

**Minutes
Throop Borough Council
Special Meeting for General Purposes
Thursday, February 14, 2002
following the 6:30 p.m. 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-A

Jim Mellody Jr.-P

Vice President-Daryl Menichetti-P

Mayor - Stanley Lukowski-P

Solicitor - Attorney Louis Cimini-P

Treasurer - Lenore Dolan-P

Administrator/Secretary - Elaine Morrell-A

Announcements:

- * An Executive Session will be held tomorrow, Friday, Feb. 15, 2002 at 5:00 p.m. with C.J. Mustacchio, Olyphant Borough Solicitor, and Olyphant Borough Council with regard to the condemnation of Olyphant property and Eddy Creek.
- * An Executive Session was held this evening with Michael Cummings, PMPS, to discuss the Borough Pension Plan.

Council Comments:

Lukasewicz-Attorney Cimini, with this meeting with Olyphant tomorrow, have we received the as-builts? *Cimini-I was told they would be there tomorrow.* Barnick-They're supposed to be there tomorrow. *Lukasewicz-Well, Jimmy, you made the motion, Barnick speaking in background, both at once, inaudible, that they were supposed to be here.* Barnick: They're bringing them with them. PennDOT's already got them, so... Lukasewicz-PennDOT has them? *Barnick: Yeah.*
Lukasewicz: Okay, so hopefully tomorrow we'll be able to see them. *Few speaking, inaudible.*

Audience comments on tonight's agenda:

Dominick Rocco, 110 Sanderson St. - Well, it's not on the agenda but weren't you supposed to make a motion tonight to have that surveyed down there? *Lukasewicz: Joe is going to make a motion, yes. Joe said he'll make a motion to have the property across from your house surveyed to see what's...*

Barnick: Before you do that I ask can you wait and just see if you can see the property owner before you go spend the money. Menichetti: Yeah, they may have the survey. Lukasewicz: A survey is going to cost probably...Barnick: Well that's what I'm saying. That's a good idea, they may have it themselves. Many speaking at once, inaudible. Lukasewicz: Can we make a motion, Joe, can you make your motion to have Mr. Kalinoski go down and speak to the landowners to find out.... Barone: Yeah, we could do that first. Barnick: Not only that, John Szczepaniak should know about that because we did the Bellman Street Park down there and all. Few speaking at once, inaudible.

Lukasewicz: We'll make a motion to have Mr. Kalinoski go down and research it, talk to the owners, peaking in background, inaudible, that's a way to get started Rocco without wasting money. Rocco: I was going to say that too but I didn't know..inaudible, speaking at once..done this past summer, I know where the stakes are and you know, it's definitely on Throop property. Lukasewicz-Anything else, Rocco? Rocco: No, that's it.

Lukasewicz: Start with the motions, Chrissy, you're going to have to, well let me see, we've got a couple of them here. The first thing we've got here is the proposals for opening for independent auditor. Chrissy, these were all received within the right time? Sullivan: Yes. Lukasewicz: The first one is from Bernard A. Fagnani & Company. Barnick-Didn't he quit on us? Unknown: I think he did, yes. Lukasewicz-No, that's cause he was fired. Menichetti: No, that was Gavigan. Lukasewicz: Fagnani worked for the borough..inaudible, coughing heard...I think you guys brought someone in after he was relieved of his duties. Barone: He was here for quite a while. Few speaking at once, inaudible..well, is this the guy that was bought out, maybe? Lukasewicz: No. Barone-Not the same? Lukasewicz: Bernie Fagnani, he used to do our work, I remember him coming in here years ago. Few speaking at once, inaudible. Mayor: I mean, you're talking about a CPA who instructs Penn State students. Lukasewicz: I remember, okay. Barnick: On these, did all of them submit one, two, three, four years? Lukasewicz: I'm just looking at this now. Barnick: Because I know only certain ones were called, I think, according to the.... Lukasewicz: I don't know. Few speaking at once, inaudible. Elaine did all the contacting with everyone. Barnick: Yeah, but there were some that came in today, she wasn't here. Lukasewicz: But I believe they would have requested any information ahead of time but, let's read them and see what they are and, okay.

The proposals were opened for an Independent Auditor:

Name	Address	Proposed Amount
Bernard A. Fagnani & Co. CPA's	1 Kennedy Plaza, Suite 4 Archbald, PA 18403	2001.....\$5500.00 2002-2004.....\$5100.00
Additional Services Rate:	\$55 per hour	
Bruno & Patterson, CPA's	1311 N. Washington Ave. Scranton, PA 18509	2001-2004.....\$4800.00

Gavigan & Co., P.C., CPA's Additional Services Rates:	1368 N. Washington Ave. Scranton, PA 18509 \$75 per hour, Shareholder \$35 per hour, Staff	2001.....\$5500.00 Subsequent yrs...\$4200.00																																										
Ginader Jones & Co., LLP, CPA's Additional Services Rates:	321 Spruce Street, Suite 525 Scranton, PA 18503 \$90 per hour, Partner \$60 per hour, Staff	2001.....\$5800.00 2002.....\$6000.00 2003.....\$6200.00 2004.....\$6400.00																																										
Parente & Randolph, PC Accountants & Cons. Additional Services Rates: \$120 per hour, Partners & Managers	600 Linden Street Scranton, PA 18503-1794 \$ 80 per hour, Senior Accountants \$ 60 per hour, Staff Accountants	One Year Fee...\$ 9500.00 Two Year Fee...\$19000.00 (9500.00 Per Year) Three Year Fee.\$30000.00 (10000.00 Per Year)																																										
Rainey & Rainey, CPA's* \$65 per hour, Fee for as Needed Basis	203 North Blakely Street Dunmore, PA 18512	2001.....\$3975.00 (Maximum to be Charged)																																										
Rainey & Rainey, CPA's** \$75 per hour, Partner Svcs. \$40 per hour, Staff (For as needed basis, 2001, 2002)	203 North Blakey Street Dunmore, PA 18512 \$80 per hour, Partner Svcs. \$45 per hour, Staff (For as needed basis, 2003, 2004)	2001-2002.....\$3975.00 2003.....\$4385.00 2004.....\$4550.00																																										
Terry H. Jones, CPA's <table border="0" data-bbox="162 1386 617 1680"> <tr> <td>Year Ended</td> <td>One Year</td> <td>Two Year</td> <td>Three Year</td> <td>Four Year</td> <td>Five Year</td> </tr> <tr> <td>Dec. 31:</td> <td>Contract</td> <td>Contract</td> <td>Contract</td> <td>Contract</td> <td>Contract</td> </tr> <tr> <td>2001</td> <td>\$4750</td> <td>\$4600</td> <td>\$4400</td> <td>\$4200</td> <td>\$3900</td> </tr> <tr> <td>2002</td> <td></td> <td>\$4800</td> <td>\$4600</td> <td>\$4400</td> <td>\$4200</td> </tr> <tr> <td>2003</td> <td></td> <td></td> <td>\$4800</td> <td>\$4600</td> <td>\$4200</td> </tr> <tr> <td>2004</td> <td></td> <td></td> <td></td> <td>\$4800</td> <td>\$4400</td> </tr> <tr> <td>2005</td> <td></td> <td></td> <td></td> <td></td> <td>\$4400</td> </tr> </table> Additional Fees and/or Rates:	Year Ended	One Year	Two Year	Three Year	Four Year	Five Year	Dec. 31:	Contract	Contract	Contract	Contract	Contract	2001	\$4750	\$4600	\$4400	\$4200	\$3900	2002		\$4800	\$4600	\$4400	\$4200	2003			\$4800	\$4600	\$4200	2004				\$4800	\$4400	2005					\$4400	39 North Broad Street West Hazleton, PA 18201 \$40-\$125 per hour for for Special Projects	
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* Received 02/05/02

**Received 02/13/02

1. Motion by Barnick

Seconded by Chrzan

To accept the proposals for an Appointed Independent Auditor and refer them to Louis Cimini, Solicitor, for his review and recommendation.

All in favor

Motion carried

2. Motion by Barnick

Seconded by Chrzan

To adopt Throop Borough's Budget for 2002 (\$4,521,817.58).

Mayor: Well, what about our car? Are we just going to ignore that? *Lukasewicz: Could we pass this down.. Chrzan: Yeah. Mayor: With 113,000 miles few speaking at once, inaudible last year.*

Lukasewicz: There's a motion on to adopt the budget. Mayor: Let them go, forget it. Barone: I want to put something in there before we vote.

On the question:

Barone: Yeah, can you, you better put something in here if you're thinking about putting a borough manager on. *Lukasewicz: Well, I know.... Barnick: You can always modify it. Lukasewicz: Yeah, I'd say we can modify it. Maybe you've been aware and if you've been looking in the paper South Abington has been looking for one as a part-time, 25 hours per week and they were looking in the neighborhood of \$40,000 - \$45,000 just part time. Chrzan-Maybe we can get the one Olyphant...*

Barnick: Kosciuk... Barone: He's the Chief, he ain't getting.....Lukasewicz: What we should do, we should either could, you know, amend it later or you can if you want to now, we could take \$40,000 or \$50,000 of what we put on streets and roads and put it someplace for now or where you want to take it from, I don't have a copy of. Barnick: I'd say wait and get this money we're going to collect before you accept the category and modify.. Lukasewicz-So, we'll just create a new category when the time comes with the money we receive. Barone: How about.. Menichetti: On the question, the Mayor had brought up something with the police, aren't we going to answer him? Mayor: Well one of these cost \$90,000 with a lease agreement with the money we have here I don't think it's asking too much. Plus we need a light bar for the other one, we need, the quarter panels are rusting, it's smoking inaudible. Anyway, I can't figure it out, I really can't. We didn't get one last year, how long does this go? Repchick: All I'd like to say is if the borough's going to get rid of the car and get anything out of it, now is the time to do it. I you want to get something out of it instead of it being completely dead, now is the time to do it. Lukasewicz: What year is that car? Repchick: It's a '98, it's four years old. Menichetti: Do you need three cars? Repchick: Yes. Barnick: You've got four. Chrzan: You've got four now. Repchick: We've have about 3 1/2. Barnick: Four and a bike. Repchick: Olyphant's got five. Few speaking at once, inaudible. Chrzan: You've only got two guys at one time. Repchick: Drive the same two vehicles 24 hours a day, you're using them, you're abusing them, that's why we got the three vehicles and that's why.. Chrzan: Who's abusing them? Repchick: Just the use of them, Tony..many speaking at once. Chrzan: You said well abusing them. Repchick: I didn't say that, I said they're abused, they're used as a police car, they're abused. Chrzan: They're not abused. Repchick: Come on, Tony, if you were still sitting here as a police officer you'd want one. Speaking at once, inaudible. I'm not going to fight, that's all I'm going to say. If the car goes, whatever. You guys, you want to fight crime, you want to fight over \$9,000 and we spend hundreds of thousands and nobody gives a damn. You ask for \$9,000 for the community, those vehicles are equipped with medical equipment, we used it twice this week alone to help somebody on Dunmore Street and a guy that was over an embankment on Marshwood and nobody wants to support us and then you wonder why

there's a bad case of morale in this department. You guys do what you want. Lukasewicz: All right, roll call to accept the budget, roll call. Barone: *Whoa, whoa, whoa.* Lukasewicz: What's up? Barone: *I like the idea of a couple of policemen.* Lukasewicz: Pardon? Barone: *I like the idea of putting a couple of regular policemen on.* Chrzan-Joe, last year.. Barone: *No, because we have, no, because we have up until April 25th. April, beyond that we're going to have to go through all that...* Mayor: Full time? Lukasewicz: *I would say right now...* Mayor: *Whoa..* Lukasewicz: *we're in negotiations of a police contract.* Barone: *Huh?* Lukasewicz: *I'm against doing anything....* Chrzan: That's right. Lukasewicz: *with the police until we get contracts.* Barone: Well, then, I don't want to hear no more complaints about part-timers. That's all I can tell you. I don't want to hear no more about it. Chrzan: *Joe, two years ago they promised to put two guys on and they would knock some part-timers off.* Barone: Well, we'll do it this time. Chrzan: *That never happened.* Barone: Well, we'll do it this time. Mayor: *We're down to 11 now. Few spoke at once, inaudible.* Chrzan: *...a guy that didn't even work.* Mayor: *Jimmy Dixon for one..* Chrzan: He didn't even work, he just took him off the list. Mayor: *Because he was ill, both speaking at once, he's an honorable man.* Chrzan: He is, he's a very honorable man. But you promised that you're going to knock some part-timers off *inaudible* two full timers on, we pay them thirty something thousand a year, insurance, vacation, sick leave and everything else and there was not *inaudible.* Lukasewicz: *Joe, if the time comes during the year when you would like to put a motion on to hire somebody, the money's already budgeted in there to man the hours as needed to run the borough. So if down the road that might happen, Joe, so it doesn't have to have a change reflected in the budget because the monies are already there.* Menichetti: This budget is only a... Lukasewicz: *It's a guideline.* Menichetti: *...a guideline. It's not etched in stone.* Lukasewicz: *Do you understand what I'm saying, Joe? The money is there if this one has to be one or looked at as an avenue later on in the year.* Barone: Well, why can't we do the same thing about the car? Lukasewicz: *The car can be looked at too, there's money in that budget.* Barone: All right. Lukasewicz: *There's money in the budget that can be adjusted if the time comes and all of a sudden there having a lot of problems with the car and they need a new car, we're going to have to buy a new car. Few speaking at once, inaudible.* Barnick: Unless it's specifically identified, if it's in the budget, then they expect they're going to get it, sorry. You had a car out there that we just got a new one, now they changed the steering wheel on it, Robbie loves it. He says it runs great. That was one of the old police cars. Mayor: *Yeah, that was a good one. Few speaking at once.* Lukasewicz: The thing is, Stanley, if there are, problems start to happen with that car and it needs to be changed I don't think anyone is going to vote against this. Menichetti: *He said something was smoking. What was that?* Mayor: Oil, it's burning oil now. Repchick: *The valve inaudible are going bad on it inaudible are only good for so many miles before the engines start getting worn like the one Robbie has. That's why I was asking the borough to replace it while they can get some money out of it. The tape was changed here and started:* Barone: Are you against hiring more policemen? Mayor: Yes. Barone: Why? Mayor: *Because it's a town of...* Barone: You guys and all the police are always talking about more safety in this town, why don't you want to hire more guys? And all I hear is complaints about the part-timers. Repchick: *And you're right, but we also need safety with vehicles, too. That's another part of a safety issue. The fire department can't run.* Barone: Well, I'll tell you what. I'll vote for the new police car if I see the four police cars move every day. Repchick: *Well you're not going to move four of them every day.* Barone: And not two sitting there, two that the other two getting rusted. *Few spoke at once, inaudible.* Chrzan: Joe, we need a borough manager. Barnick: *No, I'm talking walk up here in a snowstorm and one car is sitting that's cleaned off.* Barone: I'm for the police car. Barnick: *The other three are sitting there with snow piled high on top of them and they're sitting in there, I'm sorry, that is not going to happen.* Repchick: Which one doesn't have the snow on it, is it the Expedition? Because in snow days they both double up in the Expedition. Barnick: *Dave, I've come up a couple times. Even on the weekends when the part-timers are on, part-*

timers that usually cover the weekend, they'll clean off one car and that's the only car they'll use. That's it. I watched it happen. Three days the cars sat out there, two cars sat out there with snow on them. Three days. Repchick: I clean all of them. Barone: Well, I've got to give Dave credit, he does clean all the cars. Barnick: It wasn't until that Monday when it was cleaned off and it was Monday afternoon while we had two cops sitting in there all day long doing nothing. I'm sorry.

**All in favor, Barnick,
except for insurance**

Motion carried

3. Motion by Barnick

Seconded by Chrzan

To authorize payment of \$594.00 to the Olyphant Postmaster for envelopes with postage for the tax collector.

All in favor

Motion carried

4. Motion by Chrzan

Seconded by Barnick

To table Motion #4, as follows:

To authorize payment for Application #5 for Adams Enterprises in the amount of \$3,820.90 for the Bellman Street Park as per the recommendation of Bob Bernosky, Engineer.

Barnick: And that's only until the end of the month. Lukasewicz: That's only until, yeah. Dolan: Do you want that on at the end of the month? Barnick: Next Monday. Dolan: The end of the month? Okay.

Lukasewicz: We're going to find out more information, see if they're going to correct everything. Dolan: Thank you. Lukasewicz: I'm not sure, we'll just table it until the next meeting.

All in favor

Motion tabled

5. Motion by Barnick

Seconded by Chrzan

To authorize payment in the amount of \$150.00 for registration for Basic Course for Zoning Officials for Robert Kalinoski, Zoning Officer, and Ed Bocan, Assistant Zoning Officer, *and members of the Planning Agency and Zoning Hearing Board.* The course is \$75.00 per person and will be held the evenings of Wed., March 6, Wed., March 13, and Wed. March 20, 2002.

All in favor

Motion carried

6. Motion by Barnick

Seconded by Chrzan

To ratify that a Sunny Day Fund CD was purchased on January 30, 2002 in the amount of \$127,905.77 at a rate of 2.65% for 6 months at the First National Community Bank, Dunmore. This represents CD account #41-105269-5 in the amount of \$63,453.54 that matured on January 30, 2002 plus \$64,452.23, 10% of the quarterly landfill check.

All in favor

Motion carried

7. Motion by Barnick **Seconded by Chrzan**

To ratify that the Sunny Day Fund CD Account #51-102024-7 in the amount of \$1,154,405.18 that matured on February 5, 2002 was rolled over at a rate of 2.65% for 6 months at the First National Community Bank, Dunmore.

All in favor **Motion carried**

8. Motion by Barnick **Seconded by Chrzan**

To direct Special Counsel, Doug Blazey, to get Throop vs. Gould on a trial list immediately.

All in favor **Motion carried**

9. Motion by Barnick **Seconded by Chrzan**

To advertise Ordinance #7 of 2001, Limiting the Amount of Daily Waste Which Can Be Accepted at the Keystone Sanitary Landfill to include additions.

Barnick: That's the one I want to talk to Louie about. I've got to add to it. Chrzan: You going to do it now? Lukasewicz: They have to meet so whatever they... Barnick: I just want to make sure it's on for the next time here. Probably going to add to it, that arm, that, got to find that thing that Old Forge is using right now. Lukasewicz: It's agreeable that, that will be included. Barnick: Okay. That's just for, for advertising. Sullivan: Is this a motion to advertise it? Barnick: Yeah. Sullivan: Okay.

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

10. Motion by Barnick **Seconded by Chrzan**

To direct Gannett Fleming to stop any work, *immediately*, as of February 15, 2002, unless specifically approved by Throop Borough Council with regard to the Marjol Battery Site.

Lukasewicz: And any work that he wants to do from this point forward has to be verified by council before he does it. Barnick: Yeah.

On the question:

Barone: That meeting that was held at the county, was that like an executive meeting? Barnick: Yes. Lukasewicz: Yes. Barone: Well, can't we wait until to see what happens there? Barnick: Why, what's he going to do? Barone: I don't know, Inaudible, right Louie? Cimini: What meeting are you referring to? Barone: The one where we were down there last week... Barnick: With the County. Barone: with the County. Will it have any bearing on this one, with Frank Swit? Cimini: What do you mean, does it have any bearing? Barone: Well, he was at that meeting. Cimini: Right. Barone: Whatever's going to come out of that meeting, to have a bearing on this stopping him right now? Cimini: Well, yeah, it's saying inaudible, tomorrow. Lukasewicz: Well the bottom line, the county's only giving us \$30,000. Barnick: Yeah, how far you going to go? Cimini: You see, that's, the way this worked out inaudible, went down there the first time and O'Brien said yeah, there's x number of dollars to fight the ombudsman inaudible I

was told by their environmental counsel that, that money was not earmarked anywhere. You could do whatever you want with it. Barnick: I was told that on Tuesday, too. Cimini: Yeah, whatever, whenever, so, but, that's that. Barone: So that meeting has no bearing on this motion or it does? Barnick: I hate to tell you what his personal remarks were about the whole case itself. Lukasewicz: What meeting was that? Barnick: The one..inaudible. Lukasewicz: With who? Barnick: O'Brien. Chrzan: And it was at the commissioner's. Barnick: Yeah, I call the question.

All in favor

Motion carried

Barnick: But it's not that he's not going to be allowed to do anything at all, but it's going to be specifically approved by the borough before he does anything more. Lukasewicz: Correct. Whatever he does anymore, he's going to have to ask and we're going to have to approve it by motion.

Menichetti: Inaudible comment. Barnick: He ain't going to go categorizing files and get \$90 bucks an hour...inaudible.

11. Motion by Barnick

Seconded by Chrzan

To direct the Throop Police Department, Chief Neil Furiosi, to establish/develop and complete a crimes report for each end of the month meeting for the citizens of Throop and Throop Borough Council.

Barnick: Yeah, establish, to establish a crime report of the borough for each... Lukasewicz: For council and the citizens of Throop, not just for council. Sullivan: Okay. **Barnick: Yeah, each end of the month meeting.** Lukasewicz: So people can know what kind of crimes are going on in the town. Menichetti: I think we should know.

On the question:

Lukasewicz-On the question, if anybody knew what was going on down here, oh my God, you guys have to know, the everyone spoke at once, inaudible. Dolan: Are they going to do a news with a letter?

Barnick: It's going to be a general listing. Dolan: Are they going to do like, some.. Menichetti: How are the people going to know what's going on? Dolan: That's what I just said. Lukasewicz: Well, the police have, I asked Neil, someone's going to have to inform the people of Throop of what's going on in this town. Mayor's response inaudible, few speaking at once. I know but, Stanley, you still have to let the people know that this is crime in Throop. Barnick: Let me tell you something... Barone: It's not only the projects. Barnick: I brought this up about three years ago that I wanted the police to make out a report to the Times, you know how Olyphant lists it, Dickson lists it? This guy was arrested for this, this guy was arrested, you know what I was told? Well, that might encourage crime or you're making the town look bad. This is what I was told and they wouldn't do it. You know why? Because it's another report to the Times. Lukasewicz: Jimmy, I know one thing.. Mayor: I handled those for twenty odd years. Sometimes they print them and then after a while they'll just forget them. Barnick: Then why is Olyphant and Dickson always getting in there? Mayor: Are they? Barnick: Yes, every week. Chrzan: Aren't they, Frank? Lukasewicz: Jimmy, I know one thing, with Little League season coming up if the parents find out what's happening right there, oh my God, you're not going to see one kid walking down that street by himself. Chrzan: You better not buy a lot, you better not buy a lot down there then. Lukasewicz: To me, I'm not going to get into specifics but for me to be so alarmed, when people find out what's going on there, they're going to be floored. I want Neil.. Chrzan: The next meeting, when is it.. Lukasewicz: I want Neil to report it to the fullest. Chrzan: Let them be here, let them explain it.. Menichetti: Maybe he's right, maybe if you brought it up at the meeting it would get in the newspaper... Lukasewicz: Well, I want

to be careful about how I... Barnick: That will be a part of the report at the end of the month. *Lukasewicz: Yeah.* Barnick: Hey, what are these, so many misdemeanors, assaults... *Lukasewicz: I'm going to request for another one for him to notify... speaking heard, inaudible, roll call.*

All in favor

Motion carried

Lukasewicz: Can I say something about a motion, Chrissy, to notify the owners of the Housing Authority that the Borough of Throop is concerned with what is going on there and that we request them to provide police service there on a full-time basis? *Sullivan: No, we just more or less said to check the records.* Lukasewicz: Well, I want to make a request, does it go to the County Commissioners or who does it go to? *Ultimately.. Mayor: The Housing Authority.* *Lukasewicz: Ultimately the County Commissioners inaudible, they're the ones, all speaking at once, ultimately someone's going to have to know what's going on there and someone's going to have stop, we shouldn't have to stop inaudible, coughing only heard there in their building that they control, they have got to, when the people find out what's going on in there you're going to want a policeman in there twenty four hours a day and we shouldn't have to pay for the police, so what it would be:*

12. Motion by Barnick

Seconded by Chrzan

To send a letter to the head of the Lackawanna County Housing Project located in the Borough of Throop, along with copy to the county commissioners, requesting a review and accountability of the crimes/criminal activity taking place and in conjunction, request security there, full time.

On the question:

Dolan: Maybe we should put more cops on. *Lukasewicz: Pardon?* Dolan: Maybe we should put more cops on. *Chrzan: Why should we? The city puts...both speaking at once, inaudible.* Lukasewicz: Lenore, with what's going on there you would have to put a Throop cop there 24 hours a day, that's how bad it is, that's how bad it is. *Menichetti: Response inaudible.* Lukasewicz: Well, I don't, something's got to be done, if they don't do it somebody's going to have to do something, it's that bad. *Mayor: We were getting them all from the other projects.* Lukasewicz: Whoever is there, it's that bad.

All in favor

Motion carried

13. Motion by Barnick

Seconded by Chrzan

To direct the Throop Police Department Chief to inventory, by serial number, all citations for parking tickets, for accountability purposes and the disposition of each serial number, by serial number, will be reported on a monthly report and accounted for each month, as per the Borough Code.

Mayor: You mean like parking tickets? *Barnick: Everything.* Chrzan: If a parking ticket says.....*few speaking at once, inaudible.* Mayor: I've never heard of that, never heard of... *Barnick: You've never heard of that?* Mayor: Never. *Barnick: Yeah, well we developed inaudible that the Mayor is supposed to turn over everything, both speaking at once, inaudible.* Mayor: Never heard of it. *Barnick: Well, read the Borough Code where it says the Mayor is supposed to turn over all funds to the borough and every citation and everything else. Both speaking at once, inaudible* Mayor: ...never heard of it. *Barnick: Well read the Borough Code where it says the Mayor is supposed to turn over all funds to the borough and*

every citation and everything else. Dolan: Wait a minute, can I say something? When they give me the tickets, the serial number that's on the ticket, do you want that on my report too? 'Cause I can put it on my report. When they give it to me I have it by number. *Chrzan: Well, we have an incident right now..* Barnick: We want, we want an inventory of all the tickets they have in there. *Chrzan: You know I'm not, I'm just saying there's an incident that's not accounted for.* Barnick: That's the specific amount you're going to write. When a ticket is issued and a disposition is finally established, that's it and it's over. But then we're not going to come back, find out later on, well I pulled this ticket for some reason for our friend, that ain't going to happen no more.

All in favor

Motion carried

Barnick: And this is going to be done by the next meeting, right, inventory? Sullivan: I don't know if you wanted the motion with regard to pulling the county contract on the housing. Barnick: No, no, just tell them to pull it from the basement. There's a contract about the housing down there and I think it expires 2004. I don't know if I remember right.

14. Motion by Barnick

Seconded by Chrzan

To direct the Borough Solicitor, Louis Cimini, to notify the Attorney General to investigate the situation with regard to the HOME Program and hold back \$1500.00 from the final payment as per the recommendation of Louis Cimini, Borough Solicitor, and Marv Brotter, Borough Consultant.

On the question:

Barnick: Against my better judgment, I don't think the guy should get anything at this point until the Attorney General really reviews everything now. *Barone: That's right.* Dolan: Tommy, is this just one case? *Lukasewicz: Yeah, it's...* Dolan: Just one case, so when I get the bill, do you want to review all bills first before I.. *Barnick: This is that one specific case.* Dolan: I know which one. *Lukasewicz: No, this is the one that we had, where the check was written...* Dolan: Right, and we still have it. *Both speaking at once, inaudible.* I know which one you're talking about, okay.

All in favor

Motion carried

15. Motion by Barnick

Seconded by Chrzan

To ensure the safety of the community, the Borough of Throop requests the owner, Gould, Inc., install another liner on top of the existing liner at the Marjol Battery Site. The integrity of the liner is questionable according to manufacturer and engineering standards. The replacement is due to the enormous length of time taken by EPA to make a final decision.

All in favor

Motion carried

Lukasewicz: Could we include in that, that a letter be sent to EPA and request, let *inaudible.* *Mayor: ...Five years.* Lukasewicz: Did you read the new report, Stan? It cites, they say *inaudible* the integrity is, it's insane, *inaudible*, the seams, they're starting to separate.. *Mayor: They're not even inspecting it anymore.* Lukasewicz: Well, no, they just did. Stanley, they just days ago, they inspected, we just got the report and it's very wishy-washy.

16. Motion by Barnick **Seconded by Chrzan**

To extend the insurance proposals by sixty (60) days or until April 25, 2002.

All in favor **Motion carried**

Barone: Just a question on that. If somebody wants to bid on this *inaudible*. *Lukasewicz-No, they come up and request to see what our insurance is.* Barone: Elaine told me he can come up here and look at it but she also said that book's about an inch thick. *Few speaking at once, inaudible.* Lukasewicz: If he wants it, let him sit here and look at it. If he wants to make a copy, make a copy and...*inaudible, speaking at once.*

17. Motion by Barnick **Seconded by Chrzan**

To remove and stop the pension contribution of Frank Giedieviells as per the recommendation of Mike Cummings and Louis Cimini, Borough Solicitor, at the February 14, 2002 Executive Session at 6:55 p.m. **Included and part of this motion is Feb. 11,2001 letter submitted by Attorney Cimini.**

All in favor **Motion carried**

18. Motion by Barnick **Seconded by Chrzan**

To direct Special Counsel, Mike Goffer, to immediately set a trial date for Throop v. Lukasewicz.

On the question:

Menichetti: On the question.. *Barnick: Just trying to get rid of them now. Push it, one way or another, get it over with.*

Five in favor-Barone, Barnick, Chrzan, Mellody, Menichetti
One abstain-Lukasewicz **Motion carried**

19. Motion by Barone **Seconded by Chrzan**

To have Robert Kalinoski, Zoning Officer, speak to the owners and research the property at the 100-200 block of Sanderson Avenue to see if the fence is in the right of way.

Lukasewicz-Robbie will know what it's about.

All in favor **Motion carried**

Audience Comments:

Jack Dolan, South Valley Avenue - Anything on the opening up, up on Martarano Drive? How far has that progressed? There was another big accident down at our house the other.. *Lukasewicz: Now that you mentioned it, John Szczepaniak was supposed to be here to fill us in on what's going on. Few speaking, inaudible. But, I asked John to be here this evening so that he could fill in the citizens and everyone on*

council of what's been going on with it so we know where we are with it. Chrissy, if you could call and tell him... Barnick: Well, he's going to be here tomorrow, 5:00. Is it 5:00 or 5:30? Cimini: *We can't discuss that at tomorrow night's meeting.* Barnick: Yeah, but I think you're going to have to *inaudible*. Lukasewicz: We're going to ask him to be here for the next work session, but let's start the work session, say 15 minutes early so we, we're going to need some time on that.

Larry Hartshorn - If you ever check the records on that Housing Authority down there, I can remember back when I think I was on council at that time, when it first started. Lukasewicz: *About '71 it was started, I believe, right?* Hartshorn: And there was, after so many years that was supposed to be turned over to the borough. Barnick: *That's what I'm talking about, 2004 I think it's up. 2003 or 2004.* Lukasewicz: Turned over right to the borough and the borough can do whatever they want if it's borough run. Barnick: *You got it, yes. Everyone speaking at once, inaudible.* Lukasewicz: So the borough could decide who they want to put in there. *Everyone speaking at once, inaudible.* All right, can we have, can we have a motion to authorize Louis Cimini to contact the housing authority to find out indeed what the status is with that agreement and to research and review it and to comment *back to council?* *Speaking at once, inaudible.* Barnick: *You know what else is coming up, don't you?* Chrzan: What? Barnick: *The Sewer Authority, too. I think it's 2002 if I remember reading it right.* Lukasewicz: That came, another one in 1971, there's a lot of stuff.. Hartshorn: *The reason that I say that is when Rinaldi was going to give us inaudible....* Barnick: Correct, that was part of the deal, right. Hartshorn: *That's the reason why that dump isn't out of there because that was, Rinaldi promised at that time that he'd take the dump out there inaudible building the housing project..* Chrzan: That's right. Hartshorn: *...and he didn't do that. Nobody ever went after him because..* Lukasewicz: Maybe the borough, the borough *inaudible*.

20. Motion by Chrzan

Seconded by Barnick

To have Attorney Cimini research and obtain the contract for the Lackawanna County Housing Project located in the Borough of Throop and report the status of same to council.

All in favor

Motion carried

Motion to adjourn.
The meeting was adjourned.

Elaine Morrell, Administrator/Secretary

Minutes by Christina Sullivan, Asst. Secretary