

**Minutes  
Throop Borough Council  
Special Monthly Meeting  
Monday, April 15, 2002  
following the Special Monthly Work Session**

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

**ROLL CALL:**

**Members Of Council:**

Joseph Barone-P

James Barnick-P

Anthony Chrzan-P

**President**-Thomas Lukasewicz-P

George Marushock-P

Jim Mellody Jr.-P

**Vice President**-Daryl Menichetti-P

**Mayor** - Stanley Lukowski-P

**Solicitor** - Attorney Louis Cimini-P

**Treasurer** - Lenore Dolan-A

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

**Announcements:**

An Executive Session was held this evening at 6:00 p.m. with regard to personnel matters.

**Monday, April 22<sup>nd</sup> at 6:30 p.m.** - Public Hearing - RE: Opening of Jones St. & Ash St. west extension.

**Tuesday, April 23<sup>rd</sup> at 9:00 a.m.** - Surplus food distribution at the civic center.

**There were no audience comments on tonight's agenda.**

**Motion #1 withdrawn, as follows:**

**1. Motion by Chrzan**  
Withdrawn

**Seconded by Barone**  
Withdrawn

To authorize the quarterly payment in the amount of \$750.00 to Pennsylvania Municipal Pension Services from the assets of the Non-Uniform Pension Plan.

On the question:

Barnick: On the question, until it's resolved, I ain't voting for unless... *Lukasewicz: Is this for the police or is this for....* Morrell: No, this is non-uniform, this is non-uniform. *Lukasewicz: This is the police.* Morrell: No. *Everyone speaking at once.* **Chrzan: Well, then I'm going to withdraw on that motion. (Barone then withdrew his second.)**

**2. Motion by Marushock**

**Seconded by Chrzan**

To confirm the forwarding of the Resolutions requesting Lackawanna County Officials to fund and complete a Tax Assessment and/or Reassessment of Lackawanna County.

Resolutions were received from the following municipalities and school districts:

Newton Township  
Forest City Regional School District  
Abington Heights School District  
Elmhurst Township Board of Supervisors  
North Abington Township  
City of Carbondale  
Glenburn Township

**All in favor**

**Motion carried**

**3. Motion by Chrzan**

**Seconded by Barone**

To approve payment in the amount of \$1,443.00 to Schindler Elevator, \$1,023.00 for repairs to the elevator and \$420.00 toward the service contract.

Chrzan: I mean, that wasn't under the warranty, that elevator? *Barnick: No.* Lukasewicz: But now we have a one year warranty.

On the question:

Barnick: Just on the question, I don't think we should give them the service contract. *Chrzan: It's only \$420.00. Few speaking at once.* Lukasewicz: It worked out, this time it worked out because the repairs were so much and now if anything does happen.... *Marushock: I thought it broke again, too.* Lukasewicz: Well, if it does it's covered now. *Chrzan: Is it working now?* Lukasewicz: I think we were lucky to get a service contract with all that moisture in there. *Few speaking at once.* Morrell: She had him, she had them back over there. I don't know if it's working now. *Chrzan: Dave said it was working, right, Dave?*

**Six in favor-Barone, Chrzan, Marushock, Mellody, Menichetti, Lukasewicz**  
**One against-Barnick** **Motion carried**

**4. Motion by Chrzan**

**Seconded by Barone**

To approve payment in the amount of \$1,016.80 to St. Paul Insurance toward the deductible. (Vince Cesari III vs. Throop)

On the question:

Lukasewicz: Is this being settled? *Morrell: No, I called and they said they bill the deductible as they're paying out for legal fees.* Barnick: I can't understand that. *Lukasewicz: We always had.....* Barnick: We weren't paying the deductible until the end of the year. *Lukasewicz: Yeah, and it was always like only \$2,500 and it's \$8,500 and ....* Morrell: I called to find out and that's what they told me. *Menichetti: Is this the first time we've heard anything on this?* Morrell: This is actually a combination of two bills, two invoices. *Few speaking at once.* Lukasewicz: I don't understand this. Are we fighting this, number one? *Morrell: Yes. That attorney, David Karamacinas, the letter that's in one of the packets, is handling it.* Marushock: Shouldn't these charges be done at the end, more than before we plead guilty or innocent, however it's going to work? *Menichetti: Well, I guess the deductible has to be paid no matter what.* Barnick: No matter which way. *Marushock: Yeah, but I mean....* Barnick: It's usually one. *Lukasewicz: One bill.* Marushock: Right at the end, right? *Morrell: I called and that's what they....* Lukasewicz: Well, they only could go for a certain number. *Morrell: Yeah, there's a maximum deductible.* Lukasewicz: The cap used to be twenty five (\$2,500) and then I think it went up to almost \$4,000, (and) then we should have called. *Morrell: See, this goes back, this is St. Paul.* Lukasewicz: This goes back to the old..... *Morrell: So it went back to the last years policy.* Lukasewicz: Well, it's going to have to be paid anyway. *Morrell: Yeah, the deductible has to be paid and they said they bill as they pay legal bills.* Lukasewicz: Make a motion to pay it now, whatever, *inaudible*, they'll be a record kept of it. *Menichetti: What was in that...*

**All in favor**

**Motion carried**

**5. Motion by Marushock**

**Seconded by Barnick**

To approve payment # 1 in the amount of \$9,656.75 to Minichi, Inc. for the various test borings *as per the recommendation of the engineer.*

Morrell: And this is as per the recommendation of the engineer.

**All in favor**

**Motion carried**



On the question:

Menichetti: Is he a regular member, or no? *Morrell: He's a regular member.* Lukasewicz: Yes.

**All in favor**

**Motion carried**

**11. Motion by Barnick**

**Seconded by Barone**

To ratify the advertising of summer help to work with the DPW, Department of Public Works.

**All in favor**

**Motion carried**

Barone: You have to advertise for this, right? *Morrell: Pardon? I already did.* Barone: When do we figure this out? *Morrell: We have to have the applications in by the next work session because we wanted them in as soon as possible, by the 25<sup>th</sup>.*

**12. Motion by Barnick**

**Seconded by Chrzan**

To advertise the Short Street Storm & Sanitary Sewer Project for bid.

Lukasewicz: I don't think we have to do that because I think Jimmy was right, when we put them out for bid. *Barnick: Well, let's cover it.* Marushock: Yeah, that as soon as it's available from the engineer or whatever.... *Lukasewicz: We'll cover it anyway, though.*

**All in favor**

**Motion carried**

**13. Motion by Barnick**

**Seconded by Chrzan**

To direct the solicitor, Louis Cimini, to prepare a resolution regarding security at the Lackawanna County Housing Authority.

**All in favor**

**Motion carried**

**14. Motion by Chrzan**

**Seconded by Barnick**

To authorize the purchase of diamond dirt (infield topping) for the baseball fields, as needed.

**All in favor**

**Motion carried**

**15. Motion by Barnick**

**Seconded by Marushock**

For all department heads to prepare job descriptions *within thirty (30) days.*

On the question:

Barnick: Yeah, just to add within 30 days.

**All in favor**

**Motion carried**

**For lack of second, the following motion died.**

**Motion by Barone**

**No Second**

To hire two full time police officers

Barone: Don't complain about safety in the borough. *Menichetti: Let's wait until we...* Barone: For what?

**17. Motion by Marushock**

**Seconded by Chrzan**

To accept the resignation from Ed Bocan as Assistant Zoning Officer and to advertise for a part-time zoning officer.

**All in favor**

**Motion carried**

Barone: Anybody got somebody in mind? We'll put them on right now.  
*Everyone speaking at once, inaudible, discussion took place.*

**Audience Comments and/or New Business:**

**Bette Goreschak, Meade Street:**

On #7 (Motion) on Center Street *inaudible*, is new sewers going back there? Is that going up to Charles? *Barnick: No, this is for not Charles but for Center Street, it's going up.* Goreschak: *Inaudible.* 'Cause someone had just made a statement to me if the sewer goes in front of their house they didn't have to connect to it. *Barnick: Oh, yes, they have to. Within 150' of a sewer line, that's an Ordinance from way back.* Goreschak speaking in background, *inaudible.* *Barnick: Where's that at? I thought we covered every sewer so far. I thought we had every one...* Goreschak *inaudible.* *Barnick: No, she's connected.* Lukasewicz: She's connected. I believe that was part of the, to actually do the connecting for her, it was all part of the bid. *Barnick: She's connected, I mean, depends on the property behind her too that's.....* Goreschak: Is there another one behind her? *Barnick: Yeah, there's a property behind her.* Goreschak *inaudible*, Barnick's response, yes, Lukasewicz *inaudible.* *Barnick: And then it also has another spur coming up Center Street for anything else that comes in, inaudible.*

**Susan Shortz, Franko Street, Citizens Review Committee:**

Inaudible conversation, in summary: Mrs. Shortz' comments related to the Marjol Battery Site, Robert Martin, National Ombudsman, concerns with Atty. Blazey, charging a large amount of money to the borough and it seems, particularly in the last year, his involvement has attempted to eliminate the ombudsman from the process of what's going on. Mrs. Shortz' has discussions with Attorney Cognetti about Executive Sessions and he advised the Citizens Review Committee should be able to have the ability to know what's going on and have input. Mrs. Shortz requested to be a part of the process of what's going on. *Barnick: That's been an on going problem for every borough for, that no litigation is supposed...* Shortz inaudible, commented she understood the executive session process but she didn't understand the reasoning why *everything* that was discussed can only be in that format. Cognetti's suggestion to Susan for the borough, to request status of the litigation that's presently in place in less than three pages and in five days and he (Doug Blazey) should have to turn it over. *A lengthy discussion took place, inaudible.* The ombudsman's office was still, at the present time, committed to helping us push issues through to EPA and to Gould. In summary, a request is made to council to request status of litigation from Atty. Blazey and to have the Citizens Review Committee have the ability to be involved. *A discussion took place.*

**18. Motion by Marushock**

**Seconded by Menichetti**

To request from Attorney Doug Blazey the status of litigation, Throop v. Gould Electronics, Inc., within five (5) days and limited to three (3) pages.

**All in favor**

**Motion carried**

**Mayor's Comments:**

Can I say something Susan said about the attorney (with regard to the Marjol Battery Site and/or litigation)? He was adamant, I mean, *inaudible*, and it's cost us a lot of money and I don't know if he wanted his name even mentioned, but he told us like it is *inaudible*. *Chrzan: We should have hired him in the first place.* Mayor: Oh, really, really. *Chrzan: I told you people he inaudible from the county, nobody (would) believe me, besides Louie Cimini.* Mayor-But not only that, he's so easy to talk to.

Motion by Chrzan to adjourn the meeting.  
The meeting was adjourned.

Elaine Morrell, Administrator/Secretary

Minutes by Christina Sullivan, Executive Secretary