

Agenda  
Throop Borough  
Monthly Meeting  
Monday, August  
7:00 p.m.

Pledge of Allegiance.

*"God Bless Our Troops and the Coalition"*

**ROLL CALL:**

**Members of Council:**

Joseph Barone - P

**Vice President** - Susan Shortz - P

Thomas Lukasewicz - P

**President** - George Marushock - P

Cindy Johnson - P

Daryl Menichetti - P

James Barnick - P

**Solicitor** - John J. Brazil, Esq. - P

**Mayor** - Stanley Lukowski - P

Treasurer - Amy Hebden - P

Manager - Ken Novack - P

Assistant Secretary - Christine Hartshorn - P

**Announcements:**

-An Executive Session was held on August 26, 2004 at 6:30 PM concerning Labor Relations regarding DPW, Gongliewski v. Throop Borough and Morrell v. Throop Borough.

Special thanks to Bosak's Meats for their generous donation and help with the 2004 Throop Night Out.

Marushock: We have 1 addition to tonight's announcements, something that was omitted and we need to make a record of it. An executive session was held on August 10, 2004 concerning the lawsuit of Gongliewski, Dolan and Bukowski v. Throop Borough and also 4 individual council people.

Marushock: What we have, we have this evening a presentation from Wayne and Grace Williams regarding the 1<sup>st</sup> 2004, the 1<sup>st</sup> annual Throop benefit golf tournament. Mr. and Mrs. Williams would like to make a presentation for the Throop Police Department and the Throop Borough

Agenda

4/4/04

Incomplete  
TRANSCRIPT  
MINUTES

Found in C.H.  
FILES

Keep on RECORD  
NO OTHER  
DOCUMENTATION  
IN EXISTENCE FOR  
THIS MEETING  
A B O

Civic Center as a result of the proceeds from that golf tournament. Mr. and Mrs. Williams could you please come forward? Williams: First of all I'd like to thank everybody that came out and sponsored the tournament. We had over 110 businesses from the area that contributed to the tournament. We had 82 golfers come out. And I'd like to publically thank Melissa and Chad from helping me out the day of the tournament, and Cathy Reilly and Daryl Menichetti for helping me out with this tournament. This year's tournament we brought in a check for the police department of \$700.00 and for the children's center, or the children's programs at the Civic Center \$2,950.00. *Clapping heard. Unidentified: Wow. Good job.* Marushock: They're plain checks right now. As soon as everything clears this will be deposited accordingly. We thank Mr. and Mrs. Williams for making that event happen. Menichetti: Well present it to the chief. Marushock: Mr. Fierosi, would you like this at this time? *Laughter heard.* Marushock: I know you're not gonna say no. This is towards purchasing a weapon for the Throop Borough police department. And again that is the proceeds, part of the proceeds from the golf tournament. Congratulations. Fierosi: Thank you. Mr. and Mrs. Williams thank you very much. Marushock: Mrs. Casey. Mrs. Casey this is a check in the amount of \$2,950.00 as the proceeds from the 1<sup>st</sup> Throop Benefit Golf tournament, which was hosted by Mr. and Mrs. Williams. It's for the day care program, activities over at the Civic Center. Again, thank you to those people and congratulations. I'm sure it will be put to good use. *Clapping heard.*

Marushock: At this time also the Throop Police Department would like to present Bosak's Meats with a plaque for their contribution to the 2004 Throop night out. Would you people please step forward? Lukowski: Ladies and gentleman this is Tom and Gail Bosak from Bosak's Choice Meats and not only did they donate the food they even made it. Let me tell you something, it was a great, great event. It was like a family affair and we need more of this I think in our community. Thanks to Keith who puts a lot of hard work into all of this. And I'll give you the honor of presenting this plaque to the Bosak's. And Neil, Neil puts in a lot of work too. I can't forget him. Keith: The plaque is presented to Bosak's Choice Meats in appreciation for your outstanding contribution to the Throop Police Department National Night Out, August 3, 2004. Thanks again. *Clapping heard.* Lukowski: Another thing Mr. Chairman. This comes from Dunmore officials. And it says, "On behalf of the Borough of Dunmore we would like to extend our gratitude and appreciation for your assistance during the fire which occurred on Friday, August 6, on East Drinker Street in Dunmore". This is directed at our fireman, made primarily. With sincere thanks, Joe Taluto - Council President, Patrick Loughtney - Mayor, and Joe Loftus - Business Manager. Thank you. *Clapping heard.* Marushock: Thank you Mr. Mayor. At this time, before we get into audience comments on tonight's agenda, I'd like to check in regards to audience comments that were tabled from our last meeting. We will start in the front row and we will continue in an orderly manner throughout the room. This was I believe the end of the month meeting for July 2004. At that time we put a motion on the floor to table audience comments 'till this meeting. At this time I'd like to take that under consideration. I'll start with the front row, Mrs. Veltri.... Veltri: I don't know what the agenda was. Barnick: No, it was opened. It was open. Veltri: It was open? Marushock: Yes. Barnick: Yeah it was whatever, new business. Veltri: I'll pass. Marushock: O.K.

**Audience comments on July 26, 2004:**

**Dominick Rocco, 110 Sanderson Street** - I really don't have any comments but I hope it don't happen again 'cause it's not right 'cause we can forget from month to month. It should be done at the meeting. It's illegal to do what you're doin'. That's all I have to say.

**Mary Zenkus, 109 Bellman Street** - I did come a couple weeks ago and I got a transcript of the June meeting, the council meeting. And in the minutes I found that when I was speaking, that it's about our air quality when I was here at that time, that it said the word Marjon in it - that I spoke the word Marjon. Now I'm not accusing, I don't even know what Marjon means so I didn't even say that word. I'd like it taken out of the record, or the transcripts of June. Marushock: O.K., we could check on the tape. There should be a tape of that meeting. Zenkus: Maybe it was somebody else that was sitting here that mentioned that word but I don't, it's spelled M-A-R-J-O-N and I don't even know nothing close to that word. Menichetti: It's Marjol. Zenkus: O.K., but I didn't say that. And I have Lorraine who's a witness was sitting next to me at that time. Menichetti: I don't have my minutes with me. Zenkus: And I'd also like to mention that Daryl was telling me that, about the air quality testing, possibly that they would have it done by the middle of September and that there's gonna be a meeting here September the 15<sup>th</sup> and I'll be here to find out to see if you got the test results from the air quality testing that the D.E.P. was doing. Marushock: O.K. As you are aware Mr. Novack, the borough manager, notified the D.E.P. They responded quite quickly. They came up, they put air samplers in place, I think they were 2 or 3 Mr. Novack? Novack: 2. Marushock: There were 2 put in place. The results from that testing is due in mid-September so hopefully by our mid-month meeting in September we will have some answers to your questions. Zenkus: Well I hope you do because they called me and questioning me - What should they test for? Now who am I? I'm not an environmentalist but they called me up. I had a man call me so I don't know what kind of tests they're gonna do but I hope it's the proper kind of testing. I did give him some ideas the best I could but who am I? I'm just a person. I'm not no environmentalist but I, I want to see how this is gonna turn out. Marushock: O.K., thank you.

**Bob Bolus, Sanderson Street** - At the last, your last meeting of course audience comments were terminated but there were some issues I wanted to address at that time. One was a, and I brought it up at your work session however it was something I wanted to address at that meeting, was the purchasing of extra garbage trucks from New York City at an auction that I think would enhance this borough when your truck is down or if we need a backup truck we should use it. And also the fact that to purchase something now, while we're in the financial straights that we are, would be foolish when we have access to equipment that could get us through another year till we see what happens. And I wanted to raise that issue. The other part was up here on some of the permit and well issues and things being parked in the township. Up at Thompson the plant there is starting to actually become a junkyard. There's trucks been parked up there. The zoning officer was informed on numerous occasions over the last 7 to 8 months and to date has failed to do anything about having these vehicles removed. They're unlicensed, they're sitting up here at the Thompson parking lot and that plant was used for manufacturing not as a truck parts and storage facility. There's dismantled vehicles and he's failed to act on that. Another issue I had; some of

the permitting that was going on in the borough, or not permitting. There was a shed by Mr. Veltri that went in. The concrete slab was poured and I don't know if Mr. Barnick or somebody had something to do with putting this in but I don't know if this was the permitted use that he did and I think that should be checked into. And the reason I'm bringing up some of these subjects tonight is that I believe what we have in the borough right now is a selective and political enforcement by the zoning department or the zoning officer. There are many, many issues in this town that have been overlooked and people have been singled out. We know who went for a whole bunch of assets here before the zoning board that's gonna cost myself and this borough a lot of money under appeal. We brought in 9 or 10 witnesses here and then were told at the end that the zoning board ruled against us for the sole purpose we didn't produce receipts, which I stated very clearly the original owner owned this property 50-60 years ago and has been dead how many years? Did they expect us to dig him up and see if he had a receipt on his pocket? But the government only requires you to hold stuff 7 months, or 7 years. They were never asked it and now we have to go in more litigation at the expense of the borough and ourselves. I believe it's very selective and very political. Up by our property on Marshwood and Underwood Road now that the buses running today just as I sat in my office a half a dozen vehicles shot through that stop sign and never stopped. I know we're destined for an accident. There's always a bump up there, somebody getting hit on that constantly. And the other issues; I think we have to do something with the smell that I wanted to bring up at the last meeting, coming out of that landfill. We come into our yard in the morning, our office, there a stench hanging over Throop. We brought it up to the D.E.P. they've ignored it. I've had it before this council in the past, the past majority, and to date nothing's been done about it. I think we need to do something about it. That landfill's getting higher and higher every day if you drive up Marshwood Road and take a look. It's going higher and higher, not lower. They just keep adding more garbage and we're getting that smell and we're getting the dust. And the last thing I have that I wanted to bring up is if our garbage truck comes out of that landfill, keeping in mind you drive on Dunham Road it's washed down constantly by the landfill and it's all mud. You take your vehicle there and you come down with a coating of mud on it. Now if that's hauling garbage or mud and dirt are on those vehicles coming out on the road are we gonna have a liability from a health standard for carcinogens and dust being created that we're ingesting as we're breathing or these trucks are traveling around? I've raised this issue with Scranton and everybody else including Dunmore. They should actually be policing this. I think we need to really look into that. That's all I have up till today and then we'll discuss today's meeting later on.

Barnick: Excuse me Mr. Chairman, don't you think our landfill inspectors should address the odors and stuff. I don't know. Maybe they, maybe they're aware of what's going on, I don't know.  
Marushock: I was not made aware of any odors. Barnick: I wasn't either. Marushock: We do have a number in place for residents to notify immediately at the time of that. Bolus: We have done that in the past. I've called D.E.P. When Mr. Chrzan was here he even sat with me up there one day when he was on council while the D.E.P. was here and they guy just said it wasn't his responsibility and left. And when he had the smell he said, "Well it's up there, the fact that it wasn't over your building today you don't have the right to complain". So I said, " Be here in the morning". But this was brought up in the past. Council was aware of it, the minutes were taken.

It's on the minutes of the past. Marushock: All right. Barnick: Mr. Cabets, are you aware of ... Cabets: Yes, Mr. Barnick. Mr. Barnick, I'm aware there's no smell, O.K. We have no complaints. If I have a complaint I act on it, O.K. What we have is *inaudible*, we have leche *inaudible* dust. They're fixing it right now. I mean, that's the only thing they could do. We had air quality there. They have nothing. The dust, we did have a dust problem today and I told, "Either fix it or we're shutting you down, either one", and they fixed it. Bolus: Where does the leche go? Cabets: Into the treatment plant. Bolus: Pardon? Cabets: Everything still goes to the treatment plant. It can't, it can't leach off the landfill itself. The way they're, the *inaudible* are turned in, it can't *inaudible*. It has to go back in. Bolus: O.K., what about the mud being dragged out onto the highway then? Cabets: As far as I know that highway is clean and when I go out there there's water on it, no mud. I mean maybe there was, I'm not saying there wasn't O.K.? When I go out there there's water. Bolus: Yeah but that's *inaudible* the dirt off the road. Cabets: Right. Evidently that was accepted by the boroughs for a long time so, I mean there's nothing I could do about that. D.E.P. can't even do nothing about that. He hasn't used that wash rack since the day he put it in. Bolus: I understand. My problem is what's coming off, you gotta wash the road then you could track the dirt off, that's all. Cabets: Yes. Bolus: My concern is the timetable. Cabets: Oh, we wash it inside too. Bolus: I haven't seen that yet. Marushock: O.K., next row, Mr. Hartshorn.

**Larry Hartshorn** - You were talking about buying that land or you did buy the land off of the Rinaldi's back there. I think somebody should sit back and think about the money it's costing you people to find out what's there. We know what's there. Bad. Bad. That was, Mr. Rinaldi was supposed to have that dump outta there before even the projects came in. He went bad on his word there. Now you people are takin' his word that he's gonna remove that dump. I think you better look into it very deeply. There's garbage there. That stuff up there could start a fire that's on that dump if you don't get it checked. And it's costing you people money for him to sell you the land. I can't understand what you're thinking about sittin' up there. There's nothing, that was the Pancoast disaster up there and you mean to tell me these guys drill and can't, they don't see nothing? You gotta be, you got a mineshaft *inaudible* that's filled not to many years ago. I don't, and you're never gonna get a place to put a building up there for another 2 or 3 years. When you could go up and buy a piece of land, all you had to do was go in with a dozer and start laying up your building. Think about it before you give the O.K. on that piece of land back there. There's a man down there who wanted to open my road behind my house for our people to get into our backyard and he's telling the borough, "Well, you're gonna have to do this and do that". The man is running this borough and you wanna buy a piece of land off of him. Marushock: O.K.

**Walter Marshalek - Line Street** - You don't need it





To reimburse Christine Hartshorn, Assistant Secretary in the amount of \$10.00 for a doctor's visit for an incident that occurred at the Borough Building on 6/22/04.  
Two against - Barnick, Lukasewicz

28. Motion by Lukasewicz                      Second by \_\_\_\_\_                      AIF      MC  
To authorize payment to KC Jones Enterprises, Inc. in the amount of \$440.00 for bus service provided to the Washington Street Park.
29. Motion by Lukasewicz                      Second by Barnick                      AIF      MC  
To authorize payment to Berkheimer for OPT - \$1.81 and EIT - \$289.58.
30. Motion by Lukasewicz                      Second by Menichetti                      AIF      MC  
To research and develop a policy for Employee Insurance payback.
31. Motion by Shortz                      Second by Menichetti                      MC  
To send a letter to the Throop Booster Club and ask them for all receipts from the \$20,000 that was given to them to complete specific projects.  
Three against - Barone, Barnick, Lukasewicz
32. Motion by Lukasewicz                      Second by Johnson                      MC  
To authorize payment to Cathy Egan, for transcription services for the March 11, 2004 Council Meeting in the amount of \$184.59.
33. Motion by Shortz                      Second by Menichetti                      MC  
To have the letter from Melissa Casey to Ken Novack, Borough Manager put on record, The incident took place at the Civic Center on 8/24/04.  
Barone against  
Barnick, Lukasewicz, abstain
34. Motion by Menichetti                      Second by Shortz                      AIF      MC  
To direct Ken Novack, Borough Manager to complete the discovery report submitted to the Borough regarding the Adult Basketball by Jennifer Gongliwski.
35. Motion by Barnick                      Second by Menichetti                      AIF      MC  
To enter into a new contract with Pennsylvania Municipal Pension Services for the Non-Uniform Pension Plan for the period of November 1, 2005 until October 31, 2005 at a total contract price of \$3,250.00 and to authorize final installment of \$812.50 which was due on August 1, 2004.
36. Motion by Shortz                      Second by Johnson                      MC  
To authorize Ken Novack, Borough Manager to answer to the interrogatory request in reference to the Gongliwski lawsuit 3:04-CV-0246 and any pending lawsuits against the Borough.  
Two Against - Barone, Barnick  
Abstain - Lukasewicz
37. Motion by Barnick                      Second by Lukasewicz                      AIF      MC  
To adopt Resolution #12 of 2004, approving a Cooperation Agreement with the County of Lackawanna for the Meade Street Sanitary Sewer Line Reconstruction Project.
38. Motion by Johnson                      Second by Menichetti                      AIF      MC  
To enter into a lease agreement with Pitney Bowes Credit Corporation for computer software for the Police Department. Term of lease is 48 months at \$148.00 per month.
39. Motion by Lukasewicz                      Second by Menichetti                      AIF      MC  
To reimburse Keystone Landfill, Inc. in the amount of \$694.44 for overpayment of their 2003 Borough Tax.
40. Motion by Shortz                      Second by Johnson                      MC  
To purchase a new Sunny Day Fund CD from Community Bank & Trust Co. at a current rate of 4.65% for 90 months with an escalator option included. Matured CD #'s 51301006-3 in the amount of \$1,359,106.53, CD # 41-1005128 in the amount of 74,250.31, CD #51-3010048 in the amount of 438,034.22. 10% of the April Landfill check in the amount of 52,419.77 and the July Landfill check in the amount of 65,205.76 for a total of 1,989,016.59.
41. Motion by Lukasewicz                      Second by Marushock                      AIF      MC  
To approve the 2005 Borough Insurance Coverage with Joyce, Jackman & Bell Insurance. Final rates and figures to follow.

