$1,000 charge for a written review of the  
12 present contract, but that's negotiable -- or  
13 optional, I should say. Motion?

14 MS. JOHNSON: I'll make the motion.

15 MS. MENICHETTI: Motion by  
16 Ms. Johnson. Second? May I have a second?  
17 We need a lawyer to contract with these  
18 people.

19 MRS. SHORTZ: I'll second it.

20 MS. MENICHETTI: Second by  
21 Mrs. Shortz. On the question?

22 MR. BARNICK: On the question, we  
23 never had to hire a lawyer right away before  
24 we even started negotiating with the police.  
25 At least sit down with them, go over this

1 See what they want, you go over it. They  
2 agree to certain things, you agree to certain  
3 things and usually it's over. You don't need  
4 a lawyer. You have your own borough solicitor  
5 draw up the amendments to the contract. It's  
6 real simple.

7 MS. MENICHETTI: Anyone else on the  
8 question?

9 MR. LUKASEWICZ: Just on the  
10 question, we're going to pay the thousand  
11 dollar fee to them to have a written  
12 analysis --

13 MS. MENICHETTI: It's optional.

14 MR. LUKASEWICZ: -- of the document  
15 highlighting issues which the borough may wish  
16 to raise during negotiations. The borough of  
17 Throop, are we that strapped that we're going  
18 to nitpick these police and try to take away  
19 from them? You know, it looks like to me that  
20 this is a way to bring someone in from the  
21 outside to look at a contract we have with the  
22 police and try to tear it to pieces.

23 MS. MENICHETTI: That was never the  
24 intention. You're reading things into it that  
25 aren't there. We've always had a lawyer

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1 negotiate. As long as I'm here we've had a  
2 lawyer negotiate.  
3 MR. LUKASEWICZ: Another question.  
4 We received this August 11. You would think  
5 that the sensible, practical thing to do would  
6 be to sit down in executive session and  
7 discuss with all --  
8 MS. MENICHETTI: You people never  
9 show for executive session.  
10 MR. LUKASEWICZ: Discuss with all  
11 cabinet members of council who we should  
12 hire --  
13 MS. MENICHETTI: You don't show.  
14 You don't even show for work sessions.  
15 MR. LUKASEWICZ: You and I were  
16 there. If you look back through the last  
17 whatever, I don't think I've missed much of  
18 anything. So don't just say you.  
19 MS. MENICHETTI: All right.  
20 Anyone --  
21 MR. MARUSHOCK: In every one of our  
22 packets there's communication word for word,  
23 first choice here. I think attorney Ufberg or  
24 attorney Goldberg was unable to do this.  
25 MS. MENICHETTI: That's right, so we

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1 looked for whomever we could find.  
2 MR. BARNICK: Why do you need  
3 somebody right now? They gave you a proposal.  
4 MR. BARONE: Listen to what he's  
5 saying. The guy's making sense.  
6 MR. BARNICK: They give you a  
7 proposal, you counteract with a proposal. You  
8 all sit down, okay, we agree to this, we don't  
9 agree to that. It's very simple.  
10 MS. MENICHETTI: Why didn't we do  
11 that the last time, Mr. Barnick?  
12 MR. BARNICK: It couldn't be reached  
13 because they wanted the part-timers in the  
14 contract, if you remember, and it went to  
15 arbitration and they lost.  
16 MS. MENICHETTI: Right, but we had a  
17 lawyer right from the get go. But we had a  
18 lawyer right from the start because I remember  
19 him sitting here.  
20 MR. BARNICK: No.  
21 MR. LUKASEWICZ: Two-ninety for a  
22 lawyer and \$125 for a paralegal per hour.  
23 MR. MARUSHOCK: Attorney  
24 Goldberg --  
25 MR. BARNICK: And a thousand bucks

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1 to look at the contract.  
2 MS. MENICHETTI: All right, the  
3 question has been called. Roll call, please.  
4 MRS. HARTSHORN: Ms. Johnson?  
5 MS. JOHNSON: For.  
6 MRS. HARTSHORN: Mrs. Shortz?  
7 MRS. SHORTZ: For.  
8 MRS. HARTSHORN: Mr. Barone?  
9 MR. BARONE: Against.  
10 MRS. HARTSHORN: Mr. Barnick?  
11 MR. BARNICK: Against.  
12 MRS. HARTSHORN: Mr. Lukasewicz?  
13 MR. LUKASEWICZ: Against.  
14 MRS. HARTSHORN: Mr. Marushock?  
15 MR. MARUSHOCK: For.  
16 MRS. HARTSHORN: Ms. Johnson?  
17 MS. JOHNSON: For.  
18 MRS. HARTSHORN: Ms. Menichetti?  
19 MS. MENICHETTI: For. Four in  
20 favor. Motion carried.  
21 MR. BARONE: You're going to pay  
22 this guy from Philadelphia \$590 just to drive  
23 here.  
24 MS. MENICHETTI: Maybe we won't need  
25 him. Motion number 16, to authorize payment

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1 to Peterbilt in the amount of -- and I do not  
2 have the amount.  
3 MR. BRAZIL: It would be the last  
4 offer. I don't have it either. The letter  
5 indicated --  
6 MS. MENICHETTI: You were not able  
7 to get that from Robbie today?  
8 MR. LUKASEWICZ: This is for the  
9 truck that was repaired a long time ago and we  
10 had a discrepancy. Jeddy, have you reviewed  
11 this agreement for this payment?  
12 MR. MARUSHOCK: Yes. I consulted  
13 attorney Brazil. That's the best that's able  
14 to be negotiated. I'm not happy with it, but  
15 as we said --  
16 MR. BRAZIL: I thought it was, like,  
17 45. I think they knocked off \$800 or \$900,  
18 and my estimation was it was somewhere around  
19 45. The letter was sent out to everybody. I  
20 talked to Rob, he reviewed it, he said that  
21 seemed reasonable at the time. Jeddy had a  
22 problem or wanted to look at it, he did look  
23 at it, and I just brought it up because I get  
24 calls all the time to find out where you want  
25 to go.

1 MR. MARUSHOCK: Again, for the  
2 record, I was not happy with the settlement,  
3 but as attorney Brazil intervened this is the  
4 best he was able to negotiate on behalf of the  
5 borough, so let's pay it and get it over  
6 with. But hopefully we will not be taking  
7 that vehicle back to that dealer again for any  
8 other repairs.

9 MS. MENICHETTI: May I have a  
10 motion? Would someone place this motion --

11 MR. MARUSHOCK: I'll make that  
12 motion as per the last offer.

13 MS. MENICHETTI: George Marushock.  
14 Second?

15 MS. JOHNSON: I'll second it.

16 MS. MENICHETTI: Second by Ms.  
17 Johnson. On the question? Roll call,  
18 please.

19 MRS. HARTSHORN: Mr. Marushock?

20 MR. MARUSHOCK: For.

21 MRS. HARTSHORN: Ms. Johnson?

22 MS. JOHNSON: For.

23 MRS. HARTSHORN: Mr. Barone?

24 MR. BARONE: If the work is all  
25 done, pay the guy. For.

1 MRS. HARTSHORN: Mr. Barnick?

2 MR. BARNICK: For.

3 MRS. HARTSHORN: Mr. Lukasewicz?

4 MR. LUKASEWICZ: Against.

5 MRS. HARTSHORN: Mrs. Shortz?

6 MRS. SHORTZ: For.

7 MRS. HARTSHORN: Ms. Menichetti?

8 MS. MENICHETTI: For. Six for, one  
9 against. Motion carried.

10 Motion number 17, to authorize  
11 Frederick C. Spott and Associates to design  
12 and place out to bid the corrective storm  
13 water measures on a property owned by  
14 Mr. Riota, which is Gangi's Pizza, and to have  
15 it completed by the end of September.

16 MR. MARUSHOCK: I'll make that  
17 motion.

18 MS. JOHNSON: And I'll second it.

19 MS. MENICHETTI: Motion by  
20 Mr. Marushock, second by Ms. Johnson. On the  
21 question? Roll call, please.

22 MRS. HARTSHORN: Mr. Marushock?

23 MR. MARUSHOCK: For.

24 MRS. HARTSHORN: Ms. Johnson?

25 MS. JOHNSON: For.

1 MRS. HARTSHORN: Mr. Barnick?

2 MR. BARNICK: For.

3 MRS. HARTSHORN: Mr. Lukasewicz?

4 MR. LUKASEWICZ: Against.

5 MRS. HARTSHORN: Mrs. Shortz?

6 MRS. SHORTZ: For.

7 MRS. HARTSHORN: Ms. Menichetti?

8 MS. MENICHETTI: For. Six for, one  
9 against. Motion carried.

10 Motion number 17, to authorize  
11 Frederick C. Spott and Associates to design  
12 and place out to bid the corrective storm  
13 water measures on a property owned by  
14 Mr. Riota, which is Gangi's Pizza, and to have  
15 it completed by the end of September.

16 MR. MARUSHOCK: I'll make that  
17 motion.

18 MS. JOHNSON: And I'll second it.

19 MS. MENICHETTI: Motion by  
20 Mr. Marushock, second by Ms. Johnson. On the  
21 question? Roll call, please.

22 MRS. HARTSHORN: Mr. Marushock?

23 MR. MARUSHOCK: For.

24 MRS. HARTSHORN: Ms. Johnson?

25 MS. JOHNSON: For.

1 MRS. HARTSHORN: Mr. Barone?

2 MR. BARONE: For.

3 MRS. HARTSHORN: Mr. Barnick?

4 MR. BARNICK: For.

5 MRS. HARTSHORN: Mr. Lukasewicz?

6 MR. LUKASEWICZ: For.

7 MRS. HARTSHORN: Mrs. Shortz?

8 MRS. SHORTZ: For.

9 MRS. HARTSHORN: Ms. Menichetti?

10 MS. MENICHETTI: For. All in  
11 favor. Motion carried.

12 Motion number 18, to authorize a  
13 change order for the remainder of North Street  
14 which was eliminated from the paving project.

15 MR. MARUSHOCK: I'll make that  
16 motion.

17 MS. MENICHETTI: But I don't know  
18 what it is.

19 MR. LUKASEWICZ: Somebody else so we  
20 can have a discussion on it?

21 MS. JOHNSON: I'll second.

22 MS. MENICHETTI: Motion by Mr.  
23 Marushock, second by Cindy Johnson. On the  
24 question?

25 MR. LUKASEWICZ: Is this what we  
talked about briefly on at the work session on  
Thursday?

MS. MENICHETTI: Yes.  
MR. LUKASEWICZ: Evidently, then,  
there was a section of street that wasn't  
done, and Robbie said possibly we could just  
overlay it because the machine -- the  
equipment that would do the rehashing of it  
has already been sent out of the area and we  
would have to pay for them to bring this big  
machine back in.  
MR. MARUSHOCK: At least if we can  
retop it.  
MR. LUKASEWICZ: What motion is  
this? I can't see spending a lot of money to  
have this machine shipped back --  
MS. MENICHETTI: We have to do  
something with it.  
MS. LUKASEWICZ: That's what I'm  
saying, retop or whatever. But I can't see  
spending large amounts of money to have this  
machine brought back in here for one little  
section of road.  
MS. MENICHETTI: Well, whatever it's  
going to take to complete that.

1 MR. BARNICK: Just on the question,  
2 you know, whether they bring the machine back  
3 or not, I just can't see this working. I  
4 mean, just common sense wise, the way the  
5 streets are right now, and all that dirt is  
6 just rolled out. And it's not like we did a  
7 milling project where they take so much off  
8 and they repave it. It doesn't look like it's  
9 going to work. I mean, that's only my  
10 opinion. But paving over dirt like that  
11 that's just rolled over I see it splitting  
12 apart and within a year or two years, water  
13 getting underneath it, it's just going to bust  
14 apart.

15 MR. MARUSHOCK: There were no  
16 objections raised by either of our engineers.  
17 Really.

18 MR. BARNICK: Maybe it will work.  
19 But I just can't see it working this way being  
20 done.

21 MR. BARONE: You're not putting no  
22 binder down.

23 MS. MENICHETTI: Well, today they  
24 placed some kind of oil or tar.

25 MR. BARNICK: It's only going to

1 bring -- holds the milling material that they  
2 paved down together with it. But I just can't  
3 see it working. I mean, it might work for a  
4 year or two, but I just can't see it working  
5 after that because of the freezes we get below  
6 zero and water getting under the street.

7 MR. LUKASEWICZ: It's a little late  
8 now.

9 MR. BARNICK: I understand that.

10 MR. LUKASEWICZ: We're stuck with  
11 it.

12 MR. BARNICK: I thought they  
13 actually recycled the stuff and put it back  
14 into the top coat and later right back down.  
15 That's the way I understood the pictures.

16 MR. LUKASEWICZ: I seen it done  
17 before in Dickson. They had a big machine, it  
18 goes through the machine, they would add the  
19 additives to it and lay it back down.

20 MR. BARNICK: Come right down and  
21 lay it right back down.

22 MS. MENICHETTI: Was this explained  
23 to us before we went ahead and did this?

24 MS. JOHNSON: Isn't this the same  
25 engineer that had done paving in our town

1 before?

2 MR. MARUSHOCK: Yes.

3 MR. LUKASEWICZ: We've never done  
4 this before, because if I remember right John  
5 Sepanick was around years and years ago before  
6 his untimely death. He would never go for  
7 this because he would never authorize it.

8 But it fell through the loop holes.  
9 I didn't see it coming. I don't think any of  
10 us saw it coming. Just we're stuck with it  
11 and hopefully it works.

12 MS. MENICHETTI: Anyone else on the  
13 question? Roll call, please.

14 MRS. HARTSHORN: Mr. Marushock?

15 MR. MARUSHOCK: For.

16 MRS. HARTSHORN: Ms. Johnson?

17 MS. JOHNSON: For.

18 MRS. HARTSHORN: Mr. Barone?

19 MR. BARONE: I will vote for except  
20 if we have to bring the machine back.

21 MR. MARUSHOCK: Correct. We're  
22 going to top coat that.

23 MRS. HARTSHORN: Mr. Barnick?

24 MR. BARNICK: Just for top coating.

25 MRS. HARTSHORN: Mr. Lukasewicz?

1 MR. LUKASEWICZ: For, for top  
2 coating.

3 MRS. HARTSHORN: Mrs. Shorts?

4 MRS. SHORTZ: For.

5 MRS. HARTSHORN: Ms. Menichetti?

6 MS. MENICHETTI: For. All in  
7 favor. Motion carried.

8 Motion 19, to authorize Frederick C.  
9 Spott and Associates to design a replacement  
10 line on Kossuth Street between Clark and Short  
11 streets.

12 MR. LUKASEWICZ: I'll make that  
13 motion.

14 MS. MENICHETTI: Motion by Mr.  
15 Lukasewicz. May I have a second, please?

16 MR. MARUSHOCK: I'll second that.

17 MS. MENICHETTI: Second  
18 by Mr. Marushock. On the question? Roll  
19 call, please.

20 MRS. HARTSHORN: Mr. Lukasewicz?

21 MR. LUKASEWICZ: For.

22 MRS. HARTSHORN: Mr. Marushock?

23 MR. MARUSHOCK: For.

24 MRS. HARTSHORN: Mr. Barone?

25 MR. BARONE: For.

1 MRS. HARTSHORN: Mr. Barnick?  
 2 MR. BARNICK: For.  
 3 MRS. HARTSHORN: Mrs. Shortz?  
 4 MRS. SHORTZ: For.  
 5 MRS. HARTSHORN: Ms. Johnson?  
 6 MS. JOHNSON: For.  
 7 MRS. HARTSHORN: Ms. Menichetti?  
 8 MS. MENICHETTI: For. All in  
 9 favor. Motion carried.  
 10 MR. BARNICK: Back on motion 19,  
 11 now, I remember Mr. Kalinoski calling about  
 12 this. Why don't you just call everybody and  
 13 get this thing. If the sewer line is that bad  
 14 and there's a metal plate sitting on there,  
 15 why don't you just call everybody and just  
 16 ratify it at the meeting. This way the design  
 17 will be ready to go out as soon as possible.  
 18 You mean they didn't start this yet?  
 19 MS. MENICHETTI: They just brought  
 20 it up at the meeting on Thursday.  
 21 MR. BARNICK: He called me about  
 22 this. I said call everybody and get approval  
 23 to design it immediately. He said the sewer  
 24 line is falling apart.  
 25 MR. LUKASEWICZ: Seven or eight

1 weeks.  
 2 MR. BARNICK: It's over a month ago.  
 3 Way over.  
 4 MR. LUKASEWICZ: The neighbor was  
 5 standing in front of his house and he asked if  
 6 I can do something. I called up and I had the  
 7 guys come and bring a plate.  
 8 MR. BARNICK: There was a plate or a  
 9 big hole in the road.  
 10 MS. MENICHETTI: Well, he didn't  
 11 call everyone. This is the first I've heard  
 12 of it.  
 13 MR. LUKASEWICZ: In addition to  
 14 having it designed, because this probably  
 15 won't be done this year, can we have some  
 16 monitoring of it and cleaning, if it can be  
 17 done?  
 18 MS. MENICHETTI: Well, you can just  
 19 tell him to do that.  
 20 MR. LUKASEWICZ: Can we add it into  
 21 the motion? This way it will have monitoring  
 22 and cleaning of the line, if it can possibly  
 23 be done, on a bi-monthly or whatever until  
 24 it's done so we don't cause a problem for  
 25 these people.

1 MS. MENICHETTI: Do you have a  
 2 problem with that, Jeddy?  
 3 MR. MARUSHOCK: We took roll call.  
 4 Do we need to make this --  
 5 MS. MENICHETTI: No, we're just  
 6 going to add that for --  
 7 MR. LUKASEWICZ: We discussed this  
 8 Thursday. We said that it was pretty bad, the  
 9 line, and this way if we monitor it. That's  
 10 all I'm concerned with.  
 11 MS. MENICHETTI: Okay. Next motion,  
 12 number 20, to authorize Robert Kalinoski,  
 13 street commissioner, to purchase Storz  
 14 connectors for approximately 90 fire  
 15 hydrants.  
 16 MS. JOHNSON: Wasn't this done a  
 17 year ago?  
 18 MS. MENICHETTI: This was not done.  
 19 MS. JOHNSON: It was supposed to be  
 20 done.  
 21 MR. LUKASEWICZ: We did this --  
 22 okay, wait a minute. I thought we did, Daryl  
 23 thought we did, but people looked back through  
 24 the minutes and we don't find it anywhere. So  
 25 this is just to redo it.

1 MR. MARUSHOCK: I'll make that  
 2 motion.  
 3 MS. MENICHETTI: Motion by Mr.  
 4 Marushock. Second, please?  
 5 MS. JOHNSON: I'll second.  
 6 MS. MENICHETTI: Second by Cindy  
 7 Johnson. On the question? Roll call,  
 8 please.  
 9 MRS. HARTSHORN: Mr. Marushock?  
 10 MR. MARUSHOCK: For.  
 11 MRS. HARTSHORN: Ms. Johnson?  
 12 MS. JOHNSON: For.  
 13 MRS. HARTSHORN: Mr. Barone?  
 14 MR. BARONE: For.  
 15 MRS. HARTSHORN: Mr. Barnick?  
 16 MR. BARNICK: For.  
 17 MRS. HARTSHORN: Mr. Lukasewicz?  
 18 MR. LUKASEWICZ: For.  
 19 MRS. HARTSHORN: Mrs. Shortz?  
 20 MRS. SHORTZ: For.  
 21 MRS. HARTSHORN: Ms. Menichetti?  
 22 MS. MENICHETTI: For. All in  
 23 favor. Motion carried.  
 24 Motion number 21, to authorize  
 25 Verizon to install two guide wires on the

1 right of way along Bellman Street to  
 2 accommodate the Buratti/Rossi property.  
 3 Motion, please?  
 4 MR. BARONE: I'll make it.  
 5 MS. MENICHETTI: Motion by Mr.  
 6 Barone.  
 7 MR. MARUSHOCK: I'll second.  
 8 MS. MENICHETTI: Second by Mr.  
 9 Marushock. On the question, please? Roll  
 10 call.  
 11 MRS. HARTSHORN: Mr. Barone?  
 12 MR. BARONE: For.  
 13 MRS. HARTSHORN: Mr. Barnick?  
 14 MR. BARNICK: For.  
 15 MRS. HARTSHORN: Mr. Marushock?  
 16 MR. MARUSHOCK: For.  
 17 MRS. HARTSHORN: Mr. Lukasewicz?  
 18 MR. LUKASEWICZ: For.  
 19 MRS. HARTSHORN: Mrs. Shortz?  
 20 MRS. SHORTZ: For.  
 21 MRS. HARTSHORN: Ms. Johnson?  
 22 MS. JOHNSON: For.  
 23 MRS. HARTSHORN: Ms. Menichetti?  
 24 MS. MENICHETTI: For. All in  
 25 favor. Motion carried.

1 MS. JOHNSON: For.  
 2 MRS. HARTSHORN: Ms. Menichetti?  
 3 MS. MENICHETTI: For. All in  
 4 favor. Motion carried.  
 5 Motion number 23, to adopt  
 6 resolution number 11 of 2005, a resolution of  
 7 the borough of Throop authorizing the board of  
 8 commissioners of Lackawanna County to submit  
 9 an application to the Pennsylvania Enterprise  
 10 Zone program on behalf of the borough of  
 11 Throop. Motion, please?  
 12 MS. JOHNSON: I'll make the motion.  
 13 MS. MENICHETTI: Motion by Ms.  
 14 Johnson.  
 15 MRS. SHORTZ: I'll second it.  
 16 MS. MENICHETTI: Second by Mrs.  
 17 Shortz. On the question?  
 18 MR. LUKASEWICZ: Does anybody have  
 19 any idea what this is? Don't you think the  
 20 county should have informed us what they're  
 21 going to look for? We might be giving away  
 22 the taxation right to a valuable piece of  
 23 property. At least if we get some  
 24 information. Can we table this for now? It's  
 25 just it doesn't state anything in here.

1 Motion number 22, motion to  
 2 authorize borough engineer Frederick C. Spott  
 3 and Associates to design and inspect the Mary  
 4 Street project and to notify Michele with the  
 5 county of the same.  
 6 The reason for this motion is we had  
 7 the option of using the county engineers or  
 8 our own.  
 9 MR. LUKASEWICZ: I'll make the  
 10 motion. This is for the CDBG funded project?  
 11 MR. BARNICK: I'll second.  
 12 MS. MENICHETTI: Motion by Mr.  
 13 Lukasewicz, second by Mr. Barnick. On the  
 14 question? Roll call, please.  
 15 MRS. HARTSHORN: Mr. Lukasewicz?  
 16 MR. LUKASEWICZ: For.  
 17 MRS. HARTSHORN: Mr. Barnick?  
 18 MR. BARNICK: For.  
 19 MRS. HARTSHORN: Mr. Barone?  
 20 MR. BARONE: For.  
 21 MRS. HARTSHORN: Mr. Marushock?  
 22 MR. MARUSHOCK: For.  
 23 MRS. HARTSHORN: Mrs. Shortz?  
 24 MRS. SHORTZ: For.  
 25 MRS. HARTSHORN: Ms. Johnson?

1 MR. MARUSHOCK: I move to table  
 2 motion number 23.  
 3 MR. BARNICK: I'll second it.  
 4 MR. LUKASEWICZ: It doesn't say  
 5 anything. I don't know what it is.  
 6 MS. MENICHETTI: Motion to table  
 7 made by Mr. Marushock, seconded by Mr.  
 8 Barnick. On the question? Roll call.  
 9 MRS. HARTSHORN: Mr. Marushock?  
 10 MR. MARUSHOCK: For.  
 11 MRS. HARTSHORN: Mr. Barnick?  
 12 MR. BARNICK: For.  
 13 MRS. HARTSHORN: Mr. Barone?  
 14 MR. BARONE: For.  
 15 MRS. HARTSHORN: Mr. Lukasewicz?  
 16 MR. LUKASEWICZ: For.  
 17 MRS. HARTSHORN: Mrs. Shortz?  
 18 MRS. SHORTZ: For.  
 19 MRS. HARTSHORN: Ms. Johnson?  
 20 MS. JOHNSON: For.  
 21 MRS. HARTSHORN: Ms. Menichetti?  
 22 MS. MENICHETTI: For. All in  
 23 favor. Motion carried to table.  
 24 Motion number 24, a motion to join  
 25 the Taylor Borough in initiating dialog with

1 the county to ensure the post-closure landfill  
 2 funds are held and invested only for their  
 3 intended purpose. Motion, please?  
 4 MR. MARUSHOCK: I'll make that  
 5 motion.  
 6 MR. MENICHETTI: Motion by Mr.  
 7 Marushock. Second, please?  
 8 MRS. SHORTZ: I'll second.  
 9 MS. MENICHETTI: Second by Mrs.  
 10 Shortz. On the question? Roll call, please.  
 11 MR. LUKASEWICZ: On the question, I  
 12 thought the county commissioners that are in  
 13 there now are in favor of using the money.  
 14 MR. BARNICK: I thought they sued to  
 15 get the money back, the current  
 16 commissioners.  
 17 MR. MARUSHOCK: We're going to make  
 18 this down the road that this don't happen  
 19 again, they dip into that landfill closure.  
 20 That money is there for a specific purpose.  
 21 MR. LUKASEWICZ: Did they dip into  
 22 it or not?  
 23 MS. MENICHETTI: It's my  
 24 understanding they were supposed to. Whether  
 25 or not they ever did I don't know. I think

1 this letter is to initiate dialog to ensure  
 2 that they don't use it.  
 3 MAYOR LUKOWSKI: Cordaro is strictly  
 4 against this.  
 5 MR. LUKASEWICZ: I know -- is this  
 6 dialog with Taylor Borough or the county  
 7 commissioners?  
 8 MS. MENICHETTI: Taylor Borough is  
 9 initiating this and they want us --  
 10 MR. LUKASEWICZ: And we're going to  
 11 go along with Taylor Borough.  
 12 MS. MENICHETTI: And other towns  
 13 that have landfills.  
 14 MR. LUKASEWICZ: I know the county  
 15 commissioners that are there now want to dip  
 16 into it.  
 17 MR. BARNICK: Not the ones that are  
 18 there now. Prior they did.  
 19 MS. MENICHETTI: Anyone else on the  
 20 question? Roll call, please.  
 21 MRS. HARTSHORN: Mr. Marushock?  
 22 MR. MARUSHOCK: For.  
 23 MRS. HARTSHORN: Mrs. Shortz?  
 24 MRS. SHORTZ: For.  
 25 MRS. HARTSHORN: Mr. Barone?

1 MR. BARONE: For.  
 2 MRS. HARTSHORN: Mr. Barnick?  
 3 MR. BARNICK: For.  
 4 MRS. HARTSHORN: Mr. Lukasewicz?  
 5 MR. LUKASEWICZ: For.  
 6 MRS. HARTSHORN: Ms. Johnson?  
 7 MS. JOHNSON: For.  
 8 MRS. HARTSHORN: Ms. Menichetti?  
 9 MS. MENICHETTI: For. All in  
 10 favor. Motion carried.  
 11 Motion number 25, to authorize  
 12 payment to Building Inspection Underwriters,  
 13 Incorporated in the amount of -- is this  
 14 right?  
 15 MR. LUKASEWICZ: It can't be that  
 16 much. Maybe it's \$4,000.  
 17 MS. MENICHETTI: I think it's  
 18 \$4,000.  
 19 MRS. HARTSHORN: It's \$1,739.10.  
 20 MR. LUKASEWICZ: \$1,739.10.  
 21 MS. MENICHETTI: Motion, please?  
 22 MR. MARUSHOCK: I'll make that  
 23 motion in the amount of \$1,739.10.  
 24 MS. MENICHETTI: Motion by Mr.  
 25 Marushock. Second, please? Second, please?

1 MS. JOHNSON: I'll second.  
 2 MS. MENICHETTI: Second by Ms.  
 3 Johnson. On the question?  
 4 MRS. SHORTZ: What is the --  
 5 MS. MENICHETTI: \$1,739.10. Roll  
 6 call, please.  
 7 MRS. HARTSHORN: Mr. Marushock?  
 8 MR. MARUSHOCK: For.  
 9 MRS. HARTSHORN: Ms. Johnson?  
 10 MS. JOHNSON: For.  
 11 MRS. HARTSHORN: Mr. Barone?  
 12 MR. BARONE: Against.  
 13 MRS. HARTSHORN: Mr. Barnick?  
 14 MR. BARNICK: Against.  
 15 MRS. HARTSHORN: Mr. Lukasewicz?  
 16 MR. LUKASEWICZ: For.  
 17 MRS. HARTSHORN: Mrs. Shortz?  
 18 MRS. SHORTZ: For.  
 19 MRS. HARTSHORN: Ms. Menichetti?  
 20 MS. MENICHETTI: For. Five for, two  
 21 against. Motion carried.  
 22 Motion number 26, to accept the  
 23 minutes from the July 25, 2005 monthly council  
 24 meeting.  
 25 MR. MARUSHOCK: I'll make that

1 motion.  
 2 MS. MENICHETTI: Motion by Mr.  
 3 Marushock. Second, please?  
 4 MS. JOHNSON: I'll second.  
 5 MS. MENICHETTI: Second by Ms.  
 6 Johnson. On the question? The minutes are  
 7 here. We have them in our packet. Roll call,  
 8 please.  
 9 MRS. HARTSHORN: Mr. Marushock?  
 10 MR. MARUSHOCK: For.  
 11 MRS. HARTSHORN: Ms. Johnson?  
 12 MS. JOHNSON: For.  
 13 MRS. HARTSHORN: Mr. Barone?  
 14 MR. BARONE: For.  
 15 MRS. HARTSHORN: Mr. Barnick?  
 16 MR. BARNICK: Against.  
 17 MRS. HARTSHORN: Mr. Lukasewicz?  
 18 MR. LUKASEWICZ: For.  
 19 MRS. HARTSHORN: Mrs. Shortz?  
 20 MRS. SHORTZ: For.  
 21 MRS. HARTSHORN: Ms. Menichetti?  
 22 MS. MENICHETTI: For. Six in favor,  
 23 one against. Motion carried.  
 24 Motion number 27, to authorize  
 25 payment to Mark Wozniak in the amount of \$405

1 for stenographer's services for the July 25,  
 2 2005 council meeting.  
 3 MR. LUKASEWICZ: I'll make that  
 4 motion.  
 5 MS. MENICHETTI: Motion by Mr.  
 6 Lukasewicz. Second?  
 7 MRS. SHORTZ: I'll second it.  
 8 MS. MENICHETTI: Second by  
 9 Mrs. Shortz. On the question?  
 10 MR. LUKASEWICZ: On the question,  
 11 I'm not happy with paying this much money to  
 12 have the minutes done. Mark does do a  
 13 wonderful job and he deserves to be paid.  
 14 MS. MENICHETTI: There's, like, 152  
 15 pages.  
 16 MR. BARNICK: Just on the question,  
 17 I have to agree with Mr. Lukasewicz. I think  
 18 it's a waste of money, but he's doing the  
 19 job.  
 20 MS. MENICHETTI: Anyone else on the  
 21 question? Roll call, please.  
 22 MRS. HARTSHORN: Mr. Lukasewicz?  
 23 MR. LUKASEWICZ: For.  
 24 MRS. HARTSHORN: Mrs. Shortz?  
 25 MRS. SHORTZ: For.

1 MRS. HARTSHORN: Mr. Barone?  
 2 MR. BARONE: For.  
 3 MRS. HARTSHORN: Mr. Barnick?  
 4 MR. BARNICK: For.  
 5 MRS. HARTSHORN: Mr. Marushock?  
 6 MR. MARUSHOCK: For.  
 7 MRS. HARTSHORN: Ms. Johnson?  
 8 MS. JOHNSON: For.  
 9 MRS. HARTSHORN: Ms. Menichetti?  
 10 MS. MENICHETTI: For. All in  
 11 favor. Motion carried.  
 12 Motion number 28, to have Kalyn  
 13 Rakauskas continue her employment with the  
 14 civic center as a monitor at a rate of \$7.66.  
 15 She was previously employed at the Washington  
 16 Street park summer program. Motion?  
 17 MR. MARUSHOCK: I'll make that  
 18 motion.  
 19 MS. MENICHETTI: Motion by Mr.  
 20 Marushock. Second?  
 21 MRS. SHORTZ: I'll second it.  
 22 MS. MENICHETTI: Second by  
 23 Mrs. Shortz. On the question?  
 24 MR. LUKASEWICZ: On the question, I  
 25 just think that other people should have been

1 given the opportunity to apply for the  
 2 opening. I didn't know that we needed another  
 3 monitor at the center. I know the last time  
 4 that our director or borough manager said that  
 5 we need somebody we were filling positions.  
 6 I'm not aware of anyone resigning or leaving  
 7 since then, so I don't know if they're just  
 8 adding to the borough someone that we don't  
 9 need or what's going on. I really don't  
 10 know. I'm not against her but I'm against  
 11 hiring somebody without the knowledge of why.  
 12 MR. BARNICK: On the question,  
 13 again, as Mr. Galli stated, we voted to try  
 14 and hire young Mr. Galli, a resident of  
 15 Throop, and you voted it down. Now you need  
 16 somebody and you're going out of town.  
 17 MR. BARONE: I understand --  
 18 MR. BARNICK: What's wrong with our  
 19 people?  
 20 MR. BARONE: I understand we need  
 21 three people over there. Is that correct?  
 22 MS. JOHNSON: I don't know.  
 23 MR. MARUSHOCK: Not that I'm aware  
 24 of.  
 25 MR. BARNICK: I don't know. I don't

1 go in there.  
 2 MS. MENICHETTI: We have a new  
 3 director. I know they asked for one person.  
 4 That's all I know. Mrs. Shortz?  
 5 MRS. SHORTZ: I know at the last  
 6 meeting that we had there was another name  
 7 that was someone from a summer -- I can't  
 8 remember her name now, but she was from the  
 9 summer program to be a monitor. And we had  
 10 voted for that and then she declined the  
 11 position. So I'm under the impression this is  
 12 in place of that person who won't take it.  
 13 MR. BARONE: On the statement,  
 14 again, two assistant directors said they could  
 15 use extra help. They need more than one. So  
 16 if you're going to do that I suggest that the  
 17 least you do is give Frank Galli's kid an  
 18 interview. Not to shove him out like a piece  
 19 of dirt.  
 20 MRS. SHORTZ: There's a director  
 21 there.  
 22 MR. GALLI: He was recommended for a  
 23 job by the assistant directors when they were  
 24 doing some interviews, but for some reason --  
 25 because his last name is Galli he was

1 rejected.  
 2 MS. MENICHETTI: That's not true,  
 3 Mr. Galli.  
 4 MR. GALLI: Oh, it is true.  
 5 MR. BARNICK: Oh, yeah, it is.  
 6 MR. GALLI: He was recommended by  
 7 two assistant directors.  
 8 MS. MENICHETTI: No, it's not true.  
 9 It's not true, Mr. Galli, and you're out of  
 10 order. It's not true.  
 11 MR. GALLI: You're right and I  
 12 apologize for being out of order. Once  
 13 again --  
 14 MS. MENICHETTI: That is not true.  
 15 MR. GALLI: He was recommended by  
 16 your assistant directors who were running the  
 17 center to be hired there.  
 18 MS. MENICHETTI: No, he was not.  
 19 MR. GALLI: He was interviewed by  
 20 the two assistant directors to be hired there.  
 21 MS. MENICHETTI: The question has  
 22 been called. Roll call, please.  
 23 MRS. HARTSHORN: Mr. Marushock?  
 24 MR. MARUSHOCK: For.  
 25 MRS. HARTSHORN: Mrs. Shortz?

1 MRS. SHORTZ: For.  
 2 MRS. HARTSHORN: Mr. Barone?  
 3 MR. BARONE: For.  
 4 MRS. HARTSHORN: Mr. Barnick?  
 5 MR. BARNICK: Against.  
 6 MRS. HARTSHORN: Mr. Lukasewicz?  
 7 MR. LUKASEWICZ: Against.  
 8 MRS. HARTSHORN: Ms. Johnson?  
 9 MS. JOHNSON: For.  
 10 MRS. HARTSHORN: Ms. Menichetti?  
 11 MS. MENICHETTI: Four in favor.  
 12 Motion carried.  
 13 MR. LUKASEWICZ: Madam Chairman, I  
 14 want to just ask one question. We hired a new  
 15 director, and I'm not sure -- I'm just asking  
 16 the question. I'm not trying to cause  
 17 trouble, but are all the clearances and  
 18 everything that we need for this individual  
 19 accomplished?  
 20 MS. MENICHETTI: He came to us fully  
 21 credentialed.  
 22 MR. LUKASEWICZ: We have all the  
 23 paperwork that we need and it's on file?  
 24 MS. MENICHETTI: Yes.  
 25 MR. LUKASEWICZ: That's all I want

1 to know.  
 2 MS. MENICHETTI: Motion number 29,  
 3 motion to have the decision of the employment  
 4 compensation appealed regarding Melissa  
 5 Casey.  
 6 MR. BARNICK: By the borough  
 7 solicitor.  
 8 MS. MENICHETTI: By the borough  
 9 solicitor?  
 10 MR. BARNICK: I'll make that motion.  
 11 MR. LUKASEWICZ: I'll second that.  
 12 MS. MENICHETTI: Motion by Mr.  
 13 Barnick, seconded by Mr. Lukasewicz. On the  
 14 question?  
 15 MR. LUKASEWICZ: On the question,  
 16 the initial paperwork that came in to the  
 17 borough that was evidently signed and sent  
 18 back, can I have a copy of that, please?  
 19 MR. BARNICK: Myself included.  
 20 MR. LUKASEWICZ: I never saw it.  
 21 MR. BARNICK: I never saw it.  
 22 MS. MENICHETTI: I never saw it  
 23 either. I'm sure it's on file.  
 24 MR. LUKASEWICZ: I don't have a copy  
 25 of that. Will you please put it in a

1 confidential envelope in my slot so I can at  
2 least see what was sent back?

3 MS. MENICHETTI: Sure. We're not  
4 hiding nothing.

5 MR. LUKASEWICZ: I'm just asking.

6 MS. MENICHETTI: Anyone else on the  
7 question? Roll call, please.

8 MRS. HARTSHORN: Mr. Barnick?

9 MR. BARNICK: For.

10 MRS. HARTSHORN: Mr. Lukasewicz?

11 MR. LUKASEWICZ: For.

12 MRS. HARTSHORN: Mr. Barone?

13 MR. BARONE: For.

14 MRS. HARTSHORN: Mr. Marushock?

15 MR. MARUSHOCK: Against.

16 MRS. HARTSHORN: Mrs. Shortz?

17 MRS. SHORTZ: Against.

18 MRS. HARTSHORN: Ms. Johnson?

19 MS. JOHNSON: Against.

20 MRS. HARTSHORN: Ms. Menichetti?

21 MS. MENICHETTI: Against. Four  
22 against. Motion carried -- motion failed.

23 MR. BARNICK: You understand what --

24 MRS. SHORTZ: I do believe that when  
25 Ms. Sullivan resigned nobody appealed her

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C E R T I F I C A T E

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 130 pages, is a true and correct copy, done to the best of my ability, of same and the whole thereof.

Mark Wozniak



Official Court Reporter

1 ability to collect and she collected after her  
2 resignation, so why pick on somebody else?

3 MR. BARNICK: You appealed Elaine.  
4 You appealed Elaine. You appealed Elaine  
5 Morrell.

6 MS. MENICHETTI: Just the reason.  
7 Just the reason.

8 MRS. SHORTZ: The reason, not that  
9 she collected. She did --

10 MS. MENICHETTI: We didn't stop her  
11 from collecting, we just appealed the reason,  
12 and when it was changed that was fine.

13 MR. LUKASEWICZ: Madam Chairman, I  
14 have to be some place.

15 MR. BARNICK: I have to leave, too.

16 MS. MENICHETTI: We're not going to  
17 take audience comment because everyone has to  
18 leave. Motion to adjourn.

19 (Whereupon the meeting was  
20 adjourned.)  
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