

**Minutes  
Throop Borough Council  
Monthly Meeting  
Tuesday, May 28, 2002  
following the 6:30 p.m. work session**

*There was a moment of silence in memory of  
William (Billy) Lahotski  
Former Councilman/President of Council,  
former President of the Mid Valley School Board  
and a Prominent Local Businessman.*

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

**ROLL CALL:**

**Members of Council:**

Joseph Barone - **P**

James Barnick - **P**

Anthony Chrzan - **P**

**President** - Thomas Lukasewicz - **P**

George Marushock - **P**

Jim Mellody Jr. - **P**

**Vice President**-Daryl Menichetti - **P**

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

**Solicitor** - Attorney Louis Cimini - **P**

**Treasurer** - Lenore Dolan - **P**

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

**Announcements:**

An Executive Session was held Thursday, May 2<sup>nd</sup> at 6:00 p.m. regarding legal and personnel matters, specifically, civic enter personnel and the landfill inspectors.

An Executive Session was held this evening at 6:00 p.m. regarding legal and personnel matters, specifically, police personnel, the Marjol litigation and DPW personnel.

**Mayor's Presentation:**

Officer James Dixon - In appreciation and recognition for 24 years of dedicated service to the Borough of Throop.

**Audience comments on tonight's agenda: None**

**Bid Opening Results - Short Street Storm & Sanitary Sewer Project:**

**Borough Engineer, Frederick C. Spott & Associates, Inc., Estimated construction costs: \$304,992.30 .**

<b>Name</b>	<b>Address</b>	<b>Bid</b>
Locust Ridge Quarry	Scranton	\$ 260,476.00 10% BB Att.
Linde Enterprises	Honesdale	\$ 352,866.50 10% BB Att.
Popple Construction	Laflin	\$ 257,118.50 10% BB Att.
Scranton Craftsmen	Throop	\$ 228,724.40 10% BB Att.
Minichi, Inc.	West Pittston	\$ 227,195.00 10% BB Att.
Kruger Construction	Dickson City	\$ 211,931.58 10% BB Att.

**1. Motion by Marushock**

**Seconded by Barone**

To accept the Short Street Storm & Sanitary Sewer Project bids and submit them to Frederick C. Spott & Associates, Borough Engineer, Louis Cimini, Solicitor, and Robert Kalinoski, Street Commissioner, for their review and recommendation, *as soon as possible*, and to award the bid upon favorable recommendations *to the most responsible bidder*.

**All in favor**

**Motion carried**

**2. Motion by Chrzan**

**Seconded by Barnick**

To accept the police report, zoning report, landfill inspectors report and the minutes of the April 29<sup>th</sup> Council Meeting.

**All in favor**

**Motion carried**

**ADMINISTRATOR'S FINANCIAL REPORTS:**

**3. Motion by Barnick**

**Seconded by Chrzan**

To accept the Fund Statement & Budgeted Revenue & Expense Statement for April 2002.

General Fund Checking Account	\$654,240.93
General Fund CD's	699,213.60
General Fund Petty Cash	200.00
Payroll Checking Account	1,473.02
Civic Center Account	250.00
Civic Center Petty Cash	250.00
Sunny Day Fund CD's	2,109,110.77
Home Program State Grant	8,826.07
Community Revitalization (20-192-0947)	39,877.39
Civic Center After School Program	500.00
Warsaw Playground	27,704.14
Liquid Fuels Account	66,572.52
<b>Grand Total</b>	<b>\$3,608,218.44</b>

**All in favor**

**Motion carried**

**TREASURER'S REPORTS:**

**Lenore Dolan, Treasurer, read the treasurer's reports and the totals of the paid and unpaid monthly bills:** If all items for payment are approved tonight, the balance in our general fund will be \$553,475.77. If all motions tonight amounting to \$49,144.56 are approved, the balance at the end of the month will be \$504,331.21. *Council President thanked the Treasurer.*

**4. Motion by Chrzan**

**Seconded by Barone**

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

Unpaid bills:	\$98,449.19
Paid bills:	14,930.71
<b>Grand total</b>	<b>\$113,379.90</b>
Keystone Landfill Credit	\$6,854.91
Home Program	8,826.07
Revenue Report	\$80,895.27

On the question:

**Marushock: In the items for payment for month of May, 2002, I will be voting against the borough council's portion of the Blue Cross/Blue Shield bill, against the solicitor's fee of \$6,250.00, against Elliott, Reihner, Siedzikowski & Egan, against Gannett Fleming, and that's it for this month.**

**Barnick: I'll just be voting against the insurance.**

**All in favor except Marushock and Barnick, as noted      Motion carried**

**5.      Motion by Chrzan      Seconded by Barnick**

To pay all the employees of Throop Borough.

On the question:

**Marushock: I'll be against the maintenance fee for the Washington Street Ball Field.**

Barnick: Just on the question, that park is looking excellent, he's doing a good job over there.

Chrzan: Can you give us a reason why? *Marushock: I feel the DPW can handle that project.*

Barone: They can't, they're not experienced. Menichetti: Has the field been repaired? That gully in the back, has it been repaired? Because I called Robbie about it. *Lukasewicz questioned, what gully?*

Menichetti continued: The one from the runoff that was coming down from the road. *Few speaking at once, Bill Shevchik responded that it was fixed four times. They fixed it twice, Robbie fixed it twice, the water runs off of that park a lot, inaudible. Council President requested Jamie (Shevchik) look at it and come up with a game plan of what work can maybe stop it from running off like that. Shevchik said Robbie mentioned black top on there to keep "her" on because the last time it washed out. Barnick asked if a french drain could be created in that area. Lukasewicz said Jamie should coordinate with Robbie whatever is best to take care of the situation and just do it.*

**All in favor, except Marushock, as noted      Motion carried**

**6.      Motion by Chrzan      Seconded by Barnick**

To accept the correspondence as read or posted.

On the question:

Barnick: I have a letter that came that I called the secretary, PennDOT's secretary, and I told them how long it's taken for the review of South Valley Avenue and told them all the stuff about the landfill issue, with the highway, and I also told them we're waiting still, on hold up here. *The Mayor asked what about the landfill issue with the highway, what his remarks were there and Barnick responded, just how they paid off all that money. Then both were speaking at once, inaudible.* Barnick continued: But that's gone and over with, inaudible, here he sends me a letter back saying your inquiry regarding permit for review was forwarded to my office for response. Please be advised Mr. Cooke, Manager for Permits has tried unsuccessfully to contact you. Well, he's contacted me once. He left a message on my answering machine, I called him right back which was in about an hour. I left a message for him, he never called back so that's how much PennDOT cares up there and I told the secretary, I says, you know I would make a complaint about South Valley Avenue but you know what they're going to do? They're going to turn around and they're going to issue our review back and put a bunch of comments on it, make it hard for us and everything else because that's all they do up there and sure enough, they got a bunch of comments back. Same comments that were dealt with two years ago, so, you're PennDOT just isn't doing the job they should be especially when they told Robbie, you know, well, yours is one of thirty eight (38) sitting in front of my desk, we'll get to it when we could. Now, you're talking a state road there.

**All in favor**

**Motion carried**

**7. Motion by Chrzan**

**Seconded by Marushock**

To allocate ½ of the budgeted allotment in the amount of \$12,500.00 to each of our three volunteer fire departments, Throop Hose Co's. # 1, # 2 and #3.

On the question:

Barnick: This is in addition to the other money provided, do we know where we stand with that? The Hose Company #2, do we know where we stand with this?

Marushock: We didn't do anything further to the best of my knowledge. *Barnick continued and asked again, do we know, I mean.. Lukasewicz asked Atty. Cimini if he knew what was going on down there. Atty. Cimini answered he did not and Lukasewicz asked to have a report for council for the next meeting, please.*

**All in favor**

**Motion carried**

**8. Motion by Chrzan**

**Seconded by Marushock**

To allocate ½ of the budgeted allotment in the amount of \$7,500.00 to Throop Community Ambulance Association.

On the question:

Barone: I'd like to talk to these people, from what I heard they had another call yesterday, took a half an hour and didn't even make it, Jessup made it. I'd like to have a talk with these people again. Something has to be straightened up.

Lukasewicz: Evidently, things have been pretty good for a while. This is the first incident I've heard about. *Barone replied, he didn't know. Lukasewicz asked Barone if he could contact them personally to find out and get a status report for the next meeting. Barone said he didn't care if it was executive and something had to be done. Lukasewicz repeated his request if Barone could get a status report and to find out what happened. Barone responded, all right.*

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

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

To allocate ½ of the budgeted allotment to our fire marshal and assistants:

Ed Bocan, Fire Marshall - \$200.00

Maurice Menichetti, Assistant - \$100.00

Jerry Barone, Assistant - \$100.00

**All in favor** **Motion carried**

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

To authorize payment in the amount \$3,350.00 to Scranton Craftsmen for the emergency sewer repair at 192 Cypress St.

**All in favor** **Motion carried**

**Motion #11 tabled, as follows:**

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

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

**All in favor** **Motion tabled**

**Motion #12 tabled, as follows:**

**12. Motion by Marushock** **Seconded by Barnick**

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

**All in favor** **Motion tabled**

**13. Motion by Chrzan**

**Seconded by Barnick**

To replenish the Borough Petty Cash \$94.56. (This is in addition to the amount on the list of bills.)

**All in favor**

**Motion carried**

**14. Motion by Marushock**

**Seconded by Barnick**

To send a letter to DCED requesting an extension on the \$40,000.00 Grant, contract # 20-192-0947, and to request permission to transfer the grant to the Short Street Project. This grant expires June 30, 2002 and was to be used for the 48 acres, Eddy Creek Project.

**All in favor**

**Motion carried**

**15. Motion by Barnick**

**Seconded by Chrzan**

To advertise Throop Borough Ordinance # 10 of 2002, an Ordinance Whereby Throop Borough is Accepting the Roads and Sewers from Tiffany Estates. (Deed of Dedication, attached to the ordinance.) (A copy of the ordinance is posted on the bulletin board and is in the administrator's office for review.)

Discussion:

Lukasewicz: We did this once but there was a time lapse and I believe *inaudible* we had to do it again?

Cimini: I think there was some discrepancy.

Lukasewicz: There was some discrepancy.

Barnick: We just didn't vote on it, though, right? But if it's advertised already why.....

Morrell: Do we need to advertise it again? Because we did not pass the ordinance back in March, don't you have to go through the specific time period of advertising?

Cimini: Yeah, otherwise we're going to advertise it again.

Lukasewicz: Motion to advertise again, yes.

On the question:

Menichetti: I just wondered about all that dirt that's down there. What are they doing with it?

Lukasewicz: I believe Mr. Kalinoski had sent them a letter in regards to that.

Menichetti: No, it went to the planning according to Mr. Kalinoski.

Marushock: I believe Mr. Kalinoski said it's not in his office to handle that because it's up to the Planning Commission (Agency) to *inaudible* enforcing body in regard to that. I believe there was a letter sent to the Planning... *Bette Goreschak, Planning Vice Chairman: I think it's, some of it might be temporary (inaudible). Few speaking at once.*

Barnick: I mean and also, you have a zoning and code enforcement officer, remember that.

Marushock: I agree with you, Jim, but the buck got passed in this situation in my opinion and Mr. Kalinoski referred it to the Planning Agency, if you read the letter that was in one of our packets.

Lukasewicz: You spoke to the planning commission, Bette, when does the planning commission meet?

*Goreschak responded the second Monday of every month. Lukasewicz continued: So hopefully you'll address it and have a letter back to council in regards to it? Goreschak: If I'm not mistaken I think we told Betty to send a letter or Bob was supposed to get in touch with her, inaudible, that's what it was, Bob was going to check into that. Lukasewicz: Have the Planning Commission (Agency) report to council.*

**All in favor**

**Motion carried**

**16. Motion by Chrzan**

**Seconded by Marushock**

To adopt Throop Borough Resolution # 10 of 2002, a resolution to participate in the PSAB Borough Management Caucus. The enrollment fee is \$10.00. The borough manager/secretary is eligible to participate.

**All in favor**

**Motion carried**

**17. Motion by Marushock**

**Seconded by Barone**

To authorize the purchase of 10 Flag Banners and Brackets at a cost of approx. \$150.00 each set.

On the question:

Chrzan: Elaine, is that what we paid last time? That's a lot of money, isn't it? *Barnick: Yes, it is.*

Morrell: The flags and the brackets, yeah, that's, I'll get the best price, you know, but it's going to be approximately that. *Chrzan: That seems like a lot of money.* Barnick: For two brackets and a flag.

*Chrzan: That's a lot of money.* Morrell: The flags themselves run about \$79.00. *Chrzan: And then the two pipes got to be..* Morrell: Yeah, they were high. *Lukasewicz asked Elaine to check the prices.*

Morrell: Yeah, I will, but that's an approximate and I do call the various places that have them and take the best price.

**Six in favor-Barone, Chrzan, Marushock, Melody, Menichetti, for, unless  
administrator could get a better price, Lukasewicz**

**One against-Barnick**

**Motion carried**

**18. Motion by Barnick**

**Seconded by Chrzan**

To advertise Throop Borough Ordinance # 11 of 2002, an ordinance allowing the Borough of Throop to collect fees for supplying sewerage conveyance services to municipalities, townships, persons and corporations outside the limits of Throop at rates not less than those required to be paid by persons and corporations within the limits of Throop.

On the question:

Marushock: Considering the situation with the neighboring town that we are trying to negotiate with

now, is this going to *inaudible* or is this pretty much standard procedure for all towns throughout the area? I know we're negotiating right now where some sewage from our borough is going to travel through another borough. *Barnick: Where is that?* Marushock: Olyphant. Chrzan: They're not going to charge us. Barnick: We're not going through that line. *Marushock: I understand.....* Chrzan: .....put our own line in. Marushock continued: I understand that but are we going to be held liable for fees if we pass this motion? Are they going to copy-cat off us and do the same thing?

Chrzan: Let them. Let them do what they have to do. We're doing it, we want it.

Mayor: Is this retroactive? For instance, would this involve.... *Everyone speaking at once.*

Lukasewicz: You can't make an ordinance retroactive. *Mayor: That was discussed, yeah.*

Barnick: ....trying to get this incorporated for almost two years. Maid Rite, State Police, I don't know, Price Chopper, Penn State, they're all on a free ride through our sewers. All the ones we upgraded in the Boulevard and everything else. All them Dunmore residents, they're on a free ride. It goes right to the Sewer Authority through our line. Jefferson Township is looking for that same free ride, so this is something that's going to, you know, it's not going to be a very big amount to residents. It's just going to be just the one base rate. On the businesses it's going to be done by gallons. Just like the sewer authority does on the businesses. It's going to *inaudible* by the gallon that they use in water so..

*inaudible...* to go to a special sewer reserve account that's going to up-grade our sewers anytime they break down and everything else. It's always going to be there to use for repair of sewers. A way to create a lot of revenue or repair, too. *Mayor: That really is a necessity.*

Menichetti: Is that going to say that in the ordinance? *Few speaking at once, inaudible.*

Barnick: And then if there is an additional contract, this, that contract would over ride what our committing fee would be like say with the landfill we have a special agreement set up with them. It would be similar if we went to Jefferson Township and we set up a separate agreement with them, hey you better pay this much or this is the deal, we want you to put this sewer line in or something, you know, something like that, some kind of compromise, then they'll be eliminated from that fee but the best way to go is hit them with the fee and that monies keep coming in for the life of these towns. That would create a lot of money for this town, in time, and upgrade our sewers because a lot of them have got to be upgraded. They're getting a big free ride right now. I mean all they're doing is just running through our line, we just put what? Two and half million dollars into the Boulevard? There's just keeps going.

Mayor: And Cypress and Sanderson Street has been a perennial problem and look at the money that has been poured in there because of the sewers coming down.....

Barnick: Penn State, they have a lot coming in. I mean, Maid Rite has a lot coming in. Thomson is like 85-15 split. You've got the State Police up there, you've got Supermarket Service, there's a lot. And who knows what's going to happen with that Haddon Craftsmen place. I don't know if that runs into ours or not, and then what's going to happen over here *inaudible*. And you know they're going to come to our Sewer Authority through our lines, they have to.

**All in favor**

**Motion carried**

**19. Motion by Chrzan**

**Seconded by Marushock**

To direct the solicitor to prepare and advertise an ordinance making alternating one-way streets to alleviate traffic jams in the area of Washington Street Park during *any special events at the*

*Washington Street Park.* (Ordinance # 12 of 2002)

Chrzan: I want to add in there that should be for every year.

On the question:

Barnick: Why just do it for the Cow Flop? If you have other events, special events.

*Few speaking at once.*

**All in favor**

**Motion carried**

**Motion #20 tabled, as follows:**

**20. Motion by Chrzan**

**Seconded by Barnick**

To authorize \_\_\_ vacation, \_\_\_ sick and \_\_\_ personal days at the completion of Gail Ercoli's, (Civic Center Director), 6 month probationary period which ends on June 3, 2002.

**All in favor**

**Motion tabled**

**Motion #21 was tabled, as follows:**

**21. Motion by Marushock**

**Seconded by Barone**

To direct Dave Garvey, Sewage Enforcement Officer to review the letter regarding Gehringer Canvas and to do whatever is necessary.

On the question:

Chrzan: Is that the only one, Tommy, *inaudible*. Lukasewicz: There was a letter that was sent in to the borough that we became aware of concerning the citizen, what we're just doing is make sure that letter is forwarded to the Sewage Enforcement Officer. We're not telling him what to do with it, but we're telling him to review the letter. *Barnick: I don't know. few speaking at once, inaudible.* Lukasewicz: The letter that came in, it's in everybody's packets in regards to a citizen, I don't believe a citizen of Throop, but a citizen of wherever, that there is a problem at Gehringer Canvas and they would like to make the Borough of Throop aware of it so by making us aware of it, *inaudible*, to let our sewage enforcement officer know because I'm not sure if the letter was sent to him... Chrzan: Well, why *inaudible* Zoning Officer referred to them. We're going to have a lawsuit. Can we end up in a lawsuit? *Morrell: Well, the lady actually called Robert and Robert suggested to her to put in writing to council. I don't think Robert felt he had the authority to call in the Sewage Enforcement Officer and have him check it. I don't know if there will be a fee or, you know what I mean?*

**All in favor**

**Motion tabled**

**22. Motion by Marushock**

**Seconded by Barone**

To authorize a donation in the amount of \$100.00 to the Lackawanna County Drug Task Force.

On the question:

Chrzan: Elaine, did we do this last year? *Morrell: Yes.* Chrzan continued: And with all this money they confiscate in a drug raid, the vehicles and everything, why do we have to give them \$100.?

*Mayor: I don't think that money goes in this, I think it goes...* Chrzan: *Inaudible*, confiscate the vehicles, they auction them off and they get their money. Why don't they get...*few speaking at once, inaudible.*

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

**Motion carried**

**23. Motion by Barnick**

**Seconded by Marushock**

To authorize the annual donation in the amount of \$200.00 to the Humane Society of Lackawanna County.

**All in favor**

**Motion carried**

**24. Motion by Chrzan**

**Seconded by Marushock**

To authorize Chief Neil Furiosi to purchase ammunition at an approx. cost of \$1,300.00 for the qualifications for the Police Department.

On the question:

Barnick: We have a few that have been off and everything else, are you going to qualify them?

Mayor: *They have to qualify.* Barnick continued: You know what I'm saying? When they keep this one on for leave of absence and stuff, we're going to qualify them? Why? Mayor: *They have to*

*qualify.* Barnick: Why pay for every, there's another point here the expense, there's money going down the drain. When's this annual qualifier? Mayor: *When is it coming up?* Barnick: Yeah, when is it due? Mayor's response inaudible, something about next month. Chrzan: Well, I think when a guy's going to take a leave of absence and then he comes back, let him pay for his own.

Barnick: *Inaudible,* let him get qualified up there.

Lukasewicz: All right, Stanley, coordinate this with the concerns that council has.

**All in favor, Barnick and Chrzan,**

**for only ones that are necessary**

**Motion carried**

Barnick: Just don't forget now, you have the one off right now, pretty much, and you were getting \$1300.00 last year, the same amount. Lukasewicz: *Yeah, well you would assume that it should be less.*

Barnick: A lot less, at least a few hundred bucks. Mayor: *It's 200 rounds per..* Barnick: Right, per officer. *Few speaking at once, inaudible.*

**25. Motion by Chrzan**

**Seconded by Barone**

To authorize the acceptance of the donation of a D.A.R.E. car by Champion Ford.

On the question:

Marushock: I'll be voting against this specifically because we already have a vehicle readily available. To my knowledge there has not been any problems with the vehicle, I don't see why it needs to make a change at this time. Menichetti: *I understand this is small.* Mayor: Small, it's very small. *Few*

*speaking at once, inaudible.* Barone: You want me to explain the whole thing about this? Well, this car we're getting for nothing and then what we're going to do is keep that car, make it the DARE car.

Mayor: *There's no change in the cost, there is none.* Barone: Give the one we have now and the other one we'll get rid of for Robbie. The one Robbie has we'll get rid of, and the DARE car, they want to know if they could raffle right off.

Marushock: I believe Mr. Mellody and myself have discussed this thing and being that, I believe the

current DARE car.. *Barnick and Marushock: We cannot raffle it off. Few speaking at once, inaudible.*  
 Barnick: Property of the municipality and it must be put out for bid. That is not their personal car, it's under the borough's insurance, that is the borough's and they bought it for the borough.  
 Where do they get off? You're going to go get another car to sit out there in that lot, you people are out of your minds, I swear to God. How many vehicles you want to have around here?  
 Barone: We're not getting a new car, we're not gaining and we're not losing.  
 Marushock: Well, we're going to go through, we have to go....*inaudible*...all that stuff.  
 Barnick: Well, what about the decals and additions and all that stuff? *Chrzan: I donated the lettering.*  
 Lukasewicz: If we get the new one, the old one has to go somewhere.  
 Mayor: This has only about 50, 60, 70,000 miles on it. *Barnick: What year is it?* Mayor: What year is it, let me see now. *Morrell and Barone both said they thought it was a '92. Few speaking at once, inaudible.*

**Four in favor-Barone, Chrzan, Menichetti, Lukasewicz**  
**Three against-Barnick, Marushock, Mellody** **Motion carried**

**The following motion failed for lack of a second:**

**26. Motion by Chrzan** **No Second**

To accept the proposal for the sum of \$2,675.00 from North Penn Distributors to paint the bucket truck.

**Lack of Second** **Motion Failed**

Barnick: Let them get out there, you got summer help, scrub it up a little bit and throw some primer on it or whatever, it's not like it's running all over the place. *Everyone speaking at once.*

**27. Motion by Marushock** **Seconded by Chrzan**

To authorize the Borough Engineer, Frederick C. Spott & Assoc., Inc., to review the Street Paving list prepared by Robert Kalinoski, Street Commissioner, and to submit their recommendation to council for their review prior to advertising for bid.

On the question:

Barnick: Where's the money..... *THE TAPE WAS CHANGED HERE AND STARTED WITH BARNICK STILL ON THE QUESTION:* You got Meade Street sewers, you got Eddy Street sewers... *Marushock and Menichetti speaking in background, inaudible.* I mean, where's the money coming from? *Lukasewicz: Like Daryl said, there's certificates now in liquid fuels that could be used for it? Few speaking at once, inaudible.* Barnick: Yeah, what do you think that project's going to come in at? I'd say \$800,000 easy. *Few speaking at once, inaudible.* *Lukasewicz: Joe, it was ridiculously high, it was..* Barnick continued: It was \$400,000 or \$500,000. *Lukasewicz: More than that, I believe.*  
 Marushock: Well, this still has to get council's final approval. *Lukasewicz: That's right.* Marushock: Just have the engineer review it. *Few speaking at once.*

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

**28. Motion by Chrzan** **Seconded by Barone**

To authorize Atty. Doug Blazey to retain the services of Thomas R. Hundt, PhD, to present expert testimony in regards to the Marjol situation for upcoming litigation.

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

**29. Motion by Chrzan** **Seconded by Barone**

To authorize Atty. Doug Blazey to act legal counsel for the Throop Zoning Board of Appeals in regards to the Marjol appeal.

**Four in favor-Barone, Chrzan, Mellody, Lukasewicz**  
**Three against-Barnick, Marushock, Menichetti** **Motion carried**

**30. Motion by Chrzan** **Seconded by Barnick**

To authorize the Borough Administrator and her staff to contact different agencies to coordinate with proposals for fees for the sewage conveyance fees on behalf of the Borough of Throop in conjunction with the Lackawanna County River Basin Sewer Authority.

On the question:

Barnick: Proposals. *Menichetti: I thought we were going to get coordinated with the Lackawanna Sewer?* Barnick: Yeah. *Speaking in background, low voices, inaudible.*

**All in favor** **Motion carried**

**31. Motion by Chrzan** **Seconded by Barnick**

To authorize the solicitor to send a letter to check into the transfer fees that were paid to the county in regards to the Thomson facility.

**All in favor** **Motion carried**

**32. Motion by Chrzan** **Seconded by Barone**

To request an active list of Fire Police from each hose companies, a minimum of five per hose company, **prior to the June 13, 2002 meeting.**

**All in favor** **Motion carried**

## Mayor's Comments:

Mayor Lukowski: I have a letter here from Ed Long. It says here (the Mayor read the letter), having been involved in sports in the Borough of Throop for many years, I must write this letter to comment on the conditions of the baseball field at the Washington Street Park. The field is in the best playing condition that I have ever seen. Having been away from athletics for a few years, I have returned on a part time basis to help the Throop Booster Club baseball program. Since returning, I cannot help but notice the excellent condition of the playing facilities, the grass, the grounds, the general condition of the field, rivals a major league baseball facility. I have received many compliments from visiting managers on the beauty of our facility and it is being considered to have league playoffs, games, scheduled here. *Inaudible, coughing heard.* .....an excellent facility for our youth to participate in organized baseball. Our ball park is probably the nicest and best kept facility in the area. The people who perform the maintenance should be highly commended for their outstanding work.

Chrzan: That's a beautiful letter.

Mayor: Nice letter, yes, it really is.

Mayor: Yesterday's services, that dedication over the weekend? It was beautiful weather and I think they were all in utter belief. They were well attended and it was just beautiful services..... *Barnick: You know I wasn't late.* Chrzan: I wasn't either. *Barnick: You told me 11:00..... few speaking at once, inaudible.* Mayor: But the sad thing about it was Billy Lahotski never missed one of them and he was at this one here. *Few speaking at once.* Lukasewicz: He'll be missed. Mayor: Yes, he will.

Mayor: Now, is Marjol dead in the water? I don't think so.....*inaudible*.... Senator Specter is going to have a hearing next month, on his own initiative and he may just subpoena, go to that extent, the secretary of the EPA. *Few speaking at once.* Chrzan: *I'll make a big sign for up there.* Barone: *I think we should get some buses like Jim said and go down to Washington.* Mayor: Maybe it's time. Maybe it's time to really, if you were at that one, the last one when we went to Washington, this is in a federal courthouse, you would, there was a riot there involving even a couple of our people. *Inaudible*, but then the congressman from New York whose area covered the World Trade Center, man oh man, *inaudible* spokesman, he's I guess their P.R. (public relations) man, they wouldn't let him out of the building. I thought fists were going fly there for a minute and Kaufman *inaudible* his yelling and hollering and everything else. But I've never seen anything like that. Right next to the Capitol Building is the Federal Courthouse and there was, as I said, practically a riot. And EPA's not very well liked and I think it's time for the EPA to be gone. They do nothing for noone. Chrzan asked the Mayor when that would be and the Mayor said with EPA, he thought it was June 25<sup>th</sup>, but uncertain of the date. Barnick: Don't worry, before they're gone they'll help their buddies out a little bit more. Mayor: That's it, thank you.

## Audience Comments/New Business:

**Frank Galli, 609 Kossuth Street-** A couple of things, Tommy. Obviously the Cow Flop is coming up, we're looking for help from, I met with the Mayor and the Chief about the Police and everything else. I believe *inaudible* for fire police, with this ordinance now, doing these one ways when we discussed it we're definitely going to need some kind of help with the fire police to be down on Cypress Street telling people that this is a one in, one way out, something like that.

*Lukasewicz: I believe this would be similar to the years past, we've always done it the same way. It's always been done the same way, it's just that we do it by ordinance now. Galli: All right, well the thing that we discussed and the Mayor was there is if you don't have somebody down on that street down there, you're going to have cars coming into the street. Lukasewicz: Well, mainly is that we have five special police and each one..... inaudible. We'll know by the 13<sup>th</sup> and if that doesn't pan out then the borough will have to do whatever we have to do to make sure that... Mayor: I think that it will get straightened out. Everyone speaking at once, inaudible. A conversation went back and forth with Galli and Barone about the fire police.*

*Chrzan: Mayor, can't we ask a couple of the special police to donate their time for two or three hours? Come on, it's for the kids. Mayor: We have a hard time getting them to work anytime.*

*Chrzan: Yeah, but if you tell them you're going to give them double time they'll all be standing in line. It's for the kids.*

*Galli: The other thing, Tommy, the Mayor read the letter about the Washington Street Park inaudible, Daryl, you saw that runoff that we have at the Washington...*

*Menichetti: I did, I talked to Robbie about it and he said he was going to look into it and he never inaudible. Galli: When they dug that line there, Tommy, it's just, I mean, the water runoff is just.....*

*Few speaking at once, inaudible. Lukasewicz: What I would say is try to coordinate something with Jamie and maybe resod there or something to make... Galli: It's possible it's going to have to be*

*sodded. Whoever did the work there, the seed is never going to take there, never. Lukasewicz: Not unless it's watered every day. Everyone speaking at once. Lukasewicz: Elaine, have the DPW guys over there tomorrow and meet with Jamie at their earliest convenience to see what we're doing.*

*Morrell: Is this the work PG Energy did? Then they should be responsible for it, don't you think?*

*Lukasewicz: The runoff always came into there, it's just that because now that they disturbed ground...*

*Morrell: It's just added to it? Lukasewicz. repaired as fast as they should have. We always had runoff coming in there. I'm not sticking up for PG&W (Energy) but it's inaudible. Morrell: Okay.*

*Galli: The other thing, Tommy, is one of the things I discussed with you with the inaudible. The salt mound, it's uncovered, inaudible, and the other thing is, now I don't know what's going on with the 48 acres, I understand with the last council, inaudible. Unfortunately we've come in to some kind of snag. Is there any kind of future, do you have any idea of what you're going to do as far as.. Chrzan: The lawyer's going to talk to the other attorney's, what is it, tomorrow? Lukasewicz: And try to see if we could still do something up at the 48 acres. If it was up to me, Frankie, the salt would have been up the 48 acres, inaudible to open the road, it wasn't up to me, my vote didn't do any good. I'm still committed to doing whatever, moving something up there. I would assume that everyone on council is committed to moving it some place. Galli: Okay, because next we want to put another, our ultimate goal down there, is to put another little league field down there. Dolan: Excuse me, all purpose field. Everyone speaking at once, inaudible, it was mentioned there were concerns about children getting hurt down there: Galli: My biggest problem, my biggest concern there now is because there's so much activity going on there inaudible up there on the salt and we're constantly chasing them off and the biggest thing is that concrete that's holding it in there, the barrier, that some kid doesn't fall off that and bang his head. Lukasewicz: Elaine, can you see if DPW could go down and put up some temporary fencing, that orange fencing around it, some signs to say please stay off it, whatever. Post it in such a way that we keep people off..... inaudible, few speaking at once. Galli: You know, the biggest concern that I have, Tommy, is that we'll be responsible and then so would the borough. Lukasewicz: Yes, we understand. We'll try to do something... and believe it's in our minds to do something with it.*

**Dominick Rocco, 110 Sanderson Street:** I got a couple things, the first one's probably going to go over like a lead balloon. I think council should make a motion to ban all cell phones and beepers. If it's an emergency, I'm pretty sure they could get in touch with you, with anybody, you know, not picking on any on person. I don't think it's necessary. Another thing, I think council should get their act together. You know, you're there to represent us and it seems like you're playing games. Meetings are called, you don't show up or you're late. You know... *speaking in background, inaudible*. Well, that's today. What about he other two meetings that were called? You know? I could see one person but four people? There's games being played, you know? If the meeting's called you should be here at least ten minutes before time, not ten minutes after. *Barnick: I agree.* Rocco: Another thing, the paving of the streets. I don't think anything should be paved if the sewers are bad. I think they should be fixed first and maybe fixed soon. You know, not too much is being done, a lot of money's being wasted. There's a lot of money going around that's being wasted like that 9½ % percent the last couple of months ago, you know? It's foolish, that's all. I'd like to see a motion tonight about them cell phones.

**Marushock: I'd like to make a motion so that would be possible, Mr. President.**

*Lukasewicz: What's that?* **Marushock: To ban cell phones and beepers in council chambers.**

*Lukasewicz: Okay, there's a motion on the floor in regards to cell phones and beepers and other electronic devices.* *Menichetti: Now, you could have tape recorders.* *Lukasewicz: Yes, just.....*

**Marushock: To ban cell phones and beepers, inaudible, the council activities here because it is annoying.** *Everyone speaking at once.*

**The following motion failed for lack of a second:**

**Motion by Marushock**

**No Second**

To ban electronic devices such as cell phones and beepers at council meetings, tape recorders being allowed.

**Lack of Second**

**Motion Failed**

Marushock: Well, we tried.

**Bette Goreschak, Meade Street:** When is the borough going to take over George Street?

*Barnick: Oh, that's another one.*

Lukasewicz: Well, you know what? It's a good idea but you know what? George Street is a pretty bad street, just thinking about the problem that we had to fix today *inaudible*, if we take it over.....

*Everyone speaking at once, inaudible.* *Barnick: You're liable anyway, inaudible, what the hell you talking about?*

Marushock: We actually, Mr. Barnick, you were involved in the Infrastructure Committee meeting where we sat down with representatives from the state where we were going to try to have a punch list or they were going to put.....*Barnick: Yeah?* Marushock: ....things together and try to iron things out before we would even think about.... *Barnick: Yeah?* Marushock: So far I'm not aware of that being done. *Barnick: I'm not either, I want to know why.* Marushock: But we did talk with representatives from the state..... *Barnick: I want to know why.* Marushock: ...to try and put something together, right? *Barnick inaudible.* Marushock: Well, as far as I know it's still in the hands of the state representatives. Not the representatives, but the officials from I guess PennDOT.

*Barnick: You're doing all kinds of work.....*

Morrell: We're probably on the bottom of their list.

Barnick: ....you're paying for all kinds of fees and permits and everything else on that road, it's a state road. You plow it, you salt it, what do you get out of it? You keep on applying for permits to fix

sewers and everything else up there, you're paying PennDOT for them, they're holding you up on every sewer project and you got how about \$80,000 - \$100,000 sitting there waiting to be taken over. *Few speaking at once, inaudible.* But, that is not getting done either.

Marushock: That area at the intersection of Meade and George Street *inaudible, Goreschak speaking.*

Barnick: There's a storm drain put in backwards right there. We're waiting for us to get the new contractor in here to see how..... *Goreschak speaking, inaudible.*

Marushock: I mean, didn't they attempt to have that situation resolved at least at that intersection? We put a storm sewer, a catch basin, probably the most improved that's it's ever been at that intersection.

Goreschak: Yeah, but PennDOT has the upper hand, *inaudible*, much better and cheaper.

Marushock: We're looking for *inaudible* on our part to alleviate the problem there and.... *Barnick: No they didn't because you got a storm drain running backwards.*

Marushock: But the contractor did that, Mr. Barnick, we..... *Barnick: I understand that but here it's been, we said by February 15<sup>th</sup>, get your butts on the phone. If I was president I'd be on the phone daily getting this stuff done, Mr.*

*Marushock, daily.* Marushock: I believe that we had the solicitor and stuff to look into that to how we could recall the bond or whatever we had to..... *Barnick: To hell with that already, get it done, and then take them to court. That's what they would do to you.*

Marushock: We have to go through the proper channels. *Barnick: Yeah, proper channels, there's your proper channels. Yeah, proper channels. It's four months now, proper channels, right? Everything's a delay, everything's a delay with you. Just look at it for a while, let somebody else.....*

Marushock: How long are we looking at resolving problems in the Boulevard Project? *Barnick: Four months, at least.* Marushock: More than that, the project was completed.... *Barnick: We sent a letter to the contractor and still nothing's done yet.*

Marushock: Right? *Barnick: Yet. It takes leadership to get the stuff done.* Marushock: But we just cannot...*both speaking at once, inaudible...* to do what we want to do, we cannot do that. I agree with you that's what we'd like to do but we're bound by law, we can't do it. *Barnick: Ain't bound by no law. You go out there and you get it fixed, you take them to court and the judge says, pay.* Marushock: Evidently there's laws special for you, I guess, I don't know how else to say it.

Goreschak: Would the borough have more control if they took George Street over? *Barnick: A lot more control.* Goreschak: I'm thinking. I would recommend you fellows take it over.

Marushock: I'd like to see any situations resolved, properly resolved, before we do. *Barnick: When are you around? You only make one meeting a month. One meeting a month. You start to tell us about one meeting and skip one meeting, that's the game.* Goreschak: This has been going on for years, and years and years. I mean, you had to fight *inaudible* Dunmore Street a state highway, George Street doesn't have to be a state highway.

**Jerry Butash, 162 Brick Street:** I asked you last year at a meeting about the two properties, the school, the Sam's, who's going to clean them up, who's going to take care of the weeds, and nothing's done. *Lukasewicz: I believe at the last meeting we, inaudible, both speaking at once. We had Mr. Kalinoski go down and do whatever at the site.* Butash: I've been at this for five years. *Lukasewicz: I know that, Mr. Butash, Everyone speaking at once, inaudible.* Lukasewicz: He's already issued citations. Attorney Cimini's going to have (to meet) with Mr. Kalinoski to issue citations. Morrell: He received a complaint. **THE TAPE JAMMED HERE, THE FOLLOWING AUDIENCE COMMENTS WERE TAKEN FROM NOTES AT THE MEETING:** A discussion continued with regard to citing the property owners, issuing citations as needed. In addition, the machine shop building being vacant.

**Roger Coleman, 158 Brick Street:** Discussion of letter he received regarding abandoned vehicle. There is a car in lot across the street, but no letter was received. Sam's properties storing

refrigerator(s) and stove(s).

**Rose Kaminski, 221 Bellman Street:** Request for three banners to be put up throughout Throop for the Booster Club with regard to the Cow Flop, June 30<sup>th</sup>.

**Dave Morrell, George Street:** Mention of the Bolus property being a mess, a junkyard.

The meeting was adjourned.

Elaine Morrell, Administrator/Secretary

Minutes by Christina Sullivan, Assistant Secretary