

**Minutes
Throop Borough Council
Monthly Meeting
Monday, January 29, 2001**

The meeting opened with the Pledge of Allegiance.

ROLL CALL:

Members Of Council:

Joseph Keyasko-P

Anthony Chrzan-P

Vice President - George Marushock-P

Robert Mraz-P

James Barnick-P

Joseph Barone-P

President - Thomas Lukasewicz-P

Mayor - Stanley Lukowski-P

Controller - Daryl Menichetti-P

Solicitor - Attorney Louis Cimini-P

Treasurer - Lenore Dolan-P

Administrator/Secretary - Elaine Morrell-P

Announcements:

Tuesday, February 6th from 10:00 a.m. to 3:30 p.m. Dog Licenses will be sold at the municipal building as per Ed Karpovich, Lackawanna County Treasurer.

Thursday, February 8th at 10:00 a.m. - CDBG Public Hearing - Ernie Cicilioni will preside.

Monday, February 26th at 6:30 -Public Hearing with Marv Brotter or his representative regarding additional funding for the HOME Program Grant.

Mayor Stan Lukowski :

The Mayor asked John Pochis to step up and thanked him for his time involved in the Best Decorated Homes. Award presentations for the Best Decorated Homes, Christmas 2000, went to John & Lenore Dolan and Thomas & Blanche Walsh.

Audience comments on tonight's agenda: None

1. Motion by Mraz **Seconded by Marushock**

To vacate the President's chair.

On the question:

Barone-You're doing me a favor, but you're sticking it to the town.

Four in favor-Keyasko, Marushock, Mraz, Lukasewicz
Three against-Chrzan, Barnick, Barone Motion carried

2. Motion by Marushock **Seconded by Keyasko**

To appoint Thomas Lukasewicz as President of the Throop Borough Council

Four in favor-Keyasko, Marushock, Mraz, Lukasewicz
Three Against-Chrzan, Barnick, Barone Motion carried

3. Motion by Keyasko **Seconded by Chrzan**

To vacate the Vice President's chair.

Five in favor-Keyasko, Chrzan, Marushock, Mraz, Lukasewicz
Two against-Barnick, Barone Motion carried

4. Motion by Keyasko **Seconded by Mraz**

To appoint George Marushock as Vice President.

One the question:

Barnick-Good luck.

Four in favor-Keyasko, Marushock, Mraz, Lukasewicz
Three Against-Chrzan, Barnick, Barone Motion carried

5. Motion by Keyasko **Seconded by Marushock**

To change the signatures on the bank accounts and CD's. (Resolution #1 of 2001)

All in favor Motion carried

6. Motion by Marushock **Seconded by Keyasko**

To accept police reports, zoning report, landfill inspectors' reports, minutes of the December 18th and January 11th Council Meetings and the transcript of the December 7, 2000 Special Marjol Meeting.

TREASURER'S REPORTS:

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

Dolan-Our general summary of our General Fund. The unpaid bills amount to \$134,812.64. The paid bills for the month of January amounted to \$14,180.35. The automatic deduction is the AOL which is \$26.95 which gives us a grand total of \$148,992.99. The Keystone Landfill, the credit that we received back in November of 1999, as of January, 2001, we still remain a credit of \$14,263.60. Now the Home Program, our Home Program paid no money out to contractors but we did pay to Marvin Brotter a total of \$500.00 which gives us a balance in our Home Program of \$6,843.35. The checkbook balance as of today, if all the items are approved, will be \$1,290,908.48. If all motions tonight are approved the balance will be approximately \$1,223,882.33. Now our Draw-down on the Keystone 3.5 million interest free loan, we did not take out any money in the month of January so it leaves us still with a remaining balance of \$433,200.00.

Lukasewicz-Thank you Lenore.

7. Motion by Mraz

Seconded by Keyasko

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

On the question:

Marushock-I have some comments on the monthly bills against the borough. One thing I wanted to note as I reviewed the items for payment for January, 2001, many of the items for payment have 01/01/01 as the date of expense on the date of invoice. As we all know, 01/01/01 was New Year's Day. Is there any explanation as to why that had to show up like this on our items for payment?

Dolan-That's the date of the invoice, that's not the date of the posting. That's the date of the invoice. Where you see invoice date, that's the date of the invoice.

Marushock-Okay. As we go down this list, Lenore, I believe a lot of these places were closed on New Years Day.

Dolan-Well that doesn't mean, they could've printed, you want to go see the bills? They're still January bills.

Marushock-Okay, I mean there's a multitude again.....

Lukasewicz-Geddy, if you can, I'd appreciate it, it would probably be better for everybody, a question like you're asking, if you could try to address that prior to the meeting somehow? I mean I don't mean to cut you short but there's no need for everybody in the audience....maybe we could come a few minutes before the meeting to ask any questions prior to.

Dolan-Well, Mr. Lukasewicz, this was given out last week.

Everyone spoke at once.

Lukasewicz-I'd like to have it nice and quiet (inaudible), just basic questions, maybe we could ask prior to the meeting.

Marushock-Okay, so I will be voting against, it will be a list of the Civic Center expenses that were incurred on the items for payment, January, 2001, I did have some questions on the ADP Security bill, I'll address that with Lenore. I will be voting against Attorney Cimini and Mr. Shevchik's portion of the Blue Cross Blue Shield bill, I will be voting against the pay for Mr.

Lukasewicz-Bob, let Jimmy finish first and then if someone else wants to make some comments, they can. Is that okay, Jimmy, let you get everything out?

Barnick-Yes.

Barnick-I don't think a full timer should have come in to fill the shift for New Year's. The full timer coming in, I think it should have been a part-timer or the one person on the shift, however it worked out. I think they should be a lot more help to the people. More of a compromise with the people, working with them, and just overall supervision, I think they're going to be, leaves a lot to be deserved and I'll let it go at that. I have plenty more but there's also a letter that was signed by a lot of the police officers. I would like to refer it to the Civil Service Commission.

Mraz-I've been trying to get the entire police department for a meeting with the entire council, including the Mayor, and a lot of people don't want the entire police department here, they just want a selected one or two officers, the Captain and the Chief here and I feel to air out this whole deal we need to sit down as a whole group here and full group at the police department and talk everything over and hash everything out. There seems to be a lot of misconceptions and bottled up anger on different sides and we need to air it out in a closed room, the entire police department, at least welcome them here and have that. But I know there are certain people that have an opinion that don't want the entire police department, for what reasons, I don't know. I don't have nothing to (inaudible) differently for any police officers. I'm (inaudible) union, reach the contract if we can or what, but I'd like to see all of the police department available here so we could hear everybody here on council, including the Mayor.

Lukasewicz-Mr. Mayor, (inaudible) Mr. Mraz' comments, possibly you could try to work something out.....

Mayor-Inaudible.

Lukasewicz-....a very peaceful meeting where everyone comes in, an open, it would be a public meeting because I really don't want to do it in an executive, it should be in public.

Barnick-Can I comment to that part?

Lukasewicz-And to the point of where it shouldn't get ugly in public. There's nothing to hide. If we've got to hide something in an executive or talk in an executive, why can't it be aired in the public? The public has as much interest in the police as anyone else, just a public forum.

Everyone spoke at once.

Lukasewicz-Joe has something first.

Barone-Getting back to what Bob just asked -- three times I tried to organize a meeting, an executive session. The first time was all the police except the part timers. I personally don't think the part-timers should be in on it because they don't come under contract, but that's water under the bridge. And I told Neil Furiosi, he said will you have all the council there? I said yes and I said if they weren't all there if you wanted I will cancel the meeting. You were the only one that didn't show up.

Lukasewicz-Joe, I was out of town.

Barone-Well, you had work or whatever. So I asked him, I says do you want to have the meeting with the six council? He said, well you said there was going to be seven. I said okay, it's cancelled. I tried another one, he agreed to come then he backed out. I tried the third time, he agreed then he backed out on the Mayor's recommendation or whatever. Now, if you want to have a meeting, executive meeting, fine. I don't want to air out the dirty laundry in public but if you want it public, it's up to you.

Lukasewicz-I should hope that dirty laundry could be discussed individually prior to the public meeting so it doesn't have.....

Barone-Because most of the things that I had, excuse me, I always discussed with Neil but nothing

was ever done. Not only with Neil, I discussed it with the Mayor, I discussed it with Keith, and that was it so you guys didn't want to come, don't come, but I could tell you one thing, I hope there isn't real problems but if there is staying away from it is not going to cure the problem, it's going to get bigger. That's all I have to say.

Marushock-Can I ask that we schedule a special meeting with a full panel of council because I believe that was the agreement we made with those gentlemen a while back, that we would sit down with a full panel including the Mayor and I would be in favor of the full police department, full-timers and part-timers and let's try to air out things in public. I'm in favor of a public meeting and if there's something that cannot be negotiated and things do get out of hand, we'll just call things to an end there and perhaps have to reschedule an executive session?

Barnick-Yeah, I'd just like to add to that. You feel they should have all the police there. Well, I go back in the military and I was in there for a long time, and it is similar to the military. Let me tell you, when you have a boss, you have a chief, he should be the man. Him, and second in command. They should be the ones that take the (inaudible) back and say, this is what your going to do, here's the recommendations I'm making, this is what you're going to do. You don't have eighteen Indians sitting in here with the Chief. It's not right, it's not fair to the Chief and that's the way it should be done. The Chief should be the one to bring orders back and say this is the way is going to be run, period. The other problem I have is, which I forgot about, was the radio that came in here months ago and said there's a radio that was missing from the police department.

Lukasewicz-(Inaudible)...didn't hear about that.

Barnick-Mr. Repchick stood right here and he says, what do I do? Joe suggested he turn it over to the State Police. I want to know where is the investigation on this, where it went to.

Lukasewicz-Okay, I.....

Barnick-And there's other similar things. When there's a \$1,000.00 radio, I think they should have turned into the insurance company a long time ago if there was no reaction to it, and this is the kind of things that I'm talking about. Little common sense things that should be done every day. I don't like going, taking my children to school at ten to eight in the morning and seeing the police car parked up in Dunmore at the restaurant when kids are out here getting on buses and everything else. I don't like that stuff and we're paying for this. They should be out there patrolling where all the kids are at the buses, the bus stops, period. There's many kids and buses, travel throughout this town, and there snow out there, there's ice, there's everything out there and our cops are up having breakfast. I'm sorry, that doesn't just cut it with me.

Lukasewicz-All right, I've heard some of the concerns of council.....

Barnick-And there's many more, many more.

Lukasewicz-.....the way will I will address it, Mr. Mayor, if you would make a recommendation to myself as how you would like to have the meeting handled. Once you make that recommendation to me then I will schedule a meeting at your request and we will go from there and I'll try to do it as fast as we can.

Mayor-Let me say something (inaudible). The person that might have been having breakfast, that he says, stayed here, he's supposed to leave, his tour of duty ends at 3:00, he's here until 4:30-5:00 every evening. Another one starts at 3:00, he's here at 2:15 and stays beyond 11:00. Many of them do that, many of them but you see the bad things, supposedly.

Barnick-Excuse me, I have to respond just one more minute. Okay, he talked about that.....

Lukasewicz-Jimmy....

Barnick-No, I have to respond just to....

Lukasewicz-All right, because I don't want to turn it into a police thing all night.

Barnick-Because just for the fact is, I, you know, they're going to breakfast, fine, but don't do it with the children and everything is going on in the morning. If they're going to go up there and take a break, fine, but (inaudible) when a call comes in, a kid is seriously injured or something else at these bus stops, to get to Dunmore down to here. We'll have another police officer from another town here by the time they even, something happens.

Everyone spoke at once.

All in favor except Mr. Barnick, as noted Motion carried

CORRESPONDENCE:

9. Motion by Barnick

Seconded by Chrzan

To accept the correspondence as read or posted.

Lukasewicz mentioned a letter that came from the District Attorneys Office and asked if anyone had any objections to him reading the letter. He read the letter from the District Attorney Andrew Jarbola, concerning the Civic Center loss of money and the investigation. According to the letter the investigation is marked as "not cleared" and if further information arises in the future, his office will certainly reopen the investigation.

Lukasewicz-From the way I read into it, it appears that it's self explanatory the way he wrote it and hopefully it will put a sad issue to rest in the minds of a lot of citizens. Evidently something did occur, they realize something occurred but it would be very difficult to put the blame on somebody. All I could say is there's a lot of people that should be blamed, everybody. It's something that happened and I think it's just time to move forward and put that underneath the pillow and forget about it. That's my opinion. Anyone else from council would like to address that?

Barone-One more thing, I called Mr. Jordan today and I asked him if it was okay to read this letter and he said yes.

Lukasewicz-To read what?

Barone-That letter you just read.

Lukasewicz-Oh, okay.

Barone-And he told me that Jamie Shevchik was cleared 100%, had nothing to do with it.

Lukasewicz-Well, that's self explanatory here....

Barone-Well, it didn't say that in there.

Lukasewicz-There's no one to blame. I would assume I would wish that everyone would assume that no one individual or group of individuals or such an investigation that you cannot prove who did what (inaudible) a group of individuals or whatever and it's just an end of a dead issue and if any knowledge comes to anybody, just forward it to the District Attorneys office and they'll continue the investigation.

A discussion took place.

Chrzan-There's two things that are bothering me.

Lukasewicz-In regards to this, Tony?

Chrzan-In regards to this. I'm going to ask Mr. Shevchik one question. Jamie, wasn't there an eye witness that someone broke in there?

Shevchik-Yes.

Chrzan-Number two. There were polygraph tests given?

Shevchik-Yes.

Chrzan-Not all people passed, did they? That's all I want to say, Tommy.

Lukasewicz-(Inaudible) I'd be careful of what you say. I don't want put.....

Everyone spoke at once.

Barnick-I'd like to make a comment though on this issue. After several individuals, the controller and them went down to this Andy Jarbola's office, we made an appointment and we went down, myself, Joe Barone, Lenore Dolan and Bob Lokuta. Then he informs us of everything and he said, he also said that Jamie was totally cleared and he felt that everything was done properly and he agreed with us that if the audit was done properly in the first year it would have been found early enough, where it would have prevented the second year from happening. The second part of that - that really disturbed me when I was in that meeting with them, with Mr. Jordan and Mr. Jarbola, is they stated that not only did Mr. Marushock go down there and Mr. Keyasko and Miss Menichetti, but also they took a resident with them. On employee matters. A resident. No appointment in the borough, nothing. Took them in there (inaudible) discussions.

Keyasko-Are those records public?

Barnick-That was said to all of us by Mr. Jarbola, right Lenore?

Lukasewicz-Okay, that was said to you, I understand. Let's, if we may, really.....

Everyone spoke at once.

Mraz-Jamie, how do you feel on how this matter, do you feel that something was shorted out that you don't feel right that you care to talk off the record, you know, somewhere else about it or do you want to put it to rec...I mean, you're the Director over there.

Lukasewicz-How do you feel about it?

Shevchik-This won't be put to rest. You know that everybody.....(inaudible).

Mraz-But, I mean, do you feel that there's somebody out there that, I'm not asking for a name, I'm just saying, do you feel the investigation was done properly or is there something that somebody's holding back that.....

Shevchik-Oh, no. There is, there's something out there.

Mraz-And were you questioned properly on this matter? I mean if justice wasn't served, it should be.

Shevchik-It's not, it wasn't served.

Lukasewicz-Well, Jamie, (inaudible) if you wanted to address that, if anyone wants to address the issue with him again, he'll gladly listen to you folks if you feel that way.....

Mraz-I mean, I don't name calling or anything here but if something slipped through the cracks well let's pull it out and end it but if you felt (inaudible) brought up, I wasn't aware of.....

Chrzan-(Inaudible) investigation, nothing happened, you've got a (inaudible), I don't understand it.

Mraz-I know you (inaudible) months ago when it was all brought up but, so, if you want to talk to me later or at some other date or whenever, all I could see.....

Marushock-The only thing I'm kind of wondering right now is there any recourse the borough would have to recover the \$8500.00 that has been noted missing in the independent audit?

Dolan-Well, he did contact the insurance company. They rejected it.

Lukasewicz-Evidently, we've got to bite the bullet on this one unless something comes to light that's going to open up the investigation and settle the dispute. If not, let's just leave it as is. We have a letter that's self explanatory from the District Attorney and let's.....

Mraz-But, I mean, the way that I just heard what Tony said, if that does hold true Tom....

Lukasewicz-Tony, did you tell the District Attorney that?

Chrzan-Why should I tell them?

Lukasewicz-Did anyone tell the District Attorney?

Chrzan-The District Attorney should know. Didn't you tell them Jamie? They (inaudible) witness

them breaking in. Then there's money missing. What else do you want? You want a body?
Lukasewicz-Jamie, you could proceed with it if you feel comfortable with it.
Chrzan-I wouldn't give up if I were you, Jamie. Clear your name.
Mraz-Well, as far as I'm concerned he's cleared.
Chrzan-Your name is cleared, clear it better.
Dolan-His name is clear.
Lukasewicz-His name is clear.
Chrzan-Not cleared right here. That leaves doubt in everybody.
Lukasewicz-All right.

All in favor

Motion carried

Lukasewicz-Next we're going to have the Controller's Report. Before I ask the Controller to give the report I would, again, the same way I asked Mr. Marushock to ask Mrs. Dolan ahead of time before the meeting, so we don't have to discuss things at length at the meeting. If there are specific questions that can be answered by the Controller prior to the meeting, I would appreciate it. I can't tell you to not ask questions here but I would like to see it nice and peaceful and not dirty laundry here again. I'll have the Controller's Report and then if there's any questions from whomever, we'll go through it.

CONTROLLER'S REPORT.

Daryl Menichetti, Controller, read the controller's report.

Menichetti-This would be fund statement and balances, the end of December, the year 2000. General Fund Checking Account \$787,452.40. General Fund CD's, \$1,247,960.84. General Fund Petty Cash, \$200.00, Payroll Checking Account \$577.25, Civic Center Account \$252.75, Civic Center Petty Cash \$250.00. Sunny Day CDs \$1,578,987.47. The Home Program State Grant \$7,343.35. Revitalization State Grant \$105.40. The Child Care Program \$503.85. Warsaw Playground \$26,298.94. Liquid Fuels Account \$914.78 for a total of \$3,650,847.03.

Lukasewicz-Thank you Daryl.

10. Motion by Keyasko

Seconded by Marushock

To accept the Controller's Reports and Financial Statements.

On the question:

Barnick-It's been months since we've actually had a report. (Inaudible) I even forgot the questions I was going to ask, so I'll be voting against.

Four in favor-Keyasko, Marushock, Mraz, Lukasewicz

Three against-Chrzan, Barnick, Barone Motion carried

11. Motion by Keyasko

Seconded by Mraz

To authorize the Controller to purchase a new Sunny Day Fund CD for the sum of \$59,859.20 (10% of the Quarterly Host Municipality Fee) at the First National Community Bank, Dunmore, *for a period of one year.*

Lukasewicz-At 6%.

On the question:

Marushock-Is it mandatory that the CD is purchased from the First National Community Bank or is it possible that we could shop around see if a higher interest rate does exist?

Lukasewicz-I believe we could always shop around but I believe that's the highest rate?

Menichetti-I don't know because the last time the CD came I think (inaudible) and they did not award it to the highest one. So I just assumed you wanted everything with Community Bank so I did not look around.

Marushock-The other thing, I have a question is how long would you like that investment to be, for what amount of time?

Menichetti-It's usually one year.

Lukasewicz-Mr. Keyasko, would you have a problem to add one year to the length of term to this?

Keyasko-6% one year, no problem.

Lukasewicz-And Mr. Mraz, no problem to add on one year? Okay and Daryl, in the future, if you could check around and see if there is anything beneficial to the borough?

Menichetti-Certainly.

All in favor

Motion carried

12. Motion by Barnick

Seconded by Chrzan

To authorize the quarterly payment in the amount of \$750.00 from the assets of the Non-uniform Pension Plan to P.M.P.S., Michael Cummings.

All in favor

Motion carried

13. Motion by Chrzan

Seconded by Mraz

To authorize a \$1,000.00 deposit to International Fireworks Mfg. Co. for the Annual Fireworks display at the Cow Flop on June 24, 2001. Throop Borough sponsors the fireworks display.

All in favor

Motion carried

14. Motion by Chrzan

Seconded by Barnick

To appoint Jeff Granza (Hose Co. # 2) as fire marshal.

All in favor

Motion carried

15. Motion by Barnick

Seconded by Chrzan

To re-appoint Ed Bocan (Hose Co. # 3) as assistant fire marshal.

All in favor Motion carried

16. Motion by Barnick Seconded by Chrzan

To appoint Jerry Barone (Hose Co. # 1) as assistant fire marshal.

All in favor Motion carried

17. Motion by Chrzan Seconded by Mraz

To authorize payment to Widmer Sign Co., Inc. for the sum of \$1,848.00. (This represents the balance due for the outdoor sign at the civic center.)

The tape was changed here. According to notes, when **on the question** Barnick asked if the sign was fixed yet. There were comments by Jamie Shevchik and Lukasewicz. The sign was fixed and a warranty was sent to the borough. Assurances were made by Widmer sign that they would handle any and all problems.

All in favor Motion carried

18. Motion by Chrzan Seconded by Barnick

To authorize payment to the Postmaster of Scranton for the sum of \$588.00 for envelopes for the tax collector.

All in favor Motion carried

19. Motion by Chrzan Seconded by Mraz

To refund \$50.00 to Charles Hunt for over-payment of Engineering Fees for sub-division. (Friedman sub-division)

All in favor Motion carried

20. Motion by Chrzan Seconded by Barnick

To issue Variance refunds to the following:

1. Charles Hunt	09/13/00	\$187.31
2. Benedict Swierczek (Frank Vitucci)	09/13/00	\$187.31
3. Square Tool & Die Corp	09/13/00	<u>\$187.31</u>
	Total	\$561.93

All in favor Motion carried

21. Motion by Chrzan

Seconded by Mraz

To authorize Jamie Shevchik, Civic Center Director and the Civic Center Commission to apply for a Child Care Grant. The grant amount is \$10,000.00. It is not a matching grant. This grant is like the first grant they applied for.

All in favor

Motion carried

22. Motion by Barnick

Seconded by Chrzan

To advertise Ordinance 6 of 2001 Amending Ordinance 11 of 1995, Defining and Regulating Street Excavations and Openings, etc.

On the question:

Lukasewicz-Elaine, the revisions that Robbie made to this amendment, are they in written terms someplace so I can review them?

Morrell-Louie, do you know? Do you know if everything was compiled by you and Robert? Printed out yet?

Lukasewicz-I was under the assumption that something would be prepared and Robbie would review it with the solicitor and then we'd have a chance to look at it prior to any action on it.

Cimini-(inaudible) deleting the time frame for new pave cuts?

Morrell-I don't remember exactly.

Lukasewicz-Remember there's supposed to be a time change (inaudible).

Cimini-The only change was just to remove the five year ban on pave cuts with the exception of emergencies. There's only one sentence and one section

Lukasewicz-Very basic.....

Marushock-Would it be possible to table this motion until we see the exact wording of that?

Cimini-There's no.....I just removed wording. The motion was, the original motion included a five year ban on opening new pave cuts. At the work session it was determined that was not feasible so all I did was remove the section that had the time frame for new pave cuts, that's it. There's no new language.

Lukasewicz-Inaudible.

Marushock-There's no time frame specified?

Cimini-No. That's what everyone wanted.

Lukasewicz-Geddy, I have no problem with that.

Marushock-Okay. I have a better understanding now as to what exactly we're talking about.

All in favor

Motion carried

23. Motion by Mraz

Seconded by Keyasko

To authorize the change of the borough building and civic center's local and long distance phone service to Adelphia Business Solutions. (ABS was awarded the state contract. The special pricing is good for five years.)

Lukasewicz-I believe it's at a savings of approximately 55% to the borough.

All in favor

Motion carried

24. Motion by Barnick

Seconded by Chrzan

To authorize Frederick C. Spott, Borough Engineer to design specs for the sewer project on Short St. from Fayette Court to Kossuth Street. *Comments to be included in this motion.*

On the question:

Marushock-Is it possible that we can perhaps invest a storm catch basin (inaudible) there? The reason being is they changed the grade of the road from Fayette Court, actually from Pearl Street up to George Street and now the water, instead of partial runoff onto Pearl Street, it continues all the way down into the dip on, more on Kossuth, and an increased volume of water that comes down the road (inaudible). While we have that situation there ripped up and an engineer on the job, I was wondering if it's possible that we can perhaps address a catch basin.

Lukasewicz-Mr. Barnick, do you have a problem with including that?

Barnick-No.

Lukasewicz-Tony?

Chrzan-No.

Lukasewicz-Okay, then **we'll include that, Mr. Marushock's comments in the motion.**

Barnick-Based on (inaudible).

All in favor

Motion carried

25. Motion by Marushock

Seconded by Keyasko

To accept the 2001 Street Paving List as prepared by Robert P. Kalinoski, Street Commissioner.

Lukasewicz-Including the changes that were made at the work session on Thursday, if everyone didn't get a chance to look at it.

Morrell-The new list is in tonight's packet.

Lukasewicz-It's in the packet if everyone wants to take a look at it just to verify it before we vote.

Marushock-I believe the only difference on that was Short Street was included on the paving list and then we took that off because the paving would be done in conjunction with the sewer project. That's why Short Street's no longer on (inaudible).

All in favor

Motion carried

26. Motion by Barnick

Seconded by Chrzan

To authorize the treasurer to pay the first annual loan payment to Keystone Sanitary Landfill, Inc. in the amount of \$700,000.00 due on February 28th. (This is the first of five annual payments toward the Interest Free Loan.)

On the question:

Barnick-This is part of the 3.5 million dollar loan and it completed much, much work throughout this borough in the last year. Just so the residents are aware of what went on with all that money, the Boulevard

Project, 2.3 million or so there, and numerous other projects.

All in favor

Motion carried

27. Motion by Chrzan

Seconded by Mraz

To send a letter to Christine Todd Whitman, EPA Director, requesting her support and assistance in regards to the hazardous Marjol Battery Site. A personal visit is requested and a 30 day response time.

On the question:

Barnick-Can we put in there a personal visit requested?

Lukasewicz-Can we request a response time also? Tony, you have a problem with that?

Chrzan-No problem.

Lukasewicz-Okay, so it will be a personal visit is requested and a 30 day response time.

Barone-(inaudible) you think it would be wise if we got a couple bus loads of people going down there?

Lukasewicz-If we could get a response (inaudible).

Barnick-Time if running out.

Lukasewicz-Elaine, if this letter could go out tomorrow.

Everyone spoke at once, a discussion took place.

All in favor

Motion carried

28. Motion by Chrzan

Seconded by Barnick

To authorize negotiations and/or condemnation as required for easements for the Warsaw Storm Water Project.

On the question:

Barnick-We set up Joe Barone, Rob Kalinoski, and engineer (inaudible) on the plans for up there. CDBG money is going to be used to do the storm project. We need a couple of easements and hopefully it will get kicked off by spring. The money won't be available until September but we can use our own borough money as far as the County and then they reimburse back in September. That project's needed because there's several lawsuits involved up there and that should pretty much finish the whole Warsaw area with the playground we had put in and everything else. I'm just hoping that when all these projects start kicking here, that these, the new majority here puts the time in that myself, Joe Barone, all these meetings with the engineers and everything else. Because there's many, many hours that were expended. That's it.

Mraz-On that, I hate to use the phrase the new majority, just for anybody's preference out there, I'm just for what's right for the people of the town. I'm not on anybody's side or anything like that. I'm here, open ears, open minded, for anybody in the town or on this council chambers. Just for the record I want everybody to understand, I'm for what's right. You come to me, my door is open, my phone is in the book, come and talk to me, and that's what I'm here for, to help the people.

Lukasewicz-I want to make one comment also. I don't know, it appears like it's a majority but I was asked if I would take over the Presidency.....

Chrzan-By who Tom?

Lukasewicz-.... Just to try to keep some (inaudible) to the meetings.

Chrzan-By who, Tom?

Lukasewicz-And you know, if I have to make more time, I made time years ago, I put a lot of time into this borough, I'll find time again to make sure that the meetings run smooth and things could just feel a little

bit, we don't need the bad publicity. Throop has so much to offer. We've got the best of everything and yet we have to fight, so I'm just here to try to appease everybody.

Barnick-I just hope you're going to fight for what's right for the people.

Everyone spoke at once and a discussion took place.

Marushock-If I can reiterate, I'm very much in agreement with Mr. Mraz, Mr. Lukasewicz on their comments and I believe as elected officials, all seven of us up here, are representatives of the borough. We, as a group, have an obligation to run this town the best we possibly can for the benefit of the citizens of the Borough of Throop. That's what I was elected to do, that's my stand and what I'm planning to do in the future. Again, as Mr. Mraz said my phone number is listed in the book, I'm available. With my schedule and everything I may not be able to get back to you immediately but I know, I'm sure that anyone who has called with any comments or concerns, I basically went and met them people face to face and addressed the issue. (Inaudible) work for all people for the Borough of Throop, I think all seven members of this panel should do the same. Thank you.

All in favor

Motion carried

29. Motion by Chrzan

Seconded by Barnick

To schedule and advertise a Public Hearing regarding the request by John Dolan, Louis DeNaples and Mr. Keegan to vacate the East Extension of Ash Street. (They are the abutting property owners.)

On the question:

Barnick-This was a petition requested by the people that own the land abutting that road and by the Borough Code we're required to have a hearing. So you understand that this is not granted or anything else. We're required by the Borough Code to follow that law and have the hearing next.

Mraz-That's where that (inaudible).

Marushock-This is not a final decision, this is just a hearing.

Lukasewicz-Correct. Have a hearing and then vote on it after the hearing. Anyone else on the question?
Roll call.

All in favor

Motion carried

30. Motion by Mraz

Seconded by Keyasko

To authorize payment in the amount of \$3,169.02 to the Pennsylvania Unemployment Compensation Fund. This represents the amount due as a reimbursable employer for the 4th qtr. of 2000.

All in favor

Motion carried

31. Motion by Keyasko

Seconded by Mraz

To authorize the administrator and treasurer to send final notices to all property owners regarding unpaid paving assessments, sub-division & land development fees and fees for demolitions. If payments are not received by the borough in 30 days of said notice the solicitor is authorized to place a lien on their property. Notices will be mailed by certified mail with return receipt requested. (This will not include properties already liened.)

On the question:

Marushock-I'm very much in favor of this. The only question I have is I believe that a few years or so there was a first pave done on the alley to the rear of Charles Street and also I believe some paving done at the rear of Coppernick Street. I part I guess it was kind of done under the re-pave program. (Inaudible) I'm just trying to find out the legality. Are we going to be in any legal predicament over doing that regarding those two roads with those people who are in those two areas that were paved?

Lukasewicz-Can you address your concerns to Mr. Cimini after the meeting and then he'll adjust the request accordingly if there is a need to advise council of it?

All in favor

Motion carried

Official comments:

Lukasewicz-Before I go on, are there any other motions any councilmen would like to make?

Marushock-I'd like to if possible rescind I believe it was motion #10 to adopt the budget of 2001 and/or to amend that to bring the controller's salary back up to the way that it was in the amount of \$7500.00 per year? For the remainder of the year 2001.

Lukasewicz-There's a motion on the floor to rescind motion #10 in regards to the controller's salary to re-up it to the prior 2001 allotment of \$7500.00? Is there a second?

Keyasko-I'll second it.

Lukasewicz-Seconded by Keyasko.

Mraz-What was it? Read me the numbers again?

Lukasewicz-It's going to go up to \$7500.00. That's what it was prior (inaudible).

Keyasko-I think we should get the solicitor's opinion on that too.

Barnick-Are we on the question?

Lukasewicz-Well, I'm getting ready for that. But on the question are there any concerns?

Barnick-Yes there is.

Lukasewicz-Go ahead, what?

Keyasko-I think we should have the solicitor's opinion on it.

Lukasewicz-Mr. Cimini, do you feel there is a need for the solicitor's opinion in regards to this matter?

Cimini-I can look at it if you want me to.

Lukasewicz-Because there was a motion, I guess by council (inaudible) to drop her salary to I believe \$1875.00 (inaudible).

Cimini-Right.

Lukasewicz-(inaudible) and now there's a motion to put it back to where it was prior.

Cimini-I know that the Borough Code has one section regarding the controller's salary, I don't know if it applies to this.

Lukasewicz-What we can do then, Joe, in regards to your concern we can vote on the motion pending the solicitor's approval after he looks at the legalities.

Keyasko-Or rescind that motion. Rescind motion #10. Can we rescind motion #10?

Everyone spoke at once.

Barnick-On the question?

Cimini-Yeah, if you want me to look at I will, no problem, I could do it right tomorrow.

Lukasewicz-Well we could actually vote pending his.....

Mraz-I'd be happy to table it and just cover all ends.

Keyasko-I don't care, vote on it.

Lukasewicz-If we were to table it, can it be retroactive?

Cimini-I don't see why not.

Lukasewicz-Which means that she would.....

Cimini-Owing let's say on the next two weeks.

Lukasewicz-So that for next month she would be paid for the entire.....

Cimini-This is an issue that I've never looked at.

Lukasewicz-Me, personally, I have no problem voting on it tonight. I think it was wrong what happened.

Mraz-I just want to cover.....

Lukasewicz-I want to be careful but I'm saying if we vote on it and approve it pending the solicitor's approval I think I'll have everything covered.

Barnick-Can I get on the question?

Lukasewicz-Mr. Barnick?

Barnick-First of all in the Borough Code it says you could only decrease or increase once in a two year period. Once. If you're going to do it again, it's illegal. I could tell you that much from the Borough Code. Right from the Section.

Lukasewicz-Could it have been decreased in the way that it was done because it was a two year period pending when it (inaudible).

Barnick-I will say, you will have an appeal on it.

Everyone spoke at once.

Lukasewicz-Joe, can you rescind the motion for now and, Marushock, for now, and we'll get the legal opinion of the solicitor in regards to that situation. You're well aware of the entire situation, though?

Cimini-Yes.

Everyone spoke at once, a discussion took place.

Official Comments:

Barnick-I like to ask the audience just to give Joe (Barone) a round of applause. (The audience all gave him applause.) It's a hard job and I just hope the progress continues. There's many, many, meetings. I did it for two years and there's a lot of projects. That's basically it. Good luck, I'm sorry it just....couple of votes in the past, (inaudible) prove that tonight but it all works out in the end.

Barone-You need any help, Tom, you can count on me.

Lukasewicz-I understand. And don't think I won't ask because I will. Believe me, everybody has as much.....

Barone-Those people out there come first.

Lukasewicz-Every council member, I don't know if people understand this, has as much right as the other council members. It's something that has to be remembered here. I might disagree with Jimmy, Jimmy might disagree with Mr. Mraz, Tony always disagrees with me, but all kidding aside, you're elected here to do what you think is right. Now just because it's not what someone else thinks is right, it doesn't make you wrong. At least if we could listen to everyone and get the comments out, right or wrong, and put them in (inaudible).

Barone-I want to thank you, anyway, because actually you people did me a favor. And I'd help you as much as I could.

Dolan (Lenore)-I want to say something. Before when Mr. Marushock asked me the date, I didn't realize something. You were talking, the invoice date, is the date I record. I posted them January 1st. That's my date, that's the date I record. Second, I have a question for the controller. Was November's general taken care of? The amount? Because we didn't have a report for November yet. Now, December's is perfect. Menichetti-Oh, well I submitted my report.

Dolan-Yeah, it was wrong.

Menichetti-It wasn't wrong, Lenore. The expenses were off by fifty cents.

Dolan-No, the general fund checking was wrong.

Menichetti-The expenses were off by fifty cents, it wasn't wrong.

Dolan-Well, that's a dollar. Well it was off a dollar from the bank rec. Don't you have to agree with the bank reconciliation? December's is perfect. All I wanted to know so I can close my book, is November taken care of?

Menichetti-The whole year is closed.

Dolan-I don't know cause out there is only November. December isn't even there.

Lukasewicz-Alright, if you could try to work together prior to the meeting.

Dolan-Her's is perfect for December, it's checked with the bank recs, but November is wrong.

Lukasewicz-If there's a little discrepancy someplace and if somebody can work together on.

Menichetti-I just want to make something clear. I do not put the expenses in the computer and I do not put the payroll in, you people do. If the balances are off it's not something I put in it's something that isn't right with either the expenses or the payroll. Not that I'm saying that you're doing anything wrong but this is where the discrepancies lie and then I have to go through all of this and find out just where the problem lies and I try to solve it. Now in November, you were off by fifty cents and it was in the expenses somewhere and uh, for fifty cents I couldn't find it. So it was just adjusted at the end of the year.

Dolan-What about the dollar?

Menichetti-It was fifty cents (inaudible).

Everyone spoke at once.

Dolan-I have another question, Tommy, you will be signing the checks this month?

Lukasewicz-The changes, hopefully, will be made tomorrow at the bank and I'll be signing them as soon as they are ready. Okay. Where would I have to go to sign those tomorrow, Elaine?

Morrell-I have to call the bank and get account cards and...

Lukasewicz-(inaudible) do what we have to do.

Morrell-They'll issue a blanket resolution.

Dolan-And then I just want to ask Daryl to sign the two checks that are in there.....

Menichetti-I did.

Mayor-Okay, tomorrow, Elaine if I'm correct in this Gannett Fleming is going to investigate that area which is about 300 yards from Marjol. I've been up there about four or five times. About two or three months ago there was a fire more than likely caused by garbage but now it seems to be back again because it's spread along the bank and the last time I was up, maybe it was about two weeks with, because they hadn't been up there, Mr. Lukasewicz and Mr. Marushock. They requested to see it, they hadn't seen it at all. We ventured about thirty to fifty feet away from that particular area that was on fire and we noticed something. While the snow was ankle deep, there are circular dry spots here and there. So I don't know what that tells you but Jerry Barone took us up the first time, he contacted the Office of Surface Mining plus the DEP and he demanded that (inaudible) an answer that whether there was a fire or not. After about a month we get the note there's no fire there. They called it a garbage fire. We finally got that letter just the other day but we want to make sure and that's why Gannett Fleming is going to be up there tomorrow

to check on the situation. Most of us here have seen that area and it's something to behold when you see all white stuff, snow in this case, and then this dry spot. It's precariously close to Marjol, 300 feet, so we know what would happen in this case. Gaynor, a representative of Gaynor Cawley's office sent me an article here, an eight piece article in the Philadelphia Enquirer, which I'm sure EPA, the Regional EPA based in Philadelphia, had seen. They had a certain (inaudible) near a landfill, not lead but other toxic materials, they covered with four feet of dirt. They had a fire there, many people responded to the fire. Most of the people that responded to the fire are dying now of cancer so these are the things that we have to guard against and that's why Gannett Fleming is being called in and if it takes more than that we'll have to do it, no doubt about it. I contacted EPA about the fire but they don't seem to be all that concerned about it, at least not, that's my impression anyway, that is my impression. So this thing goes on and on and on and some of the (inaudible) when they came up here and issued that statement that they were just going to cover the whole Marjol operation down and I have pictures. I have them in the office, they were taken by Mary Ann Richardson of the cover that's in that small area of the homes that were excavated, the contaminated material and boy, if you want to see an eye sore. Now what do you think it's going to look like when ten acres down there are covered? Is that going to be scary? It certainly will. That's going to be something to think about and we really, the days are ending now, we really only have a few more days to do it and we really have to work on this. Do everything in our power to stop this from happening. They're going to cover that whole area, I guess. It's going to be bad, bad, for us. Thank you, Mr. Chairman.

Keyasko-Excuse me, Mayor, when you went up to check those spots, none of them were frozen, were they?

Mayor-No.

Keyasko-But the rest of the grounds were frozen?

Mayor-Yes. And steam was emitting from the area along the bank and it spreads. I went up there one time, I went back the second week, and it spread all along that bank. (Inaudible) Not in that particular area where our firefighters extinguished the blaze after three days.

Marushock-It was also across the roadway there.

Mayor-That's what I say, in that area were the circular dry spots, hot spots.

Barone-Gannett Fleming also said that just because there's steam coming up that does not mean there's not a fire. It could be real deep. I hope not but....

Mayor-You know the sad thing about it, I didn't even mention Marjol and these two officials were from O.S.M. and D.E.P. and the guy comes up and blurts out, there's no way that could spread to Marjol. I didn't even Marjol. I purposely did not mention Marjol, so are they in cahoots? Makes one wonder. Then the day after we called O.S.M., Office of Surface Mining, and D.E.P., Maria Vickers has been working on this project (inaudible) Marjol, calls the next day and she says, oh, I want you to know that O.S.M. and D.E.P. are coming up to your place to check on that, what you think is a mine fire. Well, how did she know? How did she know? They had to call her, these people that we contacted to go up there. So you talk about some collaboration, it's there.

Keyasko-D.E.P. is responsible for that whole mess.

Mayor-Yes they are, Joe, there's no question.

Barone-I was talking to this man from Dunmore. He's a hazardous man, that's all he does is hazardous material. I asked him about the law in Pennsylvania, he said there is a law in Pennsylvania, you can't have a toxic dump and if that's the case, I don't know why the Governor, all the Governor has to say is get rid of it. They'd have to take it out of there. (Inaudible).

Mayor-That's right.

Lukasewicz-Elaine, that bi-monthly meeting is set for what day?

Morrell-The second Thursday.

Lukasewicz-While I have everyone here now, is everyone, any plans that can't make it that night or can

everyone make it that night? Because I'd like to properly schedule that hearing for the Ash Street extension for that same night. Does anybody have a problem with that night?

Morrell-I don't think, you may not have enough advertising time for that.

Lukasewicz-How long does it have to be advertised?

Morrell-Fifteen days.

A discussion took place about the meeting (Bi-Monthly - February 22, 2001, 6:30 p.m., Work Session/Meeting, Public Hearing Vacate Ash Street)

Audience Comments:

Dominick Rocco-On Motion #26 (inaudible) about a lien, re-pave. There's no charge on re paving.
Marushock-Yes. What I was getting at is (inaudible) as a re-pave or included as during the re-paving program. However, when it was done it was not done as a re-pavement it was done as a first pavement. That's what I was getting at. The alley I was speaking about right here behind Charles Street (inaudible).

Like I say, that was done originally to the best of my knowledge and bid under a re-paving program, included under the re-paving program. However, that street when it was done was done as a first time pave, not a re-pave. The same thing with the part of the alley in the rear of Copperrick Street, there's a little section there that was done. Again, not as part of the re-pave. It was done as a first time pave.

Barnick-It's not a re-pave. It's a paving program.

Lukasewicz-I would recommend that if he would keep his concerns and Mr. Cimini look at it and he'll give us his opinion and then we're covered. Okay, George?

Morrell-Tommy, we did not advertise as a re-pave.

Lukasewicz-Okay, but whatever way it was. I understand, he's saying, let the solicitor handle it and he'll give us an opinion and put it to rest.

Morrell-Okay.

Lukasewicz-Anything else, Rocco?

Rocco-When are they going to start doing something with that open drain on top of the hill, that storm drain, the open pipe, laying on top of the hill?

Lukasewicz-Jack, did you hear anything about that, the Tiffany Estates (inaudible)? Who's in charge of that, Bernosky's doing all the engineering there? Okay, I'll have to give Bernosky a call. Plus you brought up the concerns about the retention pond. I drove there today, there's a lot of tracks down there from kids on bikes.

A discussion took place.

Lukasewicz-Mr. Cimini, I don't know how to address this legally. The retention pond at Tiffany Estates. Legally I would think they would have to put up a fence. Council, by motion, asked them to put the fence up quite a while ago, right Jimmy? Then they said they had to do some regrading of the area and they would put the fence up. Several months have gone by and now children are down there playing in this retention pond and I just want to know what way it should be handled legally that how the borough could ask them to make them put up that fence. I don't know if it's through the subdivision or whatever it is.

Cimini-Children are playing there and it's a safety concern. That's something that has to be addressed immediately. So I would send another letter that says you have 2-3 days to get it done. If not the borough's going to have to install the fence and get the money back from.....

A discussion took place about the fence.

Morrell-Exactly how are we wording this motion?

Lukasewicz-What did we say, two to three days to.....

Cimini-Yes, I haven't seen it but if it's that much of a concern it should be done immediately.

32. Motion by Marushock

Seconded by Mraz

Tiffany Estates: To install a fence within 2-3 days around retention pond. What plans with regard to the storm drains on the hill.

All in favor

Motion carried

Lukasewicz-Can you dictate a letter with Elaine and have it send tomorrow, Elaine? Send it certified mail and maybe even you could follow up with a telephone call, Mr. Cimini.

Cimini-I'll call the lawyer tomorrow.

Dominick Rocco-Also, what's being done with the storm drains on the hill, Sanderson hill?

Lukasewicz-That, I'm going to contact Mr. Bernosky tomorrow and find out what's going on. Maybe we should address that in the letter also, Mr. Cimini. To ask them what plans they have in regards to the storm drains on the Sanderson hill. Okay, Rocco?

Rocco-That's all, thank you.

Jim Mellody-I have a question on the Civic Center soda. (Inaudible) shows that 10,000 bottles were sold last year yet the deposits show 10,120.20. How is it possible?

Lukasewicz-I don't really have an answer for you. I would guess that.....

Few people spoke at once.

Mellody-Plus the \$87.00 (?) in the machine would put you in the area of \$200.00 more than (inaudible).

Lukasewicz-Did you address the concerns to Lenore, then?

Dolan-No, not me.

Everyone spoke at once.

Mellody-10,000 bottles of soda were sold at the Civic Center?

Dolan-I don't know. Is that what you say, is that what's on the report?

Mellody-Well, 10,488 bottles were delivered to the Civic Center after you deduct the credits and returns and the inventory is 488 for December. So that means 10,000 bottles were sold.

Dolan-No.

Mellody-No?

Dolan-No. What about the, you have the storage ones too in there.

Everyone spoke at once and a discussion took place.

Lukasewicz-Excuse me one second. Mr. Mellody, would you please put your concern in writing to Council and then once I get it I'll (inaudible) possibly answer it for me.

Mellody-No problem.

Lukasewicz-And then hopefully by the next meeting I'll have their response for you because it's not going to do any good (inaudible). Any other questions?

Jerry Butash-My concern is the (inaudible) St. Anthony's school. I understand the business that's in there, that sheet metal shop, wants to buy the building. With all the headaches I had last year and the noise and the headaches, I want to know if something could be done about it because I believe he is in a residential commercial zone with an industrial business. He's a sheet metal shop and with the noise that comes out of there he belongs in an industrial where he could make all the noise he wants, do whatever he wants, starts early. I had to make two complaints already within the last month about early morning noise. I had to have the cops down there.

Lukasewicz-There is pending litigation. Is this correct, Mr. Cimini?

Cimini-(Inaudible)...lawyer accept the service and the complaint today.

Lukasewicz-Mr. Cimini has been working on it legally. There's actually a lawsuit...

Cimini-The complaint was filed in the Court of Common pleas.

Lukasewicz-.....the complaint has been filed against him.

Butash-I know there's the lawsuit. He appealed it already.

Cimini-He appealed the magistrates decision.....

Everyone spoke at once.

Butash-I understand that but his headaches with another former partner of his was cleared up and I understand he wants to sell the building to the sheet metal shop that's in there now. I don't want to see that happen.

Cimini-They'll be governed by the zoning.

A discussion took place about the noise.

Lukasewicz-Mr. Cimini, what would you recommend how we can handle this.....

Cimini-The complaint's filed. He's violating the nuisance ordinance and the complaint is filed.

Lukasewicz-What's the next avenue?

Cimini-Just that you have to go through the court system.

THE TAPE WAS CHANGED HERE.

A discussion took place about the situation with the noise.

Larry Hartshorn, 140 Dimmick Street-Mayor, I want to question you. Is there pressure being put on you by any councilmen on your policeman?

Mayor-I don't know if it's, it's not pressure, no, but I think some of the matters are not true. Like overtime being inflated. We've got the best overtime rate in probably Northeastern Pennsylvania.

Hartshorn-What I would like to, I understand that there's charges brought back up on my son which happened seven months ago and now they're brought back up on because pressure was put on the police to bring them back.

Mayor-I'm not really privy to all that, Larry, about pressure in that instance, no.

Hartshorn-Well, I'm just saying....

Mayor-I know you've been up in police headquarters and inquired about it.

Hartshorn-My son's a young boy and if he loses his job over something that one of these councilmen put pressure on one of these policemen, and I know the policeman (inaudible) put on that's been brought back and told to me. They're in deep trouble because I lived my life, Mayor. My son has a long time to go and if he loses his, he's got a child to support, and if he loses his job over silly stuff one of the councilmen has pushed on to another policeman which shouldn't even have been on this case. So I would like and hope that somebody straightens this all out. That's all I have.

Jack Dolan-On Motion #2 and Motion #22. I would like to know how Mr. Marushock could be so hypocritical to vote against paying Gannett Fleming, to vote against paying for Doug Blazey and his law firm, and then go over the Civic Center last month in front of half the town and have everybody crying that he's so for the people of the town that he wishes to get the lead taken out and get everything else done and then come over here and refuse to pay for the stuff to get done. How could he be such a hypocrite?

Marushock-Okay, can I explain that?

Dolan-Yes, that would be nice to do.

Marushock-I'm in favor of the best possible remedy the borough can get. However, I don't want to have a lifetime commitment (inaudible) lawyers and geologists and engineers without any contamination being removed from that site whatsoever.

Dolan-Where do you start? You tell us something where you start where you can get it done for nothing, George, and I'll kiss your feet in front of the Civic Center.

Marushock-Okay, Mr. Dolan, one thing is I mean probably right now we have a stack of information gathered over the past fifteen to twenty years (inaudible) documentation. I believe right now we're kind of in the neutral position where we're waiting for an (inaudible) decision and also with the EPA, I've been trying to gather information and stuff and evidently the EPA is not very favorable on granting decisions in our favor. I don't know really, however, continuing to pay and we have before us tonight approximately \$60,000 or \$65,000 worth of bills and not (inaudible) contamination, just make the lawyers rich, that's why I have a problem. I want it removed.

Dolan-Who's going to do it George, who's going to do it?

Everyone spoke at once.

Dolan-You find somebody who could do it for nothing you could be better than God because there's no law firm in this world that's going to work for less than \$150.00 an hour on local stuff. When you're doing national on stuff like this you're lucky if you get them for \$1,000.00 an hour.

Marushock-They're duplicating what's already been done.

Dolan-By a lot of phonies, by a lot of phonies that were on council before and a lot of lies that were thrown around.

Marushock-And again, (inaudible) everything's still being 100% on the site. That's where my problem is.

Dolan-Well you've got Doug Blazey, one of the best environmental lawyers in the country working on it and you've got Gannett Fleming, one of the best environmental engineering companies in the country.

Now if you're going to go for somebody downtown, I don't know, some lawyer that can't work in central court, why don't you go for them? Get them for \$25.00 an hour.

Marushock-So far even the best lawyers (inaudible) is not making the (inaudible).

Dolan-Did you ever in the town see congressman, senators, representatives, come to this town and plead to everybody else for us? No.

Marushock-Yeah, they were here.

Dolan-Who was here? Did you ever see a Civic Center meeting for the public with all these people? No.

Marushock-Wasn't the congressman there? Wasn't Mr. Cawley there?

Dolan-Yeah, since Doug Blazey and this other crew have been coming here and this council recommended these guys come. This has never happened before, George. It never happened before.

Keyasko-Heinz was here, Specter was here, many times.

Dolan-Where were they? They were down the Marjol. Yeah, and who went down to see them? The select few people that were on council that wanted to go.

Keyasko-Hey, there was meetings.

Dolan-Not like what they were now.

Everyone spoke at once.

Dave Morrell-I still think that we should advertise and load up buses and go down to Washington.

Barone-I agree with you.

Morrell-So far it's fallen on deaf ears. We can ask for all the help we can.

Barnick-I agree.

Morrell-We've got to make noise in Washington for them to hear us because writing letters isn't cutting it anymore and if we have to we'll put a billboard with the date that we're going and I think all concerned people, not just citizens of Throop, anybody. I think we should spring for the buses and everybody that we can get and go down and do it.

Lukasewicz-That might be just the push they need to get.....

Everyone spoke at once.

Morrell-Can we get a motion on that to do this?

Lukasewicz- Would someone like to make a motion to at least get an advertisement in the paper to find out if there is concern, if there's enough people that we could do this?

A discussion took place about putting a listing in the paper.

Morrell-Just as long as we get the ball rolling on this. I mean, I'll take my Explorer down and I'll go short of setting myself on fire down there if I have to.

Lukasewicz-Could you at least put in there council is contemplating a trip to Washington, D.C. to protest. There'll be a sign up list here in the Borough Building where people could come to sign and (inaudible) names and numbers and we'll go from there.

Bill (Snooky) Shevchik-(Inaudible) the investigation down the D.A.'s office. I think we know who the person was that was down there, it was Mr. Mellody. Is that true, Mr. Mellody? I didn't know you ran an investigation. Or is this going to be for your next flyer coming out in May? (Inaudible). That's all.

John Stoffey-The problem with Marjol, that's an ongoing process for fifteen years, sixteen years (inaudible) what it is it's left to the council members, Jimmy and these guys right here, to do whatever you have to do because the people (inaudible).....thirty people on that bus, forty people, I'll tell you right now. I could see the way this town is. We have these meetings, I go to them, I haven't made it to every one of them but the ones I went to if I've seen thirty five people, from the town. The same thirty five people. You never see anybody different.

Dolan-All you've got to do is say it's free.

Stoffey-But they have to take a day off from work....

Everyone spoke at once.

Stoffey-Take a day off of work, lose \$200.00, \$100.00 of work, they're not going to do that. Tape inaudible.....let them take care of it, that's the problem in this town. It's left up to the politicians and the people are not standing behind the politicians to help them out. (Inaudible.) and it's the politics game because Gore won the State of Pennsylvania, Bush lost the State of Pennsylvania. Now Bush hired this Whitman lady for the EPA (inaudible).

Marushock-Just look at all the garbage she dumps in this state every day.

Mraz-Our governor isn't helping us.

Dolan-You've got that right.

Everybody spoke at once.

Stoffey-I'm telling you, it's all politics. This is all politics games, that's what it is. You could spend all the money you want, it's politics. You've got to get to the politicians, like you had all the politicians over there? But, next election, say listen, we're not going to vote for you guys, we're going to vote you guys out if you don't take care of us. They're all in there, they're set, and there's nothing you can do about it.

Dolan-Stoff, are you going or aren't you?

Everyone spoke at once.

Motion by Mraz

Secoded by Marushock

To adjourn.

The meeting was adjourned.

Elaine Morrell

Administrator/Secretary

Minutes by Christina Sullivan, Assistant Secretary

