

**Minutes  
Throop Borough Council  
Monthly Meeting  
Monday, July 27, 2006  
following the 6:30 p.m. Work Session**

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

*“God Bless Our Troops and the Coalition”*

**ROLL CALL:**

**Members of Council:**

Cindy Johnson - **P**

James Barnick, **Vice President - P**

Thomas Lukasewicz, **President - P**

Tony Chrzan - **P**

George Marushock - **A**

John Musewicz - **P**

Joseph Barone - **P**

**Solicitor** - Louis A. Cimini - **P**

**Mayor** - Stanley Lukowski - **P**

Assistant Treasurer - Lenore Dolan - **P**

Secretary - Christina Sullivan - **P**

Chief Clerk/Treasurer - Elaine Morrell - **P**

**Presentation:**

Mayor Stan Lukowski and Throop Borough Officials presented a “Certificate of Honor” plaque to Tim Shelton for his courageousness in preventing serious injury to one of our police officers.

**Announcements:**

The monthly work session/meeting for the month of August will be held on the last Thursday of the month beginning at 6:30 p.m. (August 31st.)

A meeting will be held with residents of School Side Estates on Monday, July 31 at 6:00 p.m. to discuss all concerns regarding the development.

EPA will conduct a public meeting Wednesday, August 30, 2006 at 6:00 p.m. at the Throop Civic Center to discuss the Marjol Battery Site.

The Annual Night Out will be held Tuesday, Aug. 1, 2006 at the Washington Street Park. Parade at 7:00 p.m. Festivities at the park include games, rides, free food and fireworks.

There will be activity at the Marjol site during the next several weeks. Trucks will be preparing the site for investigation work for mine subsidence. There may be noisy drilling and shaking. The results of the investigation work should reveal answers needed by borough residents. The Consent Order has been signed by Gould and the environmental agencies; things are moving aggressively towards actual cleanup.

**There were no audience comments on the agenda.**

**BIDS: PARCEL OF LAND, 401 GEORGE STREET**

The parcel of land for sale is owned by the Borough of Throop and is located at 401 George St. Throop, Lackawanna County, Pennsylvania. (Corner of George St. & Meade St.) The subject site is a rectangularly shaped parcel containing a total area of approximately 3,400 square feet (approximately 50' x 67'), C-1 commercially zoned district.

The successful bidder will be required to execute an Agreement of Sale and comply with all its terms within (10) days of being notified that his/her bid was accepted.

The Borough of Throop reserves the right to reject any and all bids. Bids must be clearly marked.

**BID RESULTS:**

<b>NAME</b>	<b>ADDRESS</b>	<b>BID</b>
Armstrong	523 Meade St., Throop	\$ 7,500.00
Carmelo Riotta (C.R.C., INC.)	407 George St., Throop	\$ 9,000.00

**1a. Motion by Chrzan**

**Second by Barone**

To accept the bids for the corner of George and Meade Street (401 George Street) and to award the bid to the highest bidder. Mr. Riotta will be required to execute an agreement of sale and comply with it's terms within ten days as presented by Attorney Cimini or bid will be withdrawn. Easement to be included in agreement of sale.

On the question:

Barone - What did this cost us to knock this building down?

Barnick - \$8800.00

All in favor

Motion carried

**BIDS: NEW DEPARTMENT OF PUBLIC WORKS (DPW) BUILDING:**

NAME	ADDRESS	CONTRACT#	BID	BB
Scranton Craftsmen Excavating, Inc.	Throop	# 2 Site Construction	\$485,792.00	x
AC&R Services, Inc.	Sugarloaf	# 3 Mechanical	\$ 88,158.00	x
Locust Ridge Quarry	Pocono Lake	# 2 Site Construction	\$724,798.60	x
Multiscape General Contractors	Plains	# 1 General Construction	\$891,900.00	x
Magnotta Construction Co., Inc	Scranton	# 1 General Construction	\$671,500.00	x
G. Weinberger Co	Old Forge	# 3 Mechanical	\$112,000.00	x
Aircon Service Co	Larksville	# 3 Mechanical	\$ 97,640.00	x
Robert Harrington, Inc	Scranton	# 3 Mechanical	\$111,000.00	x
Joyce Electrical	Eynon	# 4 Electrical	\$ 79,881.00	x
Mark Whitehead Electrical Contractor, Inc.	Kingsley	# 4 Electrical	\$ 85,400.00	x
R.E. Lesniak, Inc.	Moscow	# 4 Electrical	\$ 95,483.00	x
Glinsky Electrical	Lake Ariel	# 4 Electrical	\$ 96,133.00	x
Richard Mellow Corp	Dickson City	# 4 Electrical	\$ 94,700.00	x
G. Weinberger Co	Old Forge	# 5 Plumbing	\$107,000.00	x
Linco Construction Inc.	Hunlock Creek	# 5 Plumbing	\$ 89,900.00	x
Robert Harrington, Inc	Scranton	# 5 Plumbing	\$135,000.00	x

**1. Motion by Barnick**

**Seconded by Chrzan**

To reject all bids submitted this evening for the DPW Building and to award the contract to Jerry Ganz, Inc., Scranton, at a price of \$1,268,000.00 from bid received June 26, 2006 and to proceed as soon as possible.

On the question:

Lukasewicz - We realistically tried to make this affordable for the people of Throop. We had a wish list for a grandiose building and couldn't afford it and the building was downsized. The original bids

were a little high and we thought we could get some lower prices. Mechanical, electrical, plumbing bids are low but the site work bids came in very high. The original bid of \$1,268,000.00 is more realistic. Everything possible has been done and now we'll move forward and break ground as soon as possible and build a DPW complex. The bid we originally had is still \$170,000 under (the bids received this evening). *The total of the low bids received this evening: \$1,415,000.00*

Five in favor - Barnick, Chrzan, Musewicz, Barone, Lukasewicz  
 One against - Johnson Motion carried

**2. Motion by Chrzan Seconded by Musewicz**

To accept the monthly zoning report and the minutes of the June 26<sup>th</sup>, June 29<sup>th</sup> and July 13<sup>th</sup> council meetings.

All in favor Motion carried

**Treasurer and Assistant Treasurer Reports**

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

To accept the treasurers' reports as posted and to pay the monthly bills against the borough as posted and as on the printed agenda.

Unpaid bills: "Items for Payment"	\$99,561.03
Paid bills:	\$169,211.16
General Fund Revenue Report as prepared by Elaine Morrell	\$749,555.21
Civic Center Report as prepared by Lenore Dolan	\$15,200.18

All in favor Motion carried

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

To pay all the employees of Throop Borough.

All in favor, Barnick, abstain on daughter Motion carried

**5. Motion by Chrzan**

**Seconded by Barone**

To accept the correspondence as read or posted.

All in favor

Motion carried

**6. Motion by Chrzan**

**Seconded by Barone**

To accept the Fund Statement, Budgeted Revenue & Expense Statement and Loan Balance as of June 30, 2006 as posted and as on the printed on the agenda.

<b>Fund Balances</b>	
General Fund Checking Account	<b>\$189,613.44</b>
General Fund Petty Cash	<b>300.00</b>
Payroll Checking Account	<b>22,810.68</b>
Tax Escrow Account	<b>1,860.51</b>
Civic Center Account	<b>1,239.43</b>
Civic Center Petty Cash	<b>300.00</b>
Sunny Day Fund CD's Includes interest & new CD	<b>3,330,234.90</b>
Home Program Account	<b>3,567.39</b>
Capital Projects Account	<b>1,079,815.85</b>
Warsaw Playground	<b>29,606.02</b>
Liquid Fuels Account	<b>75,492.64</b>
<b>Fund Statement Grand Total:</b>	<b>4,734,840.86</b>

<b>FNCB - LOAN BALANCE</b>	<b>\$1,388,115.09</b>
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All in favor

Motion carried

**7. Motion by Chrzan** **Seconded by Barone**

To close the Home Program Account and to transfer \$3,567.39 plus interest to the General Fund Account. This program has been closed out. The balance in this account represents funds originally transferred to the account from the General Fund.

All in favor Motion carried

**8. Motion by Chrzan** **Seconded by Musewicz**

To ratify the quarterly loan payment to FNCB in the amount of \$55,047.09.

All in favor Motion carried

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

To purchase a Sunny Day Fund CD in the amount of \$136,445.43 at FNCB for a 15 month term with an annual yield of 5.25%. This represents 10 % of the quarterly host municipal landfill check in the amount of \$68,426.92 plus \$68,018.51 from a Sunny Day Fund CD that matures on 7/29/06. (This was the best rate available.)

All in favor Motion carried

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

To amend Throop Borough Ordinance # 21 of 1998, an Ordinance Requiring Installation of Concrete Sidewalks Following New Construction. Amendment incorporating penalties for noncompliance. Any person, partnership, firm or corporation who fails, neglects and/or refuses to comply with the provisions of this ordinance shall, upon conviction, be sentenced to pay a fine of \$300.00 plus costs of prosecution, including reasonable attorney fees. Provided that for each ten (10) days that the violation continues to exist shall constitute a separate offense.

All in favor Motion carried

**11. Motion by Chrzan** **Seconded by Barnick**

To authorize payment # 5, final bill, to IWDA in the amount of \$32,041.94 from the Capital Projects Account for the Eddy, Franko, Delaware Streets Sanitary Sewer Project.

All in favor Motion carried

**12. Motion by Chrzan**

**Seconded by Barone**

To authorize payment # 2 to IWDA in the amount of \$45,197.68 from the Capital Projects Account for the Eddy, Franko, Delaware Streets. Storm Project.

All in favor

Motion carried

**13. Motion by Chrzan**

**Seconded by Musewicz**

To authorize payment # 2, final bill, to IWDA in the amount of \$1,332.95 from the Capital Projects Account for the George St. Stormwater Sewer Project.

All in favor

Motion carried

**14. Motion by Chrzan**

**Seconded by Barone**

To adopt Throop Borough Ordinance # 7, an Ordinance Granting Conditional Approval of the Streets/Paved Road Surfaces in School Side Estates. The conditional approval is solely for delivery of mail, plowing of streets/paved road surfaces and pickup of garbage/recycling and also for school bus service.

On the question:

Lukasewicz - I'm a little hesitant to do anything with what I've been hearing (has been) going on, but this has to be provided to the citizens.

All in favor

Motion carried

**15. Motion by Barnick**

**Seconded by Chrzan**

To adopt Throop Borough Ordinance # 8, an Ordinance Enacting a Realty Transfer Tax and Other Tax Related Provisions pursuant to article XI-D of the Tax Reform Code of 1971, and Authorizing the Department of Revenue of the Commonwealth of Pennsylvania to Determine, Collect and Enforce the Tax, Interest and Penalties. (Act 40 of 2005 amended the State Realty Transfer Tax provisions.)

All in favor

Motion carried

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

To donate \$200.00 to Mid Valley Touchdown Club for the Program and Ad Book.

All in favor

Motion carried

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

To adopt Throop Borough Resolution # 25 of 2006, a Blanket Resolution Adding the Code Enforcement Officer to Enforce Ordinances and Planning Matters.

On the question:

Barnick - The motion is on because of problems up at School Side (Estates). The Planning Commission and chairman will have their own enforcement. This will be code enforcement, in addition to Neil (the police department), for the other ordinances, and cover planning, zoning, code, nuisance, whatever. Now we'll have an enforcement officer.

All in favor

Motion carried

**18. Motion by Chrzan** **Seconded by Barone**

To order playground mulch for the borough's parks.

All in favor

Motion carried

**19. Motion by Barone** **Seconded by Musewicz**

To submit the revised citizens request for an amendment to the zoning map by BGM Enterprises for property in the School Side Estates Subdivision, to the Throop Borough Planning Agency and Lackawanna Regional Planning Agency for their review and non-binding recommendation. A hearing has been scheduled for September 7, 2006 at 6:00 p.m.

All in favor

Motion carried

**20. Motion by Barone** **Seconded by Chrzan**

To require immediate fencing on detention ponds in developments, specifically School Side Estates. Atty. Cimini will research the legal avenues.

All in favor

Motion carried

**21. Motion by Barone**

**Seconded by Musewicz**

To hire Chris Mazzucca, Jr. as a part time police officer at the prevailing rate.

Audience Comments on Motion #21:

*An unidentified member of the audience commented we need him.*

Mary Ruth Tanner, Civic Center Director - He's a good kid.

All in favor

Motion carried

**Official Comments/Discussion:**

**Councilmen Chrzan, Barnick** - The part-time police officers staff is numerous, in addition to having six full time officers. Some are working only one shift and purchasing vests and uniforms is costly.

**Councilman Musewicz** - The monument for the 2003 championship girls team would be delivered shortly. A dedication ceremony will be held at the civic center, where the monument will be placed.

**Council President Lukasewicz** - Reiterated the dedication ceremony would be held at the civic center; the girls well deserved a day of recognition. Councilman Barone worked hard to make the monument a reality. *A round of applause was extended by the audience.* Appreciation and a thank you to was extended to Elaine and Chrissy for their work efforts and things running smoothly.

**Audience Comments/New Business:**

Trudy DeLauder, Memorial Drive - There are problems with garbage at the housing project.

Donna (unidentified last name), Delaware Street - Wanted to know what could be done and who you go to about children left unattended.

Mr. Worobey, Pancoast Street - Discussed work in the area under the billboard on Pancoast Street.

The meeting was adjourned.

Minutes by Christina Sullivan, Secretary