

Civic Center After School Program	500.00
Warsaw Playground	26,768.96
Liquid Fuels Account	66,922.98

GRAND TOTAL **\$4,044,444.11**

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.

5. Motion by Barone

Seconded by Chrzan

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

Treasurer’s Reports:

Unpaid bills:	<u>\$89,097.07</u>
Paid bills:	<u>20,858.32</u>
AOL deduction	<u>26.95</u>
Grand total	<u>\$109,982.34</u>
Keystone Landfill Credit:	<u>13,360.30</u>
Home Program	<u>5,410.47</u>
Revenue Report-May (As posted)	<u>\$91,191.09</u>
March Interest	<u>\$5,691.48</u>

On the question:

Marushock-I will be against the Civic Center expenses, items for payment, of May, 2001 except the security expenses and the expenses of first aid training, I will be against Attorney Cimini’s invoice for \$6,250.00, against Elliott, Reihner, Siedzikowski & Egan in the amount of \$12,114.40, against Gannett-Fleming in the amount of \$19,932.16. I would also be against Mr. Shevchik’s portion of the Blue Cross Blue Shield bill.

All In favor-Marushock, for all except as noted,
and Lukasewicz, except Attorney Goffer’s invoice,
abstain on that.

One abstain-Mellody, I’ll abstain on that one, I don’t have
enough information. Motion carried

Barone-Tom, I want to tell you something. If this man spent 1/3 of the time trying to find out who took this money over there instead of trying to play games (inaudible). I don’t know what’s the matter with this guy here. Jamie, if I were you I’d get a lawyer on it, I wouldn’t even fool around with this man. I’m getting sick of it.

wrong in that statement?

Morrell-It was the sewer jet, our sewer jet that got stuck in the line.

Marushock-It was the same situation up on George Street also.

Lukasewicz-When was that?

Marushock-Almost the 2nd house next to the corner on George and Edgar, earlier this year, it happened, I believe, on a Friday night. Emergency repair, again, was also needed and I believe what the borough paid as far as their portion of the bill, was we assumed full responsibility from the curb to the main line and the resident of that facility there paid from the curb back into the house.

Lukasewicz-I don't know the circumstances for each individual occurrence, I don't know if arrangements were made prior to the actual work on their lateral, I believe the individual's lateral at that residence up there was very deteriorated and they were aware of that they had problems in their line anyway and I believe the contractor that came in and fixed the line in the borough worked along with the individual to give them the best price possible. I don't know if we can compare both situations. The situation that happened is at the Barnick's residence and I have no problem voting completely because it was a situation that was completely out of hand. Mr Barnick, "I wasn't in town that day", I know Jimmy wasn't in town that day and Mr. Kalinoski was legitimately there, I believe 19 hours and whatever had to be done to ensure that people have sewers, I think it was 12:30 at night or 1:00 in the morning.....

Barnick-2:00.

Lukasewicz-2:00 in the morning, however it was handled, I have no problem with it.

Marushock-Can we do this that we make the motion and approve this for payment and look into this further and see that both are treated fairly? That's all I'm asking.

Lukasewicz-Well, I would say there's a motion on the floor right now to pay it as is, that's the motion that should be acted on. If you want to make a motion after this motion to do whatever you want to do in regards to that motion, that motion could be a separate motion but I feel that this motion that is put on the floor should be addressed first.

Barnick-I'd like to just say yes, it was my residence, I will be abstaining on it because it was my residence, and I just hope that you vote against it and it fails (inaudible)

Five in favor-Barone, Chrzan, Marushock, Keyasko, Lukasewicz

Two Abstain-Barnick, Mellody because not enough

information

Motion carried

Motion by Marushock

No Second

Motion failed

To have Motion #9 reviewed and compared with the incident that happened up on George Street earlier this year and to see whether the residents are responsible for the repair from the curb back to the home and the borough assume full responsibility from the curb to the main line, and we would report the next day or as soon as we have this information available.

10. Motion by Keyasko

Seconded by Marushock

To award the bid to Kaminski Brothers, Inc. in the amount of \$200,711.55 for the Sanderson Street Curb and Sidewalk Project as per the recommendations of Louis Cimini, Borough Solicitor and

Frederick C. Spott & Associates, Borough Engineer.

On the question:

Marushock-Again, as we advertised this, we brought this forward previously, we plan on doing this for the borough wide improvement beautification project, hopefully for the program a certain amount of money to be budgeted every year, applied to it throughout the town, we did this area primarily because this is part of the business district and everything else that we have right now the people coming and seeing the Civic Center, the Borough Building, the churches, different homes, that area probably gets the most traffic right now and the most exposure, that's why we're voting to do this. Again, with the intention that something be done along the line of this project (inaudible).

Chrzan-It's in the motion before that Mr. Marushock said let's treat everybody fairly. If you're going to charge the people in the Boulevard for the sidewalks, why don't you charge the people over here for the sidewalks? It's not fair, it's not fair to you people down there, why don't you complain about it? I'm sick of this already, you do one for one, you charge them, you don't charge them.

Lukasewicz-I don't know if you individuals from down the Boulevard are aware of it or not, council, at a prior meeting about a month ago....

Chrzan-Not all of us.

Lukasewicz- Voted on a motion to have the engineer go down there and come up with a game plan to address the sidewalks in the Boulevard. So I hate to say that council is negligent in the fact of the sidewalks in the Boulevard. We had voted to have a game plan put into place and once that game plan is prepared by the engineer, we'll do what we have to do to put it into place. I'm in favor of sidewalks down there, however we can do it once it's put together for us. It's not fair to say that we're doing one and not doing the other, we are....

Chrzan-Why do you charge one and not the other?

Lukasewicz-It was even addressed that evening that possibly whatever fees were paid by the individuals down there in the Boulevard, that they would be given their money back. So....

Barnick-I have a question here.

Lukasewicz-I had to get that in, go ahead.

Barnick-I agree with Tony, it's not fair to them but you say possibly you can get the money back.

Right now, these people up here are not going to put a dime forward, these people did already.

Lukasewicz-Well, we can make a motion tonight if you'd like, Jimmy, to reimburse all the individuals that paid for the sidewalks (everyone spoke at once). They got the sidewalks then for free if the borough reimburses them as of this evening and we're still addressing the problem down there (everyone spoke at once).

Barnick-There's not a sewer project out yet this year. It's five months into the year, there's not one sewer project out yet. Not one project has been done this year yet, except for sidewalks going out. The specs are supposed to be designed for Dunmore Street, for Goodman Street, for Clark Street, the paving program, not one project has been out yet to fix anybody's sewers or the streets, but we're going for sidewalks. Now you want to add in clean outs. Clean outs, Now, under the Borough Code it states, you can't avoid things, procedures, right? So, if you start to add \$400 per house, you've got about thirty homes up there, you've got \$12,000.00. You have to rebid the whole project because you have clean outs now. (everyone spoke at once).

Lukasewicz-I hate to disagree but, Mr. Cimini, this is something aside from the fact of what was decided originally and if we decide now to install clean outs as an addition to that project, I beg to differ with Jimmy. I think it's a separate entity that could be addressed in that project. I don't believe

it would have to be rebid.

Cimini-Two different interpretations, you want me to give an opinion.

Barnick-I would like one, especially when....

Lukasewicz-There have been opinions given numerous times in situations similar to this and council, this side, that side, whatsoever, (everybody spoke at once) many projects that we've done and never had the bickering that we're having right now.

Barnick-This is a State road, it's mandated different by labor standards.

Barone-People from Boulevard, two years, remember this guy (everyone spoke at once).

Barnick-The sewers, you don't have South Valley Avenue out, you don't have Warsaw out, nobody's working on these projects, sitting down and working on these projects. These people get raw sewage and stuff. How many times (inaudible), have you worked on that line? Have you worked on anything on that, sat with any of the engineers? Not one of you's. How many worked on the Warsaw when they got flooded out there (named resident), I believe it is, and it cost this borough about \$40,000.00 - \$50,000.00 because they got flooded with storm water, but you're working on sidewalks.

Marushock-That's right. Most of the sewer projects (inaudible) because of our clean out equipment jamming up and disturbing and breaking the line.

Barnick-Wrong. Wrong.

Marushock-The line got tangled up on the Adams Court project, the line got tangled in the sewer up on George Street.

Barnick-What are you lying about? What about the crushed pipes on Dunmore Street? What about the crushed pipes on the upper side of Dunmore Street? The no storm drains over in Warsaw. The people getting sewage in their basements.....

Everyone spoke at once, a discussion ensued.

Four in favor-Marushock, Mellody, Keyasko, Lukasewicz

Three against-Barone, Barnick, Chrzan: because it's not fair to the people in the Boulevard
Motion carried (Solicitor's opinion)

Lukasewicz-Let me ask Mr. Cimini, maybe I'm incorrect. If it's my belief that, I'm not gaining anything by this because the sidewalks going to benefit the entire town there. I have no problem voting for it, I stand firm in my vote for it.

11. Motion by Marushock

Seconded by Keyasko

To put out for bid, to install clean outs on all properties that would be affected by the Sanderson Street Sidewalk Project at an approximate cost of \$400.00 per clean out as per the estimate prepared for the Borough by the Borough Engineer.

On the question:

Barnick-The engineer's going to go through and survey every property, put the clean out on the right-of-ways and make sure everything is done right, properly, and each sewer line's going to be attached properly?

Lukasewicz-I would hope so.

Barnick-So he's going to design the whole project all over then.

Marushock-Not design, just address this...

Barnick-Clean outs? Do you realize how much is involved in clean outs? If you've ever been to these projects, you would know.

Three in favor-Marushock, Keyasko, Lukasewicz

Four Abstain-Barone, Barnick, Chrzan, Mellody Motion carried

12. Motion by Marushock

Seconded by Keyasko

To authorize payment # 3 to Scranton Craftsmen for the sum of \$113.90 for the Repair Project at 164 Dunmore St. as per the recommendations of Frederick C. Spott & Associates, Borough Engineer.

All in favor

Motion carried

13. Motion by Keyasko

Seconded by Marushock

To authorize payment to Frederick C. Spott & Associates for the sum of \$17,484.50 for invoice dated May 25th.

On the question:

Barnick-I'll be voting for everything he did except for what's involved with drawing the specs for the sidewalk advertising, for the sewer.

All in favor-Barone except for what he (Barnick) said,

Barnick, except for what was noted

Chrzan, except everything on the sidewalks on Sanderson Motion carried

14. Motion by Barone

Seconded by Chrzan

To authorize payment # 2 to American Asphalt for the sum of \$9,692.36 for the 1999 Bellman Street Stormwater Improvement Project, (CDBG Project), as per the recommendations of Frederick C. Spott & Associates, Borough Engineer. (Michelle Giovagnoli, Lacka. County Community Redevelopment Authority said the payment will be made with CDBG funds.)

On the question:

Barnick-This thing's been approved by Frederick C. Spott, right? This is payment on the final retainage? (Tape inaudible.) We had a lot of problems with this company.

A discussion took place.

Marushock-The reason this has been carried over from 1999 is because the repairs were not completed, correct?

Lukasewicz-Correct.

Barnick-Exactly.

Lukasewicz-But they are done and believe the appropriate individuals said they are.

All in favor, Barnick in favor, provided they
are done for sure Motion carried

15. Motion by Chrzan Seconded by Barone

To reappoint Nick Rocco to the Throop Borough Planning Agency for a two year term, by Resolution, if necessary.

All in favor Motion carried

16. Motion by Barone Seconded by Keyasko

To reappoint John Stoffey to the Civil Service Commission for a six year term, by Resolution, if necessary.

All in favor Motion carried

17. Motion by Chrzan Seconded by Barone

To appoint Rose Kaminski to the expired term of Larry Hartshorn, by Resolution, if necessary. (Mr. Hartshorn's term expires July 29, 2001.)

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

18. Motion by Chrzan Seconded by Barnick

To appoint Erica Barone as the Assistant Director of the Civic Center.

On the question:

Barnick-She's a Throop resident and.....

Chrzan-She was highly recommended by them....

Barnick- She has experience for the last couple of years.

Marushock-I know we want to preferably hire Throop people whenever possible, however, we did have another application by a gentlemen, a little bit older, still young, however, he did have quite a resume that he submitted. I think he's from Peckville but perhaps some outside experience at this time can be a benefit to that Civic Center. I feel that's not the right decision at this time.

Barnick-I have to go back here. I totally attended the interview, only on the partial of one candidate. So, that's showing you where it's at and to go against Throop residents, there's something wrong.

Marushock-I explained my reasons.

Barnick-There's something wrong.

Everybody spoke at once.

Barnick-(inaudible) from the borough and you want to give it to somebody else. Why...
Everyone spoke at once, Barone called the question.

Four in favor-Barone, Barnick, Chrzan, Lukasewicz
Two against-Keyasko, Marushock
One abstain-Mellody, I don't have enough
information Motion carried

Council President Lukasewicz had to leave the meeting.

19. Motion by Chrzan Seconded by Barone

To authorize the Solicitor to develop the Ordinance and advertise the 48 acres for acceptance for \$1.00 from the State.

On the question:

Marushock-Also my concern is that we have a possibility of a mine fire being in existence up there, you still have not had firmly confirmed that there is no mine fire and also we have (inaudible) from Marjol as the new owner, are we going to be responsible for both this examination and for Marjol site and also for the mine fire. I believe it was mentioned that the state would come and (inaudible) about the state just wants us to take it, take the land and they want to walk away from it.

Barnick-I call the question.

Four in favor-Barone, Barnick, Chrzan, Lukasewicz
Two Against-Keyasko, Marushock
Abstain-Mellody Motion carried

20. Motion by Barnick Seconded by Chrzan

To approve the plans for the Bellman Street Playground as prepared and changed as per the engineer, Robert Bernosky, and to change the plans of having two swing sets to one swing set and a play structure and advertise for bid once the proper agencies review and approve.

All in favor Motion carried

21. Motion by Chrzan Seconded by Barone

To request the Planning Agency to review the request of McGregor Iron to connect to the sewage conveyance through Throop Borough and for the Planning Agency to recommend to council as soon as possible.

On the question:

Barnick-I'm against any other businesses from Dunmore hooking up to the borough line. I don't know how that Dr.'s office up there got hooked in but I'm sure it's in, maybe because it was a restaurant

prior but I asked a year and a half, two years ago, this borough should develop an ordinance for a sewage conveyance fee, it builds it's own reserve, sewer account, (inaudible) sewers. I just hope it gets under way, I know it was passed, it's got to be a while now, Elaine, if you can look that up, give it to Robbie, hopefully get an ordinance in place, because Maid Rite, State Police, all of them up there, they're getting free sewage and using lines that we paid for and it's not fair, we could be fixing a lot of other sewers with the money that we could be collecting from them right now, it's not fair. But I don't want to see no more businesses.....

Mayor-I agree. How would you set a fee, through the sewer authority?

Barnick-You set it by the gallons used.

Mayor-Per gallon.

Barnick-You go by gallons.

Mayor-They're getting a free ride.....

Barnick-He (Cimini) pulled up an ordinance that we found down in another county that it is legal for a sewage conveyance fee and it goes by water, it goes by water usage and that's how it's charged. So anybody outside the borough limits, we could charge by a certain fee according to the gallons used.

Marushock-I agree on that.....

Mayor-Do you believe this subject was broached in 1967? Thirty four years ago. It still persists, nothing's ever been done.

Barnick-It passed through the Supreme Court. It's upheld by Supreme Court (inaudible).

Marushock-Should we put a motion on the floor to establish or have.....

Barnick-It's always been there, all he had to do was get it going. It's already been there. Rules, research on it and everything, Robbie's got this stuff, it just takes time to get it all worked out. Everyone spoke at once.

Five in favor-Barone, Barnick, Chrzan, Keyasko, Marushock
One Abstain-Mellody Motion carried

22. Motion by Barone

Seconded by Barnick

To authorize Attorney Cimini to immediately legally do whatever is necessary to handle the situation immediately regarding the area of the 300 block of George Street (such as zoning and legal problems).

On the question:

Barnick-Whatever zoning problems, legal problems, whatever. Let him handle it and we're out of it.

Five in favor-Barone, Barnick, Chrzan, Keyasko, Marushock
One abstain-Mellody, not enough information Motion carried

23. Motion by Keyasko

Seconded by Mellody

To replace stone at the playground at Woodlawn and Clark Street with recycled tire material for the safety of everyone using the facility, the amount not to exceed \$9,000.00.

Marushock-I believe we put a price estimate on that of \$4,000?

Morrell-I have \$9,000. I have allow \$9,000.00.

Marushock-For the amount not to exceed \$9,000.00

All in favor

Motion carried

24. Motion by Chrzan

Seconded by Barone

To purchase tire material for the Warsaw Playground, as needed, for the swings and the play structure, the amount not to exceed \$9,999.99.

One the question:

Barone-If we get that other jungle gym, that slide, whatever it is.

Morrell-The play structure.

Barone-Do we need that rubber around that too?

Morrell-Absolutely. (Tires or mulch, approved carpet.) At the grand opening, or I should say the dedication of the Warsaw Playground, it was discussed to put an additional play structure, something similar to what's at the Washington Street Park. The cost is approximately \$10,000.00. You can go higher or low, \$10,000.00 - \$12,000.00 those structures run.

Marushock-And that would be needed to be put up to bid then, correct?

Morrell-If you purchase it through the state contract, the one company that we purchase from, George Ely, they have the state contract for this stuff, so you would not have to put it out for bid. If we did look elsewhere that is not already under state contract, yes, you do have to put it out for bid.

A discussion took place.

Barnick-You've got to go not to exceed \$9,999.99 or you're evading the bidding process and between \$4,000.00 and \$10,000.00 you must get three phone bids unless you go into to the state program.

All in favor

Motion carried

25. Motion by Barone

Seconded by Chrzan

To approve the purchase of a play structure/module for the Warsaw Playground, at a cost of approximately \$10,000.00-\$12,000.00 through state contract, not to exceed \$15,000.00

All in favor

Motion carried

26. Motion by Barone

Seconded by Chrzan

To vacate the Vice President's seat.

Three in favor-Barone, Barnick, Chrzan

Three Against-Mellody, Keyasko, Marushock

Tie Vote Mayor-Against Motion failed

Audience comments:

Frank Galli, 609 Kossuth Street-Brought up an incident at the Washington Street Park involving two players (baseball) that collided, one rendered unconscious. 911 was called to dispatch an ambulance, called back 10 minutes later, still no ambulance. Approximately about 15 minutes later two police cars arrived, 20 minutes later Lackawanna (County) Ambulance came. The youngster was conscious at that time. I was told Jessup Ambulance was coming in. Jessup Ambulance had to come in to Throop on a Saturday afternoon, 4:00 p.m., to help a kid up at the Washington Street Playground. He said it was an embarrassment to the town. Thank God there was some people there that had some medical training because the child did have a concussion. Two parking blocks prevented ambulance from entering the park, no need for them. (A discussion took place.)

A discussion took place about the need for a pay/emergency phone at the park, what if an incident occurred if there was no one at the park (non-game time). Also there was no response from anybody in the town in any reasonable amount of time. To have Mr. Kalinoski look into keys for access.

Dominick Rocco, 110 Sanderson Street-Asked Marushock why he was always against paying Jamie? He was proven innocent, wasn't he? Lie detector test and everything else? Lie detector test that he took down town, the D.A. said everything was clear, right? Wasn't he cleared through the D.A.?

Marushock responded not to his knowledge.

A discussion ensued, everyone spoke at once.

Rocco-Sidewalks on the hill, at least put a dirt path down there. Also, is it legal to put up a fence on borough property two inches away from the street? Is it legal for a resident to do that? A discussion took place, it's been there for years (108 Sanderson Street). Marushock asked if zoning would check the fence.

Roger Coleman, Brick Street-Questioned Baranowsky property where the trailer was torn down, was it now a public parking lot? There's junk cars there and all the people from the apartments at Sam's beer garden all park there and whip up a lot of dust up there, his house was getting covered. Marushock asked Mr. Lokuta to check into. Mr. Coleman stated if he only owns so much of that property, it should be a fence, the borough puts fences through the other property's where they had the right of way, why didn't the borough put a fence through that property so they can't use it as a parking lot. Bob Lokuta said he was down there the other day on another complaint and noticed the cars, no tags on them, illegal, abandoned.

Coleman-Questioned the computer business next to the hair salon on Boulevard Avenue, all the people from that park over on Brick Street and all over the sidewalks. Shouldn't they have their own parking lot somewhere. Bob Lokuta said he was talking about the financial company. It was mentioned the illegal parking was a police matter. Lokuta said there was a lot of illegal parking as a result of that business, both in the front and the rear. A discussion took place, everyone spoke at once.

Susan Shortz, Franko Street-Questioned if the borough had any correspondence as far as the meeting in Washington with Christine Whitman and she thought it was still very important that we meet with the senators and congressman. A discussion took place. The Mayor said the original meeting was supposed to be May 2nd, and it was almost a month now. Susan said there was going to be a testimonial for Robert Martin from the American Indian (inaudible). She said we should write a letter to the senators and congressman and request a meeting with them. Marushock asked that another letter be sent to senators and congressman. A discussion took place.

John Stoffey, 238 Bellman Street-Thanked council, some of council, for hiring Erica Barone (as Assistant Director of the Civic Center), she is a very qualified person. He mentioned Marushock wanted to hire was from Peckville, going for the two year term at the college, he might be gone in a year, year and a half. This girl's been working here, she's well qualified, everybody likes her, he asked Keyasko why he didn't vote for that girl. Keyasko answered don't you think there's enough Barone's working over there? A long discussion took ensued.

The meeting was adjourned.

Elaine Morrell, Administrator/Secretary

Minutes by Christina Sullivan, Assistant Secretary