

**Minutes
Throop Borough Council
Monthly Meeting
Monday, April 30, 2001**

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

Robert Mraz-P

Vice President - George Marushock-P

Joseph Keyasko-P

Mayor - Stanley Lukowski-P

Solicitor - Attorney Louis Cimini-P

Treasurer - Lenore Dolan-P

Administrator/Secretary - Elaine Morrell-P

Announcements:

- An Executive Session was held today at 4:30 p.m. with Atty Doug Blazey to discuss the Marjol Battery Site.
- An Executive Session was held on Wednesday, April 25th at 5:00 p.m. to discuss personnel matters.
- An Executive Session was held on Thursday, April 26th at 6:00 p.m. with Attorney Doug Blazey & Frank Swit to discuss the Marjol Battery Site.
- The Special Monthly Work Session & Meeting scheduled for May 10th at 6:30 is re-scheduled to May 17th at 6:30 p.m.
- Due to Memorial Day, the monthly meeting & work session for May will be held on Wednesday, May 30th beginning at 7:00 p.m.

Barnick-There was not a quorum at the Executive Session, only three members were present, it was not Executive Session material, at 4:30 p.m. (today).

Audience comments on tonight's agenda:

Dave Palfrey-Question Motion #14. Lukasewicz explained the Ordinance requested by Chambers, Environmental Group, Inc. representatives for Turkey Hill. The Motion authorizes Gannett-Fleming to review the request along with the Solicitor.

Tim Fox, 660 Simpson Street-Present with regards to Motion #10.

**OPENING OF BID PROPOSALS FOR THE
17,500 GVW, 4 X 4, SINGLE AXLE, DUMP BODY, 2001 MODEL YEAR:**

Name	Address	Bid Amount
Richard K. McCord Manheim Chrysler Plymouth	700 Lancaster Road Manheim PA 17545	Base Bid \$48,296.00 Trade Allow. 11,000.00 BB Att.
Bradco Supply Co.	RR1 Box 143-1 Towanda PA	Base Bid \$55,500.00 Trade Allow. 21,000.00 Net \$34,400.00 BB Att.
Gibbons Ford	950 Main St Dickson City PA	Base Bid \$50,559.50 Trade Allow. 16,500.00 BB Att.
Wayne County Ford	416 Main St Honesdale PA	Base Bid \$45,758.00 Trade Allow. 16,000.00 BB Att.

(Lease options were also included.)

The following Motion was amended:

Motion by Chrzan

Seconded by Barnick

To refer the bids to the street commissioner and solicitor for their review and recommendation.

On the question:

Barnick-I think we should look into adding a stainless steel body, with the same companies, whoever the lowest is. For \$1600.00 or \$2000.00 more, you get a stainless steel body, it'll last a lot longer.

Chrzan-I'll go along with that.

1. Motion by Chrzan

Seconded by Barnick

To refer the bids to the street commissioner and solicitor for their review and recommendation with the addition of a stainless steel body.

All in favor

Motion carried

2. Motion by Chrzan **Seconded by Barone**

To accept the police reports, zoning report, landfill inspectors reports and minutes of the March 27th, April 11th and April 17th Council Meetings.

All in favor Motion carried

3. Motion by Barnick **Seconded by Chrzan**

To accept the Financial Report/Fund Statement for March 2001.

General Fund Checking Account	\$642,490.80
General Fund CD's	1,247,960.84
General Fund Petty Cash	200.00
Payroll Checking Account	850.18
Civic Center Account	250.00
Civic Center Petty Cash	250.00
Sunny Day Fund CD's	1,653,498.50
Home Program State Grant	5,009.69
Revitalization State Grant	25,187.94
Child Care Program (After School)	500.00
Warsaw Playground	26,657.94
Liquid Fuels Account	914.78

Grand Total **\$3,603,770.67**

On the question:

Barnick-Can it be read off? (Morrell read the above.)

Lenore Dolan-I would to thank Mrs. Morrell. Back in August we made a motion that the Civic Center categories be listed individually, Mr. Marushock, you made that, it was finally carried out by this report. Elaine did it. Thank you, Elaine.

All in favor Motion carried

TREASURER'S REPORTS:

Lenore Dolan, Treasurer will read the treasurer's reports and the totals of the paid and unpaid monthly bills.

4. Motion by Barnick **Seconded by Chrzan**

To accept the treasurer's reports as read or posted and to pay the monthly bills against the borough.

Treasurer's Reports:

Unpaid bills: \$ 62,742.81

Paid bills:	<u>131,824.25</u>	
AOL deduction	<u>26.95</u>	
Grand total	<u>194,590.01</u>	
Keystone Landfill Credit:	<u>14,116.05</u>	(April, 2001)
Home Program	<u>4,329.69</u>	
Revenue Report-April (As posted)	\$602,386.02	
March Interest	\$5,691.48	

Treasurer-The checkbook (balance), if all the items for payment are approved tonight, would be \$989,197.22. The balance if all motions amounting to tonight, \$160.72 are approved, the balance in the general fund tonight would be \$855,036.50.

On the question:

Marushock-I'll be voting against the Civic Center bills that are included in April, 2001, items for payment list. I'll also be against Mr. Shevchik's portion of the Blue Cross Blue Shield bill, against our solicitors fee in the amount of \$6,250.00. In regards to the computer, I need to approve payment of that because I did vote to accept it. The question I do have is where is the old one? I'll be against Gannett-Fleming's bill, against Attorney Michael Goffer's bill in the Throop vs. Lukasewicz lawsuit and also Mark Wozniak for the Attorney Goffer's deposition in the amount of \$200.00. That is it.

All in favor-Except Marushock, as noted and
Lukasewicz-Abstain, Attorney Goffer's bill Motion carried

5. Motion by Chrzan Seconded by Barone

To pay all the employees of Throop Borough.

All in favor-Except Marushock, against
Mr. Shevchick Motion carried

6. Motion by Barnick Seconded by Chrzan

To accept the correspondence as read or posted.

On the question:

Barnick-Is there any that has got to be read out?

Morrell-I don't believe so, I don't know if you have anything.

All in favor Motion carried

7. Motion by Mraz Seconded by Marushock

To advertise for bids the Sanderson Street Sidewalk Project as per the specs prepared by Frederick C. Spott & Associates, Engineer.

On the question:

Barnick-I'll be voting against this. I really think the sewer projects are more important in this town and I think they should be done first. I think Sanderson Street should also be looked at before any sidewalks go over those sewers that are coming from all those homes, laterals. Same way the sidewalks should have went, it should have been the Boulevard, or in conjunction with the South Valley Avenue Project which is getting ready to kick off. That's only my opinion.

Chrzan-I think it's very unfair that the people in the Boulevard had to pay for sidewalks and the people up here don't have to and knowing that they're going to be tore up pretty soon, I'm going to be against it. Do it where it's needed first. If you're going to charge there, then charge everybody else.

Keyasko-Why did the Boulevard have to pay for it? Let the borough pay, it paid everything else, might as well pay the sidewalks. (Everyone spoke at once.)

Marushock-I believe that when we advertised for bids (inaudible) the Sanderson Street sidewalks that we were doing so as a borough-wide improvement project. That area that's out for bid right now, Sanderson Street area, that would be the first of hopefully many years of improvements in the town as far as sidewalks. A couple of the other gentlemen addressed the sewer problems. Mr. Kalinoski, the Street Commissioner, has a list of problems areas of the sewers of the town. I believe that they address the problems as developing. We're not neglecting any of the sewer work.

Barnick-There's many more sewer projects and sewer problems throughout this town. The Boulevard was only a dent in the mountain of problems in the town with the sewers. (Inaudible) if you look at the pipes some of them are so old they're just crushed. The engineer's out designing sidewalks and he should be out designing sewers. I mean, I think it's great to have a beautification project but the sewers are more important. And if you seen some of them people are walking in their homes when the sewage is all over their basements and they don't know what to do, you'd have the same feeling. You don't know these homes, I do, when they're backed up. I would go and check on them and they're a lot more important, sections at a time in this town should be done, they're 100 years old and they need to be replaced.

A discussion took place.

Four in favor-Marushock, Mraz, Keyasko, Lukasewicz

Three against-Barone, Barnick, Chrzan

Motion carried

8. Motion by Chrzan

Seconded by Marushock

To advertise for bids the Flashing Warning Device on Sanderson St. and Charles St. as per the specs prepared by Robert Bernosky, Engineer.

On the question:

Barnick-This is needed (inaudible) and it should have been done long ago. It's too bad PennDOT can't pay for it and I think it should be pursued to the representatives.

All in favor

Motion carried

9. Motion by Chrzan

Seconded by Barnick

To accept the proposal from Sunny Sweeping. \$70.00 per hour for sweeping and \$150.00 for pot hole patching.

On the question:

Marushock-Did we receive any other proposals regarding this program?

Lukasewicz-I believe Mr. Kalinoski was to get three phone bids.

Barnick-It's needed. Don't you think that's needed? Long winter, a lot of soot and a lot of (inaudible) on the road, gutters.

Lukasewicz-It worked well the last time and it held up well through the winter, I think it would be worthwhile.

All in favor

Motion carried

10. Motion by Chrzan

Seconded by Barnick

To repeal immediately Ordinance # 18 of 2000, an ordinance prohibiting parking on the right side of Simpson St. (George St. to Dunmore St.)

On the question:

Barnick-I said it the other night here, Thursday night, I was for this ban on parking on that side only because of the accidents and the Pack Master couldn't get through and the ambulance, and the fire trucks, it was a tight fit. But somehow the Police Department's going to have to figure out how to work this out, where they can get through because there's just not enough parking in this town. The streets in Throop are like one car per family and roads are only 26' wide, so you're not getting a whole lot of parking. The amount of citations issued, I don't see where we're going. Everyone spoke at once, a long discussion took place over the parking situation on Simpson Street. In conjunction with repealing this ordinance, the borough will talk to the school (Mid Valley Head Start), and work it out.

All in favor

Motion carried

11. Motion by Barnick

Seconded by Chrzan

To refund all paid parking tickets for the year 2001.

On the question:

Barnick-There's about four. One's his nephew, one's my nephew, so that you understand. There's two out of four.

Keyasko-What was the ticket for?

Barnick-Parking?

Keyasko-Well, were they parking legally or illegally?

Barnick-I don't know, Joe, I can count two hundred out there every day.

Chrzan-We counted 218 in one day, illegally parked.

Keyasko-No kidding.

Chrzan-If you're going to do it for one, do it for everybody or don't do it for anybody. Give them their money back. A discussion took place.

Three in favor-Barone, Barnick, Chrzan,

Four against-Marushock, Mraz, Keyasko, Lukasewicz

Motion failed

12. Motion by Chrzan

Seconded by Barone

To approve Leeward Construction's Change Order dated April 19, 2001 for the Haverly St. Project for an additional \$301.75.

All in favor

Motion carried

13. Motion by Chrzan

Seconded by Barone

To approve Leeward Construction's Change Order (185COR-1) for the Boulevard Project regarding Lot 158 Brick St. and Lot 162 Brick St. for an additional cost of \$648.00.

All in favor

Motion carried

14. Motion by Chrzan

Seconded by Barnick

To authorize Gannett Fleming to review the request from Chambers Environmental Group, Inc. regarding the request to adopt an ordinance which restricts residents from drilling private water supply wells. (Chambers represents Turkey Hill Store # 169.)

All in favor

Motion carried

15. Motion by Chrzan

Seconded by Mraz

To appoint Dave Morrell to the Civic Center Committee to fill the vacancy created by the resignation of Ted Keegan.

All in favor

Motion carried

16. Motion by Chrzan

Seconded by Barone

To approve payment to Lynch Bus Service for the sum of \$1,220.00 for two Baseball Trips. (July 14th and Sept. 8th)

To accept the proposal from Simplex to install 2 fire alarm pull stations and 1 audio visual device in the civic center day care at a cost of \$835.00.

To accept the proposal from Vidal Electric for a sum of \$835.00 for electrical work at the civic center.

To accept the resignation of Jodie Ransom as the assistant director of the civic center.

To advertise for the position of assistant director.

To authorize the hiring of at least 5 college interns as summer temporary help at minimum wage to work at the civic center with the summer camp program and summer park/recreation program.

On the question:

Marushock-With regards to hiring the five college interns, is there any possibility they need to be residents of Throop.

Lukasewicz-If there are any residents of Throop that apply, they would be given first priority, I guess, I

would hope. What this is to do is to establish a program with one of the local colleges that they could do field work at the Civic Center. I think it would be very good for the Civic Center (inaudible) the people in our colleges.

Chrzan-They're only there what, for three week period, four week period?

Barnick-It's cheap labor.

All in favor

Motion carried

A small discussion took place over mandatory security clearances, including drug testing, with regard to the hiring at the Civic Center.

17. Motion by Chrzan

Seconded by Barnick

To donate \$200.00 to Mid Valley Elementary Center for the end of the year party for the motivational reading program called the "Accelerated Reader". So far this year students in grades 3-6 have read over 16,000 books.

All in favor

Motion carried

18. Motion by Barnick

Seconded by Chrzan

To adopt Ordinance # 7 of 2001, an ordinance repealing Ordinance # 9 of 2000 Establishing the Job Duties and Responsibilities of Elected Controller.

On the question:

Marushock-I believe in doing so and doing away with the position of elected auditor, you're taking away the voting opportunity of the citizens of Throop to elect a financial overseer of the financial records of this borough. By us doing the appointing as past practice has proven, if someone puts something in a report that we as members of council may not like those people have been done away with and are not asked to come back and do further work for this borough. I believe the position of elected controller has worked very well for this borough for many years. It was a few years, I agree, that you had exceptions but the good far out weighs the bad. I believe it should be still left up to the people of the borough to elect a controller of this borough.

Lukasewicz-The prior controller, Ms. Menichetti, I believe did a fine job and if she was allowed to do her job, I believe the position would still demand a controller. But as it has occurred and all the votes have been taken, she was I believe regrettably, in her own way, forced to resign and what had happened, it has put the borough in an awkward position of where whoever would take that position now would have to take it for a reduced salary, substantially less than what was originally in the budget and I believe it would have to stay like that for a year and a half to two years and I believe that it possibly cause conflict with whoever was to be the controller and with the conflicts that do come from council at times, and possibly it would not work out and I believe in the best interest of the borough at this time we have to do away with the position of controller and I will be voting to do away with it.

Barnick-As I pointed out in the past, by going with this independent auditor we're probably saving, just from the last year's audits, we always do an independent audit to ensure that we're doing everything proper with the state and federal government. So that's another \$4100.00 to \$5100.00 every year,

To replenish the Borough's Petty Cash for the sum of \$198.68.

All in favor

Motion carried

22. Motion by Chrzan

Barone

To authorize the Borough to apply for a major credit card (VISA) in lieu of the fact that some companies do not accept purchase orders, to include automatic payments.

On the question:

Marushock-Asked if all purchases were to be made on the credit card or were we still going to charge where we have open charges? Morrell responded continued use of open charges, just to be used for the few places that don't accept our purchase orders.

Barnick-I've been against this in the past. Just for the fact of the interest rates that they charge, I don't know what you're getting. What is it?

Morrell-It will be the same Visa, the same company that the Civic Center has an account with. We'll just get another card for separate for here.

All in favor

Motion carried

23. Motion by Chrzan

Seconded by Barnick

To allocate \$14,560.00 to Throop Hose Company # 1 toward the funding of "the self contained mobile breathing apparatus cascade unit".

- 1. 7 ft. x 12 ft. tandem axle trailer, est. cost.....\$4,790.00
- 2. Six (6) cylinder cascade system complete with hardware to connect to existing air compressor with six (6) 6000 lb. DOT cylinders.....\$6,270.00
- 3. Carbon monoxide monitor for air compressor.....\$3,500.00

On the question:

Barnick- Mentioned this is to fill the tanks and all three hose companies would have access and use.

Lukasewicz-Said they've all worked together in the past and the citizens are well protected.

Barnick-I know they have the thermal imaging camera, that's one approval we had in the borough, this is great.

All in favor

Motion carried

24. Motion by Barnick

Seconded by Chrzan

To authorize payment # 2 to Scranton Craftsmen for the sum of \$4,390.63 for the Repair Project at 716 Dunmore St. as per the recommendations of Frederick C. Spott & Associates, Borough Engineer.

On the question:

Barnick-716, that's the one where the old hose company used to be? And that line is coming out for, I hope, for design from Adams Court to Clark Street? (Lukasewicz responded he believed so.) Barnick asked if we had an update on that questioned Robert Kalinoski how far we were on the design and getting it out for bid from Adams Court to Clark Street and mentioned a temporary fix.

All in favor

Motion carried

25. Motion by Barnick

Seconded by Chrzan

To authorize the Borough Engineer, Frederick C. Spott & Associates, to design specs for the replacement of the sewer, the sanitary sewer line, from Adams Court to Clark Street on Dunmore Street.

All in favor

Motion carried

26. Motion by Barnick

Seconded by Chrzan

To authorize payment # 2 to Scranton Craftsmen for the sum of \$1,815.98 for the Repair Project at 164 Dunmore St. as per the recommendations of Frederick C. Spott & Associates, Borough Engineer.

On the question:

Barnick-Asked if this was the Charney place, right? The one that runs uphill?

Lukasewicz-Responded yes.

Barnick-Just so everybody understands the stuff runs uphill.

All in favor

Motion carried

Lukasewicz-Jim, would you like to make a motion for that instance on Clark Street that has to address the two laterals? Barnick responded yes.

27. Motion by Barnick

Seconded by Mraz

To authorize the Borough Engineer, Frederick C. Spott & Associates, to design specs for the Clark Street Project, from Cypress to Dunmore Street.

All in favor

Motion carried

28. Motion by Chrzan

Seconded by Barnick

To authorize payment to Elliot, Siedzikowski & Egan for the sum of \$7,213.67 for the April 20th Invoices # 40332 and # 40333.

Six in favor-Barone, Barnick, Chrzan, Mraz, Keyasko, Lukasewicz

One against-Marushock

Motion carried

Barnick-Let me say one thing. I want the people to understand that this is our environmental lawyers for

the Marjol site. I just want you to understand that. They're special counsel for that environmental hazard down there.

Chrzan-And they do a hell of a job.

Barnick-Yes.

Keyasko-Where do you see a hell of a job.

Lukasewicz-Towards the results.

Keyasko-Tell me.

Barnick-Please don't criticize him.

Chrzan-Don't blame him, blame DEP.

Keyasko-I'm asking you, you say they're doing a hell of a job, show me where.

Chrzan-Joe, they just won a case in before Judge Conaboy.

Everyone spoke at once.

29. Motion by Chrzan

Seconded by Barone

To authorize payment to Frederick C. Spott & Assoc. for the sum of \$20,445.47 for invoice dated April 20th.

On the question:

Barnick-I'm going to vote for the bill except for the design of the sidewalks (inaudible).

All in favor-Except Barnick, as noted and
Chrzan, except the sidewalks

Motion carried

30. Motion by Barnick

Seconded by Barone

To authorize Frederick C. Spott, Engineer in conjunction with Louis A. Cimini, Solicitor if necessary to review the correspondence dated April 19th from BCM Engineers RE: Jefferson Township Sewer Authority Sanitary Sewer Systems and Pumping Stations.

Barone-What is this for?

Lukasewicz-This is the Jefferson Township Sewer Authority is proposing to have a line that would come down the mountain and connect in, I believe, with the Scranton Sewer Authority.

Barone-They want to go through Throop?

Lukasewicz-Well, they're going to come through Throop but it's not actually going to come all the way through Throop but it's going to be in Throop's in (inaudible) areas, so it should be looked at to see if there are any concerns.

All in favor

Motion carried

31. Motion by Barnick

Seconded by Chrzan

To hire Richard T. Fuhr as summer help at a rate of \$7.00 per hour.

On the question:

Barnick-He worked here before, he worked here last year, he did a good job. (Someone else, inaudible, said he did a very good job.)

Marushock-Because some of these applicants have already worked for the borough previously, is it possible that we could give some other applicants an opportunity to work this year?

Barnick-That's why you've got seven members on the board, it's up to the vote.

Marushock-Do we have the names of the people who worked for the year 2000, the summer program?

Morrell-I believe out of the two applicants, Mr. Fuhr and Ryan Sepaniak.

Lukasewicz-I would have to say in regards to this, we could discriminate in two ways. So be careful of what you say in regards to who you hire.

Morrell-Both guys did a good job last year.

Barnick-Yes, they did.

Lukasewicz-But in regards to that, we could discriminate both ways, be careful.

Marushock-I'm not discriminating against their work, it's just, like I said, giving someone else an opportunity.

Six in favor-Barone, Barnick, Chrzan, Mraz, Keyasko, Lukasewicz
One against-Marushock Motion carried

32. Motion by Barnick Seconded by Chrzan

To hire Ryan Sepaniak as summer help at a rate of \$7.00 per hour.

On the question:

Barone-This kid is a good worker, he's also an Eagle Scout, (inaudible) and he's not lazy, he's a hell of a worker.

Six in favor-Barone, Barnick, Chrzan, Mraz, Keyasko, Lukasewicz
One against-Marushock Motion carried

33. Motion by Barnick Seconded by Chrzan

To hire Mike Kulick as summer help at a rate of \$7.00 per hour.

34. Motion by Barnick Seconded by Chrzan

To hire Ed Dzielak as summer help at a rate of \$7.00 per hour.

All in favor Motion carried

35. Motion by Chrzan Seconded by Barnick

To approve application for payment # 10 to Leeward Construction in the amount of \$2,830.22 for the Crawford Court.

On the question:

Barnick-Is this the final payment? This isn't the final payment?

Morrell-No.

Barnick-There's only a little bit of work left on that?

A representative of Leeward was present and said it was not the final payment, and explained the small amount of work left.

All in favor

Motion carried

36. Motion by Chrzan

Seconded by Barone

To approve application for payment # 13 to Leeward Construction in the amount of \$72,282.30 for the Boulevard Project.

On the question:

Marushock-Again, this is not the final payment, correct?

Morrell-No, it's not.

Lukasewicz-It will be a draw down from 5% and, I believe, 1% will be the final retainage.

Barnick-Do you know what that leaves us?

A short discussion took place, tape inaudible.

37. Motion by Chrzan

Seconded by Barnick

To approve application for payment # 1 to Leeward Construction in the amount of \$22,939.00 for the Haverly Street Project.

On the question:

Barnick-It looks like they did a pretty good job down there, too.

Someone questioned if it was completed and Lukasewicz responded he believed so.

All in favor

Motion carried

The following Motion was amended:

Motion by Barnick

Seconded by Chrzan

To contact Linde Construction to be back in Throop within 5 days regarding the Cambria Court Project. Their extension ran out.

Barnick-I'd like to include in that motion if they're not in within 5 days to fine them \$300.00 per day, I believe, it is, by the contract.

Lukasewicz-I believe today they brought some equipment back.

Morrell-I believe they were here in Throop today.

Barnick-Well, (inaudible) brought some equipment or not, if they don't start working within 5 five days, start to fine them \$300.00.

Lukasewicz-Tony, you're in agreement with that, also? (Chrzan responded he was.)

Mraz-Back in Throop, shouldn't it be worded back working in Throop?
Barnick-Working in Throop.

38. Motion by Barnick **Seconded by Chrzan**

To contact Linde Construction to be back in Throop, actively working, within 5 days regarding the Cambria Court Project. Their extension ran out.

All in favor Motion carried

39. Motion by Chrzan **Seconded by Barone**

To authorize the following variance refunds:

Frank & Carolyn Cordaro	\$19.56
John Sirotnak & John Sirotnak III	173.92
Paul Lameo	173.92
Jeffrey DelGuercio	173.92
Domnick Perry	173.92

On the question:

Barnick-Just so everybody understands these are only refunds from when they all put \$300 in for the zoning hearing board, it's all divided among the people and they get whatever is left after their zoning hearing and expenditures of the zoning board itself, they get their money back. It's a \$300 fee up front.

All in favor Motion carried

Motion by Keyasko **No Second**

To pay for the Boulevard Project sidewalks and if any residents already paid, they should be refunded/reimbursed.

A long discussion took place over the Boulevard Project sidewalks.

40. Motion by Keyasko **Seconded by Marushock**

To have Frederick C. Spott & Assoc., Borough Engineer, have a cost estimate of the Boulevard Sidewalk Project and to also look at the problems on Sanderson Street going into the Patch to possibly put some sidewalks there. He's going to look at it, he's going to come up with a rough cost proposal for Council to look at.

All in favor Motion carried

A long discussion also took place with regard to the following motion, Motion #41.

41. Motion by Marushock

Seconded by Keyasko

To have Mrs. Sue Shortz be the first speaker at the meeting in Washington, D.C. on May 2, 2001 with EPA head, Christine Whitman.

Five In favor-Barone, Marushock, Mraz, Keyasko, Lukasewicz

Two Abstain-Barnick, wished good luck, Chrzan Motion carried

42. Motion by Marushock

Seconded by Marushock

To donate \$200.00 to the Boulevard V.F.W. for the upcoming Memorial Day activities.

On the question:

Chrzan-What did we give them last year, Elaine?

Morrell-I don't believe we gave them anything last year.

Barnick-There's a certain amount authorized by the Borough Code. (Everyone spoke at once.)

Chrzan-.....give up a hard time going through their property.

Barnick-There is an authorized limit and that can't be, that's \$500.00 I believe it is, by the Borough Code, states that it will be used by all veteran's organizations within the town and we don't set that rule, it's the Borough Code, it's State law. That \$500.00 goes, I think it's the American Legion, the V.F.W., flowers, the whole works.

Marushock-That \$200 would be for.....

Barnick-And I want to point out that the V.F.W. denied us access to get into that land.

Marushock-Okay, but like I say, let's not.....

Chrzan-....(inaudible)...they denied us the right to go through the property, we had to go to court.

Marushock-(inaudible)...there's other people involved in that activity who didn't have anything to say on that.

Everyone spoke at once.

Five In favor-Barone, Marushock, Mraz with the knowledge that yes, they did give us trouble, two wrongs don't make a right and, hopefully, we could bury the hatchet.

Hopefully, maybe the members down there would vote that president out or whatever the problem is down there and straighten it out.

Keyasko, Lukasewicz

Two Against-**Barnick**, against, because of the easement that was required and they didn't help the borough at all. I am a veteran and I belong to several organizations and I support them all and I do donate to them and I would be donating to them but they tried to pull a maneuver on me down there and I got. I'm in the Post 11000 right now in the national membership.

Chrzan-I'm a life member of the V.F.W., I wouldn't turn them down for anything but this time because of

who's running that show down there and made us spend money to put a sewer line through so the people in lower Throop could go to the bathroom, I'm voting against it.

Motion carried

43. Motion by Mraz

Seconded by Lukasewicz

To authorize Mr. Blazey and Mr. Swit to go down to Washington, D.C.

On the question:

Lukasewicz-I would only hope that the embarrassing display that has taken place here in these chambers this evening does not happen down there because it hasn't been pretty here and it's going to be totally inappropriate, rude, disgusting, any word that you want to come up with, if you do it down there.

Mraz-And you're embarrassing the entire town and community if you do it down there and ruining everything we've worked for, for all these years.

A discussion ensued, everyone spoke at once.

Three in favor-Barone, Barnick, Mraz

Three against-Marushock, Keyasko, Lukasewicz

One Abstain-Chrzan

Tie Vote

Mayor-In favor

Motion carried

44. Motion by Keyasko

Seconded Marushock

To donate \$200.00 to the American Legion for Memorial Day.

All in favor

Motion carried

45. Motion by Chrzan

Seconded by Barnick

To compensate Vince Cesari, III for the hours that he lost during the month of April, 2001, equal to the average amount of the past six months.

On the question:

Marushock-I believe this is a whole different legal matter. I don't know (inaudible) previously. With what I know of this, I have to say I will be voting against it and there's a lot of in depth information that probably we cannot reveal, I don't want to reveal personally, and that's why I'm stating why I'll be voting against it. I already had discussed it at the executive session.

Three in favor-Barone, Barnick, Chrzan

Four Against-Marushock, Mraz, Keyasko, Lukasewicz

Motion failed

46. Motion by Barone

Seconded by Chrzan

To appoint Alfred A. Jordano, C.P.A., Spruce Street, Scranton as appointed auditor for the borough as per the review and recommendation of Louis Cimini, Solicitor.

Five in favor-Barone, Barnick, Chrzan, Mraz, Lukasewicz

Two against-Marushock, Keyasko

Motion carried

Official Comments:

Mayor-Ralph Polish, Flag Day Ceremony, June 14th at the Washington Street Park.

Barnick-One, the signs that were damaged. I see there's an award in the paper. I could state for a fact I had nothing to do with the signs and I want to make that well known and don't think anybody that was involved in our party would have anything to do with the signs, and I just ask that the signs that are damaged are removed. They don't look good, and put back up. I wouldn't want my signs damaged either, I don't think anybody's signs should be. You've got some nasty ones here. The second part is I asked Robert today if he'd get the Warsaw Park opened up and let's get some kind of little opening ceremony. The park looks great. I talked to the contractor and he says it needs some re-seeding, he'll come up and hydro seed it again. Let's get it opened, it's going to be 80 degrees this week, let the kids get out there and play basketball and stuff, it's been a long time coming for it.

Audience Comments:

Renee Hall, 148 Boulevard Avenue-I went to the police and zoning officer concerning the apartment building next to me (150 Boulevard Avenue), now I'm coming to you guys. They park and drive recklessly over the sidewalks. There's been citations issued, I'm not getting any where with it. I have a two year old child. Monday I had Officer Dave Repchick down, there was a family walking down the middle of the Boulevard to get around all the vehicles, all the large cans of junk that are there day after day, after week.

Lukasewicz-Asked the Mayor and if police if would take care of the situation. Barnick mentioned the zoning officer and even file charges and Lukasewicz said he would have no problem with any of that to take care of the situation.

A discussion took place.

Rose Kaminski, 220 Bellman Street-Asked if her section of Bellman was included in the sidewalk project because her sidewalk was ripped up. (The tape was changed here.) She asked that a few meetings past there was a supposed to an audit or inventory of all the borough, Civic Center, the police. Has that been completed and displayed for everyone to see? She mentioned the inventory for the Civic Center is done.

Marushock-Not yet, I believe the deadline date has been moved until May.

A discussion took place.

Dominick Rocco, 110 Sanderson Street-Spoke of cleaning up the river, Lukasewicz mentioned he is addressing that already, requesting the prisoners. He questioned the fence for the holding pond at Tiffany. Lukasewicz answered by indicating the fence was in the process of being erected, he thought, and he

would question Robert Kalinoski about the status and the fence needed to be installed immediately. Rocco questioned the open drain pipe and Lukasewicz said a letter would be going from Robert to the Planning Commission.

Bette Goreschak, Meade Street-Mentioned problem with a mountain bike and three ATV's trying to beat (race) them and other cars on the road. They came from along the river bank. Lukasewicz said police would do what they could do.

Bob Lokuta, 200 Phillips Street-Commented on the discussion about who was going to be sent to Washington and thought something was exhibited tonight that hasn't been exhibited since the Marjol fight began, a lack of unity, a with that lack of unity, we're in trouble. That hasn't been showed by any elected officials, past and present. Everybody has always acted as one and now when the fight is starting to get down to the nitty gritty, we're not unified and that's very, very, scary.

Keyasko-We only have thirty minutes.

Lokuta-How much time we have is not the question. We have to go down there unified, ready to put our best foot forward and do what has to be done to win. Time is a separate issue, Joe. The thing that we have to be is unified and we're not.

Lukasewicz-It's going to be sad to see what they show on TV tonight, and don't think people are not watching.

Lokuta-Rest assured, our adversaries are taking notes.

Keyasko-I know they are, I agree with you. I agree with you.

Bill Shevchik, 141 Harriet Street-I'd like to commend the five council men that voted to abolish the controller's position. I think it was a position that was badly abused over the last two years and you talk about accountability, you had none for two years. It was best thing you can do by getting rid of it.

Lukasewicz-Your son (Jamie Shevchik) asked me to get the key for the Washington Street Park. I contacted the school, Elaine and I, and I did receive a key to the gate. I'm going to give the key to Jamie and then will have a few copies made and, hopefully, Jim Caria or whoever, will be distributed properly - that the gate be opened and closed and not left opened, so that the quads can get in. The school is concerned with what happens there is in there. I just thought about the key, I will give it to your son in the morning but if you could refer to him to be careful on how it's taken care of so that they don't have a conflict with the school.

Larry Hartshorn, 140 Dimmick Street-Who done all this work on getting this meeting down there in Washington?

Mayor-I credit Susan for all this.

Hartshorn-But we're also paying lawyers over here for doing nothing, right? I think so. If you go back and check everything that they used was what you people dug up, they didn't dig it up. You're paying an awful lot of money for somebody that's not doing nothing.

Mayor-Gaynor Cawley has been a great help to us.

Everyone spoke at once.

Hartshorn-I'd like to know if anything is going to be done with my street behind my house. I want you guys to go down there and take a walk down in front of my house and see where you can park.

Lukasewicz-All I know, Larry, I said a long time ago that I would be in favor of opening it up and it hasn't

happened, I'm only one vote Larry.

Hartshorn-I'll tell you one thing, there's going to be a big fight down there. One of my sons and me are going to go across the street and we're going to wreck it, I'll tell you right now and I've been here for two years now asking somebody to do something (inaudible).

Lukasewicz-It's been longer than two years, it's been four years.

Everyone spoke at once, a discussion took place.

47. Motion by Marushock

Seconded by Mraz

To have the Borough Solicitor, Borough Engineer and Street Commissioner do whatever is necessary to legally open Jones Street as a public thorough fare.

On the question:

Barone-Why don't you get a hold of Mr. Rinaldi also? That street is blocked out here, ask him to do it.

All in favor

Motion carried

Becky Bukowski, George Street-About the cops and the issue with who's in charge, who's not in charge. If the Mayor isn't doing his job, okay, then it's your job. I asked Mr. Cimini a few months back to look into a law (inaudible) where the law is written that says a minor under the age of 18 can't carry or smoke a cigarette. Three months later I asked Mr. Cimini if he found the answer, he told me no. Gaynor Cawley is trying, as we speak, to pass a law, because the only law that there is right now on the books is, you cannot sell cigarettes to a minor. There's nothing that says they can't purchase them, there's nothing that says they can't carry them, and there's nothing that says they can't smoke them but, we live in Throop. Throop laws are Throop cops can pull over kids, frisk them down, take their cigarettes, touch their private parts in the process, without their parents around, in the middle of the sidewalks. Okay? Now, if this isn't a law, I want to know how our police officers are allowed to do this.

Marushock-Is anyone in that area selling cigarettes to under age smokers?

Bukowski-Yes, there is. Would you like to know who they are? It's Junior's on the corner. It's the Mobile Station that opened up down the road, it's Turkey Hill, it's the Pavilion in Olyphant.

Marushock-How do you suggest we remedy this problem?

Bukowski-Don't touch the kids, they're under age, they're allowed to carry the cigarettes, they're allowed to smoke them on the sidewalk all the hell they want. They can smoke wherever they want, there's no law that says they can't. Am I correct or not, Mr. Cimini? They can't smoke them on school property because there's a law that says you can't smoke in the school, okay? But as far as walking out on the sidewalk, they can smoke them, there's no law. They're trying to pass it now, as we speak. But what right do these officers have patting the kids down in the middle of the sidewalk. They're underage, for one. They can't touch them, they can't take their cigarettes and lighters off them. A long discussion took place

The meeting was adjourned.

Elaine Morrell, Administrator/Secretary

Minutes by Christina Sullivan, Assistant Secretary