

**Minutes  
Throop Borough Council  
Special Monthly Meeting  
Thursday, April 13, 2000**

**The meeting opened with the Pledge of Allegiance**

**ROLL CALL:**

**Members Of Council:**

Joseph Keyasko-P

Anthony Chrzan-P

George Marushock-P

Vice President - Joseph Barone-P

President - James Barnick-P

Robert Mraz-P -A (Present for roll call, departed before motions)

Thomas Lukasewicz-P

**Mayor** - Stanley Lukowski-P

**Controller** - Daryl Menichetti-A

**Solicitor** - Attorney Louis Cimini-P

**Treasurer** - Lenore Dolan-P

**Assistant Secretary**-Christina Sullivan-P

**Announcements:**

- The monthly work session and meeting for the month of April is re-scheduled due to Holy Thursday and Easter Monday. The monthly work session and meeting will be held on Tuesday, April 25<sup>th</sup> beginning at 6:30.
- The Annual Children's Easter Party will be held on Saturday, April 22<sup>nd</sup> at 10:00 a.m. until 1:00 p.m. at the Washington Street Park. The Easter Egg Hunt will be at 11:00 a.m.
- The recycling schedule for Holy Week is changed from :  
Tuesday, April 18<sup>th</sup> to Monday, April 17<sup>th</sup>
- The garbage schedule for Holy Week is one day early.  
Wednesday, April 19<sup>th</sup> to Tuesday, April 18<sup>th</sup>  
Thursday, April 20<sup>th</sup> to Wednesday, April 19<sup>th</sup>  
Friday, April, 21<sup>st</sup> to Thursday, April 20<sup>th</sup>

The Executive Session was held tonight at 6:00 pm to discuss personnel issues.

**Audience comments on tonight's agenda:**

Dominick Rocco, 110 Sanderson Street - Motion Three (3) to transfer the CD's regarding Community Bank in Dunmore, First National, still all with one bank for the Borough of Throop?  
Barnick-Right

Rocco- What's the percentage rate they are giving?

Barnick-They were the highest of all banks.

A discussion took place.

Morrell-I think it was 6.50.

Barnick-It was the highest out of all banks we got, and they intend to keep it, anything we get, anything we get will be the highest rate we can possibly get. No fees charged for checks.....

A discussion took place.

Marushock-Mr. Rocco's question on the interest rate, the CD, First National Community Bank we can get 6.5%, the rate from Fidelity Bank whom we did not go with is 6.85%.

A discussion took place.

Dolan-Mr. Rocco, they both were flexible, both of them.

A discussion took place.

**1. Motion by Chrzan**

**Seconded by Barone**

To appoint Gavigan & Company P.C. to conduct an independent detailed audit on the civic center from the opening in 1997 through April 2, 2000 at a rate of \$75.00 per hour.

On the question:

Morrell-Actually, we did get rates, verbal rates, from two others, and they couldn't give us a total but they were \$100.00 an hour.

All in favor

Motion Carried

**OPENING OF BID PROPOSALS FOR THE ANNUAL AUDIT OF ALL BOROUGH ACCOUNTS:**

(Five accountants were called. Two proposals were received.)

<b>NAME</b>	<b>ADDRESS</b>	<b>AMOUNT</b>
Gavigan & Company P.C.	Scranton	\$4,000.00
Bernard A. Fagnani	Archbald	\$4,100.00

**2. Motion by Chrzan Seconded by Lukasewicz**

To accept the proposal from Gavigan & Company, P.C. to conduct the annual audit of all borough accounts.

All in favor Motion Carried

**3. Motion by Chrzan Seconded by Barone**

To transfer the following C.D.'s plus interest from Pioneer American Bank, Dickson City to First National Community Bank, Dunmore.

1. Sunny Day Fund FLEX C.D. - # 802442 - \$1,358,149.28

2. General Fund FLEX C.D. - # 802455 - \$1,227,545.45

(There are no penalties on the Flex CD's)

3. Sunny Day Fund CD - # 802138 - \$38,412.67

(There is a three month penalty, but the new interest rate outweighs the penalty.)

Two CD's will remain in the Pioneer American Bank until maturity to avoid excess penalties.

All in favor Motion Carried

**4. Motion by Chrzan Seconded by Barone**

To transfer all borough accounts to the First National Community Bank, Dunmore as per Resolution # 22 of 2000. All existing accounts will be closed in the First Liberty Bank and PNC Bank as soon as possible in such a manner to have a smooth transition.

On the question:

Barnick-On the question, we already did this.

Morrell-Well, we did the resolution. We did designate, but I thought we should have a Motion to have it specifically that we are closing all those accounts.

Barnick-Yes, but I thought that was the understanding then.

Morrell-Okay. We would like to really start doing it now, within the next, as soon as possible, this month. We had to wait for checks, and then we have to wait for computer checks.

All in favor Motion Carried

**5. Motion by Chrzan Seconded by Barone**

To ratify issuing a check to Jamie Shevchik, Director in the amount of \$1,000.00 to conduct the Annual Children's Easter Party.

(The check was originally drawn to the Throop Recreation Committee. The check was returned to the borough and voided.)

On the question:

Marushock-Will there be receipts to accompany this?

Barnick-There always is. It's always required.

All in favor

Motion Carried

**6. Motion by Chrzan**

**Seconded by Barone**

To reimburse Bob Lokuta \$121.92 for expenses related to attending the 3 day Zoning Work Shop.

All in favor

Motion Carried

**7. Motion by Chrzan**

**Seconded by Barone**

To direct Louis A. Cimini, Borough Solicitor to defend the Borough in the appeal of the zoning ordinance and to direct the solicitor to recover all costs associated with frivolous lawsuits.

On the question:

Marushock-Will that be frivolous lawsuits involving the Borough only, correct? I mean, it's not going to, it won't be defending us as individual members or whatever?

Barnick-What?

Marushock-Is this for lawsuits for the Borough as individuals, correct?

Barnick-You can get sued as an individual councilman too. Roll call.

Marushock-I don't think he has the authority to the best of my knowledge to defend us as individuals, that's what I'm getting at.

Barnick-Yes he does.

Chrzan - What, are you planning on getting sued?

Keyasko - This is the zoning ordinance appeal, right?

Barnick - Right.

All in favor

Motion Carried

**8. Motion by Chrzan**

**Seconded by Lukasewicz**

To send a letter to Adelphia Cable regarding the trenches, to have them seeded and mulched.

Barnick-This is in reference the complaint at Martarano Drive, but it should state for all the Borough.

On the question:

Barnick-Martarano specifically.

All in favor

Motion Carried

**9. Motion by Chrzan** **Seconded by Marushock**

To adopt Throop Borough Resolution # 24 of 2000, a resolution authorizing the Board of Commissioners of Lacka County to submit an application for FFY 2000, CDBG funds in the amount of \$111,936 to be used for the Warsaw Sewer Improvement Project.

Barnick-It's going to be a little rough up in that area right now, the water lines, there's trenches all over up there, next it will be sewers, then the paving.

Mayor-How long will all that take?

Barnick-About six months.

A discussion took place.

All in favor

Motion Carried

**10. Motion by Chrzan** **Seconded by Lukasewicz**

To approve application for payment # 1 to Leeward Construction in the amount of \$3,375.00 for the Crawford Court Phase II Project.

All in favor

Motion Carried

**11. Motion by Chrzan** **Seconded by Lukasewicz**

To approve application for payment # 4 to Leeward Construction in the amount of \$227,263.99 for the Boulevard Project.

All in favor

Motion Carried

**12. Motion by Chrzan** **Seconded by Barone**

To authorize one week vacation and three (3) days personal at the completion of six (6) months for the full-time position Assistant Secretary.

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

One Abstain-Keyasko

Barnick-Reason?

Keyasko-Too complicated.

Motion Carried

**13. Motion by Chrzan** **Seconded by Marushock**

To either reject the request by Jermyn Head Start to use the Washington Street Park for their graduation and undergraduate party on June 8, 2000.

On the question:

Lukasewicz-Are there any requirements because of federal monies in the Borough that can we stop someone from using that?

Barnick-I don't see why not.

Chrzan-Let them fight it, why should we worry about it.

Marushock-Isn't it more beneficial to have it available to the kids in the Borough, especially during graduation period?

Lukasewicz-When exactly do they want it?

Morrell-They want it June 8<sup>th</sup>, and yes, they do want to use the pavilion.

A discussion took place.

Barnick-There's no reason for other people to come and use our park, let them use their own.

A discussion took place.

Keyasko - I would like the solicitor's opinion. We don't want any problems.

Five in Favor-Keyasko, Chrzan, Marushock, Barone, Barnick  
One Against-Lukasewicz

Motion carried

**14. Motion by Lukasewicz**

**Seconded by Barone**

Motion that there should be no interference by any of the Council members or any other government official from the Borough of Throop with the Civic Center, whatsoever, until the pending investigation is complete and final. The only individual that should be responsible over there (the Civic Center) for anything, at this time, should be the Director, with the exception of whomever he designates.

All in favor

Motion Carried

**15. Motion by Chrzan**

**Seconded by Barone**

Any employees caught tampering with the Borough's security cameras will be terminated. That would include Civic Center, Borough Building, the Park, anywhere.

On the question:

Barone-How about if anyone is tampering with them?

Chrzan-Then that's criminal mischief, Joe.

A discussion took place.

All in favor

Motion Carried

**16. Motion by Chrzan**

**Seconded by Barone**

To send a letter to PP&L regards to street lighting for the Tiffany development to make sure it conforms with PP&L's specifications.

Barnick-Send a letter to Tiffany and PP&L.

All in favor

Motion Carried

**17. Motion by Barone**

**Seconded by Chrzan**

To have interviews conducted by the Police Committee, the Mayor, and the Police Chief of all the eligible candidates as per the final eligibility list provided by the Civil Service Commission.

All in favor

Motion Carried

**18. Motion by Chrzan**

**Seconded by Barone**

To grant the request of the Throop Booster Club to use the Washington Street Park for their games and practice for the year 2000 for the senior and junior Little League program.

On the question:

Lukasewicz-Jim, could you see if the DPW guys could do something along the third base..... where the water always stands there?

A discussion took place.

All in favor

Motion Carried

**19. Motion by Chrzan**

**Seconded by Barone**

To authorize payment to Pennsylvania Municipal Pension Services in the amount of \$750.00 for the Police Pension Fund from the assets of the Police Pension Fund.

All in Favor

Motion Carried

**20. Motion by Chrzan**

**Seconded by Barone**

To send a letter to the Teamsters to extend the contract indefinitely and to set up negotiations when Jack McGrail is available.

All in Favor

Motion Carried

**21. Motion by Marushock**

**Seconded by Keyasko**

To accept the Annual Controllers Audit.

Three in Favor-Keyasko, Marushock, Lukasewicz

Three Against-Chrzan, Barone, Barnick

Tie Vote

Mayor-Against

Motion Failed

**22. Motion by Barone** **Seconded by Chrzan**

To reject the Annual Controllers Audit.

Three in Favor-Chrzan, Barone, Barnick  
Three Against-Keyasko, Marushock, Lukasewicz  
Tie Vote  
Mayor-For

Motion Carried

**23. Motion by Chrzan** **Seconded by Barone**

To direct the Solicitor to appeal the Controllers Annual Audit for the Borough for the year 1999 to Lackawanna County Court as per the Borough Code.

Three in Favor-Chrzan, Barone, Barnick  
Three Against-Keyasko, Marushock, Lukasewicz  
Tie Vote  
Mayor-For

Motion Carried

**24. Motion by Chrzan** **Seconded by Barone**

To accept the resignation from Cathy Jones as Planning and Zoning Secretary effective April 28, 2000.

All in favor

Motion Carried

**25. Motion by Chrzan** **Seconded by Barone**

To appoint Christina Sullivan as Planning and Zoning Secretary at a rate of \$150.00 per month.

On the question:

Keyasko-How come it's \$150.00 now, wasn't it always \$100.00? Everyone that he hires, we gotta give out another \$50.00, \$100.00, what the hell is going on?

Chrzan-Wait a minute, what people did I hire? Name one, Joe. Name one.

Keyasko-Right here.

Chrzan-Where? Are you getting paid?

Dolan-Oh yeah, lots.

Chrzan-How much you getting paid?

Dolan-As much as.....

A discussion took place.

Barnick-The rate went from \$100.00 at the end of this year in the Budget to \$150.00.

Five in Favor-Chrzan, Marushock, Barone, Lukasewicz, Barnick  
One Against-Keyasko

Motion Carried



**26. Motion by Chrzan**

**Seconded by Barone**

To authorize Robert Kalinoski and Jack Dolan to attend the monthly meeting of the Lackawanna County Association of Boroughs in Mayfield on April 27, 2000 at \$10.00 per person.

All in Favor

Motion Carried

**27. Motion by Chrzan**

**Seconded by Barone**

To accept the resignation from Cathy Crambo from the Throop Recreation Committee, effective immediately.

All in favor

Motion Carried

**28. Motion by Chrzan**

**Seconded by Lukasewicz**

To adopt Resolution #25 of 2000 Establishing and Prescribing Fees for the Zoning Permits and other administrative proceedings with the correction/adjustment.

All in favor

Motion Carried

**Official Comments:**

Chrzan-As the past practice, the year before, I want to make a motion to give \$5,000.00 to the Booster Club for the fireworks.

Morrell-I think, I thought we did that one.

Barnick-We did that one.

A discussion took place.

Chrzan-Are you sure it's done?

Morrell-Yes, I am sure.

Barnick-What else? Joe?

Barone-I'd like to have a motion for the use of the Washington Street Park.....party....do we have to have a motion for that?

Morrell-No, we really didn't before. Any group from Throop, or even an individual for a birthday party, etc. would come here & I would mark it on the calendar and it would be okay.

Jack Dolan just says they need \$1,000.00 deposit for the fireworks. The fireworks are already approved, do I have authorization, does Lenore have authorization, or do you want to make a motion to do that now, because usually we just pay the night of the Cow Flop.

**27. Motion by Lukasewicz**

**Seconded by Chrzan**

To accept the proposal from International Fireworks Company and authorize a payment of \$1,000.00 deposit.

All in Favor

Motion Carried

Mr. Dolan-They asked for \$1,000.00 deposit with the remainder to be paid the night of the fireworks.

Barnick-The whole thing was approved.

Mayor-The.....was looking for some support on the rates being charged by the Water Company for fire hydrants.

A discussion took place.

Barnick-Are you looking for a resolution?

Mayor-I have no idea.

Barnick-What's the next resolution?

Morrell-twenty six (26).

**28. Motion by Chrzan**

**Seconded by Marushock**

To adopt Resolution #26 of 2000 opposing the high rates of the water company for the fire hydrants throughout the Borough.

All in Favor

Motion Carried

Mayor-This is only for discussion, I think we should be getting more money for Adelphia, I mean, they're making a lot of money. When the rates used to be like \$20.00, people are now paying \$57.00.

A discussion took place.

Mayor-The service and reception are terrible.

Unknown-Business people start bringing garbage from out of town. I'll talk to you about it.

Barnick-Mayor, anything.....We'll get someone on that right away.

Dominick Rocco, 110 Sanderson Street -For four or five months now I'm bringing up about the lights.

Barnick-They do it when they want. We just called again last week.

A discussion took place.

Barnick-We'll keep on them. We'll send them a letter coming from you saying it's a dangerous situation, to the electric company.

Mayor-All these utilities.....it's terrible.

Motion by Chrzan

Seconded by Barone

To adjourn

Meeting adjourned

Christina Sullivan  
Assistant Secretary

Elaine Morrell  
Administrator/Secretary