

1 MR. LENCESKI: Sure.

2 MR. RUSSELL RINALDI: Moving on to
3 new business, I'm going to make a motion
4 to --

5 MR. LENCESKI: Do you want to go
6 down the line?

7 MR. RUSSELL RINALDI: I'm going to
8 make a motion to change the May meeting to
9 May 23rd due to our regular meeting falling
10 on Election Day 2017.

11 MR. NOTARI: I'll second that.

12 MR. LENCESKI: Roll call?

13 MS. BARTOLETTI: Councilman Brown?

14 MR. BROWN: Yes.

15 MS. BARTOLETTI: Councilman Notari?

16 MR. NOTARI: Yes.

17 MS. BARTOLETTI: Councilman Febbo?

18 MR. FEBBO: Yes.

19 MS. BARTOLETTI: Councilman Ferrett?

20 MR. FERRETT: Yes.

21 MS. BARTOLETTI: Councilman Rinaldi?

22 MR. RUSSELL RINALDI: Yes.

23 MS. BARTOLETTI: Councilman

24 Lenceski?

25 MR. LENCESKI: Yes.

1 MR. NOTARI: I'm going to start with
2 an easy one. I'm going to make a motion to
3 reject the bid by BIU as a third-party
4 inspector.

5 MR. RUSSELL RINALDI: I'm going to
6 second that.

7 MR. LENCESKI: On the question?

8 MR. BROWN: Do we have any other
9 recommendations or does anybody have any
10 recommendations?

11 MR. RUSSELL RINALDI: They were the
12 only people who submitted a bid.

13 MR. NOTARI: They're the only people
14 that submitted a bid. I wasn't comfortable
15 with some of their bids, I guess you'd say,
16 for lack of a better word. Some of their
17 terms. So I think we need to revisit it,
18 and I think we can use their bid as a basis
19 to what we may want to do --

20 MS. BARTOLETTI: It's something you
21 want to continue --

22 MR. NOTARI: Not necessarily I'm
23 against a third-party inspector. I wasn't
24 comfortable with some off their terms.

25 MS. BARTOLETTI: So you have the

1 motion.

2 MR. RUSSELL RINALDI: I seconded it.

3 MR. LENCESKI: Public put? Roll
4 call, please.

5 MS. BARTOLETTI: Councilman Brown?

6 MR. BROWN: Yes.

7 MS. BARTOLETTI: Councilman Notari?

8 MR. NOTARI: Yes.

9 MS. BARTOLETTI: Councilman Febbo?

10 MR. FEBBO: Question on that before
11 I vote. Are we going to revisit his bid and
12 see if we can renegotiate that? Rick, is
13 that what you're looking for? Of just flat
14 out reject it?

15 MR. NOTARI: I don't know if we can
16 renegotiate a bid.

17 ATTY. RINALDI: It's a proposal. I
18 don't think anybody ever met with them.

19 MR. RUSSELL RINALDI: We could put a
20 motion to the floor after this to ask for a
21 new proposal from everybody.

22 MR. FEBBO: Then I'll vote against
23 it too.

24 MS. BARTOLETTI: Councilman Ferrett?

25 MR. FERRETT: Yes.

1 MS. BARTOLETTI: Councilman Rinaldi?

2 MR. RUSSELL RINALDI: Yes.

3 MS. BARTOLETTI: Councilman
4 Lenceski?

5 MR. LENCESKI: Yes.

6 MR. NOTARI: I'm not sure what order
7 I should go in because I think my next
8 three possible motions -- my next three
9 motions are kind of intertwined with each
10 other. Let me talk about it a little first.
11 I believe, after meeting a few times with
12 Councilman Rinaldi with our sewer committee
13 business I'm of the idea that, one, our
14 sewer department needs more help.

15 Two, I believe our sewer department
16 needs to be made part of regular borough
17 business, a borough department. I'm not
18 sure what our code book says. I looked
19 through the code book, and to my knowledge,
20 to my understanding I don't see it as a
21 separate entity. I see it as another
22 department of the borough of Old Forge, and
23 I think it should come under the borough
24 manager's office in terms of a supervisory
25 role much like the zoning department, much

1 like the DPW department.

2 Do we need a motion to put that
3 underneath our borough manager's
4 supervision? If we do, I'd like to make
5 that motion. If we don't --

6 MS. BARTOLETTI: I would like to
7 meet before that just gets put under me. I
8 would like to meet and discuss it.

9 MR. NOTARI: And again, I have no
10 problem with that, but as I said, I think
11 that office needs help. I don't believe
12 that we would just be giving you extra work
13 to do. I believe you would be a supervisor
14 of that office and of the employees of that
15 office much like the DPW and the zoning.

16 Councilman Rinaldi and I also
17 discussed maybe hiring an employee that we
18 can split between the zoning office and the
19 sewer department, and I think if the sewer
20 department was under your supervision we
21 could do that a lot easier. I think what
22 that would allow to do is obviously help our
23 sewer department in a great way. It would
24 also help our zoning department and maybe
25 allow this employee to do more of the

1 paperwork and Steve to be more out in the
2 community and do what he does best.

3 MR. RUSSELL RINALDI: Not to
4 interrupt Rick but just to let the public
5 know, Rick's mentioned him and me, and it's
6 also Chairman Semenza. We're on the sewer
7 committee. I'm chairman of the sewer
8 committee. We met two weeks ago and we
9 discussed putting a temporary person in the
10 sewer department to help Lucille. But also
11 we discussed further what the future of the
12 department was going to be. So just to let
13 everyone know why Councilman Notari is
14 saying him, myself, and also Chairman
15 Semenza is part of the committee as well.

16 MR. NOTARI: And I'm also going to
17 bring up this. I did some research and I
18 asked Mrs. Yeager for a listing of all our
19 properties that have sewer hookups in the
20 borough. So I was given a list, and the
21 list was at least 200 pages long. I just
22 jotted some numbers down and I didn't get to
23 go through the whole list. I'd say I got
24 about 75 percentage of it, maybe even a
25 little less.

1 But just of the properties that I
2 looked at that I could tell were rental
3 properties that had an insane amount of
4 money owed, we have -- just the properties I
5 looked at, we have 25 properties that owe
6 almost \$40,000 in sewer fees. Yet, we
7 continue to allow those rental properties to
8 rent to people.

9 And I'm not going to give names out
10 because I just wrote down numbers of the
11 properties. Many of those properties are
12 properties that we discuss every month in
13 this meeting. Properties that people on
14 Sussex Street are upset about or properties
15 that people on West Mary are upset about or
16 on George Street are upset about. I think
17 if we combine our -- if we move our sewer
18 department underneath your supervision,
19 Mare, I think that allows our zoning
20 department to also see that hey, we have
21 somebody who's a landlord who's not paying
22 the bills.

23 So if he's not paying his bills to
24 the borough why are we allowing him -- why
25 are we giving him that registration and that

1 license to rent any property in town?

2 I just think if we're able to
3 combine all our departments under your
4 supervision, Mare, I think it makes things a
5 lot easier in the long run in terms of going
6 through our code book and enforcing our
7 ordinances as they should be enforced.

8 MS. BARTOLETTI: I'd like to have a
9 meeting with the sewer committee, personnel
10 committee before I agree to anything like
11 that.

12 MR. NOTARI: I have no problem
13 meeting with you, Mare, but --

14 MS. BARTOLETTI: I can't say yes
15 right now.

16 MR. NOTARI: I know you can't say
17 yes, but I think we're also in the position
18 of do we need you to say yes.

19 MS. BARTOLETTI: We need to discuss
20 it.

21 MR. NOTARI: We do need to discuss
22 that. We do need to discuss that and --

23 MS. BARTOLETTI: Several years ago I
24 had the council who was here try to force it
25 on me and it didn't go too well.

1 MR. NOTARI: And again, unless
2 there's something in our code book -- and I
3 couldn't find it and maybe it was there -- I
4 do not believe there is anything that
5 says -- that prevents --

6 MS. BARTOLETTI: Lucille has --

7 MR. NOTARI: -- the sewer department
8 from going underneath the borough manager --

9 MS. BARTOLETTI: Lucille has a job
10 description that specifically says that she
11 reports to the council as a whole, in its
12 entirety. It's bold letters. It's the
13 first line of her job description.

14 MR. NOTARI: Is it in the code book?

15 MS. BARTOLETTI: It's in the
16 personnel file that was given to me when I
17 started here. When I accepted this job it
18 was also part of what I accepted, that the
19 sewer department was not under the borough
20 manager and was not part of anything that I
21 would be responsible for. So we need to
22 discuss it. I need to have in writing
23 what's going to be expected. We need to
24 work it out. I can't just say yes. I won't
25 accept it if you push it on me.

1 MR. NOTARI: We discussed -- well, I
2 don't want to just push it on you, but it is
3 something that we need -- I feel we need to
4 move forward.

5 MS. BARTOLETTI: Well, I talked to
6 council about it for about a year and a
7 half, and at that point, before you were
8 here, the other part of council said no,
9 that they didn't want to go in that
10 direction. Then when I mentioned about
11 having a salary adjustment, we'll say, I was
12 told I was greedy. You know, there's a lot
13 that goes into that. I need to have it
14 worked out on paper before I say yes. I'm
15 not comfortable discussing that in this
16 meeting, to be quite honest.

17 MR. NOTARI: No, we probably
18 shouldn't be, but --

19 MS. BARTOLETTI: No.

20 MR. NOTARI: Bill, from your
21 understanding is there anything in the code
22 book that says the sewer department is not
23 part of the regular business, the regular
24 umbrella of the Old Forge Borough manager's
25 office?

1 ATTY. RINALDI: No. That's just the
2 way council had it set up. But there's no
3 ordinance. It's not a separate entity, it's
4 just been called the sewer agency, but the
5 sewer -- and the revenue therefrom are
6 borough under their general fund.

7 MR. BROWN: I have a quick question.
8 Now, I know the borough manager said there's
9 a job description, but we can change that
10 job description. Correct? Or the borough
11 manager can change that job description.

12 MS. BARTOLETTI: I think council is
13 the one who put that job description
14 together in 2002, I think it was. Somewhere
15 around there. So what I would say is I
16 think, you know, that would be fine, but I'm
17 here. It's not like I'm a new employee
18 coming in. I'm here 11 years. So to
19 suddenly change something like that I think
20 I need to have a discussion with you rather
21 than just hit in a meeting like this.

22 MR. LENCESKI: I agree.

23 MS. BARTOLETTI: Do you want to go
24 and do it now?

25 MR. NOTARI: I can wait to meet in

1 executive after. I don't think it's
2 necessary that we --

3 MR. FEBBO: I think the matter now
4 should be in executive.

5 MR. LENCESKI: This is a personnel
6 issue. We shouldn't discuss it right now.

7 MR. NOTARI: That's fine.

8 MR. LENCESKI: I'm definitely
9 interested in talking about it, personally.
10 I think Rick has some good ideas with this.
11 We need to just talk about it. We can agree
12 upon that. I don't think at this meeting
13 right now we should be talking about it.

14 MR. NOTARI: I'll move on, then.
15 I'd like to make a motion to advertise for
16 an employee that we would split between the
17 sewer department and the zoning department
18 with hours to be determined. It wouldn't be
19 a full time position right now unless we
20 determined it needed to be a full time
21 position. So I would like to make a motion
22 that we advertise for persons interested in
23 office and clerical work within the Old
24 Forge Borough Sewer Department and Zoning
25 Department.

1 MR. FERRETT: Is there a salary
2 going to be attached to that or are you just
3 going to --

4 MR. NOTARI: Salary to be
5 determined.

6 MR. FEBBO: Is that open for
7 discussion?

8 MR. NOTARI: I'm making a motion
9 that we advertise for an employee.

10 MR. LENCESKI: Can we get a second?

11 MR. BROWN: I'll second that motion.

12 MR. LENCESKI: Seconded by
13 Mr. Brown.

14 MS. BARTOLETTI: I think put the
15 advertisement in. It does take time to get
16 people to come in once it's in the paper, to
17 get resumes. In between maybe we can have a
18 personnel/sewer or whatever meeting to set
19 all this stuff. Finance, everybody's pretty
20 much involved in that. So that by the time
21 we do start setting up the interviews we'll
22 be all ready for that. But instead of
23 wasting time, go forward with it.

24 MR. LENCESKI: On the question.

25 MR. RUSSELL RINALDI: I'm for it

1 because I was going to make a motion after
2 this. So this would be my question. Are we
3 looking to advertise to hire one person to
4 split both offices or were we looking to do
5 one person, one person for the sewer, one
6 person for the zoning? Because we have
7 money currently, now, in the budget for a
8 part-time zoning position. Correct?

9 MS. BARTOLETTI: We technically have
10 it in both.

11 MR. RUSSELL RINALDI: I know we have
12 it in the sewer because Amanda left.

13 MS. BARTOLETTI: Right, and there is
14 money that I do have put aside.

15 MR. RUSSELL RINALDI: That's why I'm
16 asking, because I wasn't sure how we were
17 going to do it because I was going to ask
18 for a motion for a part-time zoning officer.

19 MR. NOTARI: I would like it,
20 personally, to be one person, because then
21 that one person could do both jobs, let's
22 say 9:00 to 3:00, let's just throw out six
23 hours a day, in the borough building so that
24 even if they're in the zoning office,
25 working, and somebody comes in to pay their

1 sewer bill and Lucille's not here they have
2 somebody to go to. So I think one person.

3 MR. RUSSELL RINALDI: I would like
4 one in each department.

5 MR. FEBBO: I like your idea. I
6 think we should handle one thing at a time.

7 ATTY. RINALDI: Why don't you find
8 out what the duties are going to be before
9 you -- right now I don't think anybody's in
10 agreement with what the ad's going to say.
11 Find out what your program's going to be,
12 what your procedures are going to be, and
13 then advertise for that quality of a person
14 rather than just put an ad for assistant
15 part-time person. Know what you're looking
16 for before you put the ad in.

17 MR. NOTARI: I don't necessarily
18 disagree with you, Mr. Rinaldi, but the way
19 things have operated since I'm on this
20 council that can take another six months.

21 MR. FEBBO: That's why we need
22 executive meetings and committee meetings.
23 Unfortunately, we just don't get it
24 together. Then we come out here in the
25 middle of the floor in a public forum and we

1 kick this up and down the field. It's after
2 10:00 and we have nothing accomplished.
3 This should all be discussed in an executive
4 session where everybody can put their real
5 thoughts forward and go from there.

6 MS. BARTOLETTI: Well, if we have to
7 have a meeting to get this ironed out, like
8 Bill said, you do not have to wait for
9 another meeting to decide to put the ad in
10 the paper. We can still get it moving that
11 way.

12 MR. RUSSELL RINALDI: We do have a
13 motion and a second. We have to vote.

14 MR. LENCESKI: Public input?

15 MR. RUSSICK: Who is going to be in
16 charge of this person if there's two
17 different departments, two different
18 supervisors?

19 MR. NOTARI: Hopefully we're going
20 to meet with Mrs. Bartoletti after the
21 meeting and convince her.

22 MR. FEBBO: I feel you're putting
23 the cart before the horse.

24 MR. LENCESKI: We had a motion, we
25 had a second. Public input? Roll call.

1 MS. BARTOLETTI: Councilman Brown?

2 MR. BROWN: I'm going to explain why
3 I'm voting for this. I am voting yes for
4 this position with the outcome of this
5 employee being, if accepted, reportable to
6 the borough manager. If accepted. So I am
7 voting yes for this position.

8 MS. BARTOLETTI: Councilman Notari?

9 MR. NOTARI: Yes.

10 MS. BARTOLETTI: Councilman Febbo?

11 MR. FEBBO: I don't feel comfortable
12 with the way it's written. I'm saying no.

13 MS. BARTOLETTI: Councilman Ferrett?

14 MR. FERRETT: I vote no because I
15 need more details on it. I just can't hire
16 somebody without knowing what's going on.

17 MR. NOTARI: We're not hiring
18 anybody, Joe, we're just asking for
19 applicants, for one applicant.

20 MR. FERRETT: If there's nothing
21 behind what kind of a person are you looking
22 for, what the job is, what the description
23 is --

24 MR. NOTARI: I'm looking for a
25 clerical assistant in the --

1 MR. FERRETT: I vote no.

2 MS. BARTOLETTI: Councilman Rinaldi?

3 MR. RUSSELL RINALDI: I'm going to
4 vote no but I'm going to try and reframe a
5 motion after this. After Mr. Notari's I'm
6 going to try and reframe a motion. I'm
7 going to vote no.

8 MS. BARTOLETTI: Councilman
9 Lenceski?

10 MR. LENCESKI: I'm voting yes
11 because I understand why Mr. Notari wants to
12 do it, and we're just getting ready so we
13 can do it. That's what this vote -- I see
14 what this vote's for. So we're ready to
15 make the motion or put together job
16 descriptions. That's why I'm voting yes.

17 ATTY. RINALDI: Three-three.

18 MAYOR MULKERIN: Yes. Just an
19 advertisement for a position. Yes.

20 MR. RUSSELL RINALDI: We didn't
21 state a salary, we didn't state a position.
22 Correct?

23 MR. LENCESKI: Right.

24 MR. RUSSELL RINALDI: That's the
25 only reason why I voted no. We don't have

1 any specifics in there.

2 MR. LENCESKI: But we're ready to do
3 it when it becomes time.

4 MR. RUSSELL RINALDI: I'm ready to
5 do it. I know we were ready to do this a
6 year and a half ago and council got a lot of
7 slack. There was no number, there was no
8 description, there was no nothing.

9 MAYOR MULKERIN: I think the
10 difference then was to hire someone.

11 MR. RUSSELL RINALDI: No, it was
12 just to advertise.

13 MAYOR MULKERIN: This is to put an
14 ad together --

15 MR. RUSSELL RINALDI: That's what
16 this was, too, and I'm all for it.

17 MAYOR MULKERIN: Whatever motion you
18 were thinking about considering after, that
19 would be the input that would go into after.
20 This is an ad.

21 MR. RUSSELL RINALDI: That's going
22 to be my next thing -- or once Mr. Notari's
23 finished.

24 MR. NOTARI: Not yet. I'd like to
25 make a motion regarding the landlord/tenant

1 ordinance and license fee, landlord license
2 fee, resource replenishment fee, and initial
3 warning letter being -- I'm going to call up
4 the code here. So 229-10-B is the landlord
5 license fee.

6 ATTY. RINALDI: If you're going to
7 start running off fees, why don't I put it
8 together in a resolution and kind of match
9 the fee to what the costs are. I mean, some
10 of the fees we've got now don't match the
11 costs. You have a fee for handicapped
12 parking that cost us probably a hundred and
13 some dollars and the fee is ten.

14 MR. BROWN: If you're going to do
15 that, why couldn't it have been done three
16 years ago?

17 ATTY. RINALDI: Because I don't set
18 fees. You guys do.

19 MR. BROWN: I've been talking about
20 this for three years. You're going to say
21 now you can create a resolution for it. Why
22 didn't you do so three years ago?

23 ATTY. RINALDI: I said every meeting
24 you guys have to go through and set the fee.

25 MR. BROWN: Make the motion.

1 MR. NOTARI: So what would your
2 recommendation be? You want us to set fees.

3 ATTY. RINALDI: Fees would be a
4 resolution so it's posted so everybody can
5 see what the fees are, not read a
6 transcript. If you want a transcript,
7 that's fine.

8 MR. NOTARI: Would this be like a
9 first reading? Or no? Can I give -- these
10 fees might not be accepted.

11 ATTY. RINALDI: You can rattle them
12 off. Do it however you want to do it.

13 MR. NOTARI: I make a motion to set
14 the fee for the landlord license fee,
15 ordinance 229-10-B, at \$25 per unit, not to
16 exceed \$100 total. So if we have a landlord
17 that owns two units it's going to be \$50.
18 If he owns six units it's not going to go
19 past \$100.

20 MR. LENCESKI: Is that the same
21 building or different locations?

22 MR. NOTARI: Different locations,
23 different addresses. This way we're not
24 necessarily killing the landlord.

25 MR. FEBBO: That's not for one

1 particular location, that's for all the
2 property they own?

3 MAYOR MULKERIN: One property owner
4 would owe a maximum to be \$100.

5 MR. BROWN: So you made the motion.

6 MR. NOTARI: I made the motion.

7 MR. BROWN: I'm going to second that
8 motion.

9 MR LENCESKI: On the question?

10 MR. RUSSELL RINALDI: Just for
11 clarification, if he has 100 units on one
12 address it's only a hundred bucks?

13 MR. NOTARI: Correct.

14 MAYOR MULKERIN: A hundred units at
15 multiple addresses, hundred bucks.

16 MR. NOTARI: Or one.

17 ATTY. RINALDI: The ordinance is
18 written per structure with units inside. So
19 it's not written to a guy that has 15
20 structures. You're saying you want to be if
21 he's got 15 structures the most he's going
22 to pay is \$100, even if he's got four units
23 in each structure.

24 MR. NOTARI: That is what I
25 originally thought, but now that you say

1 that, Bill, I've changed my mind.

2 ATTY. RINALDI: There is going to be
3 a cost, especially if you're hiring a
4 third-party inspector.

5 MR. RUSSICK: The cost should always
6 be ample to promote the program. That's the
7 way the law is written. These are fees.
8 These aren't taxes.

9 MR. NOTARI: Let's say per address.

10 MS. BARTOLETTI: Rick, I have a
11 thought. We have our next meeting coming
12 up, the work session, May 2nd, which is very
13 close. What Bill had mentioned about giving
14 to him to do as a resolution, maybe we could
15 get together on this, give it to Bill to do
16 whatever he needs to do, and maybe we can
17 change the 2nd to a special meeting to be
18 able to pass all of these things that are up
19 in question right now since it's only --
20 technically it's only two weeks away. Get
21 it worked out, make that a special meeting
22 so that it doesn't waste another whole
23 month.

24 MR. NOTARI: So what's going to
25 happen in the time frame of the two weeks

1 between now and that special meeting?

2 MS. BARTOLETTI: I'm going to make
3 everybody promise that the meetings we're
4 going to set up that everyone's going to
5 show up and we going to have it so we're
6 prepared for the 2nd to be able to do this.

7 MR. BROWN: You already got the
8 motion. You came this far. We've been
9 waiting for years.

10 MS. BARTOLETTI: Are you ready? Is
11 it something that you feel comfortable is
12 ready to pass?

13 MR. NOTARI: I feel comfortable. I
14 don't know if it's going to pass. I think
15 in the two weeks we're going to discuss it,
16 one, it's not going to be discussed.

17 Two, if we wait until the work
18 session to discuss it and discuss it at the
19 work session we can't take any action --

20 MS. BARTOLETTI: That's why I'm
21 saying make it a special meeting --

22 MR. NOTARI: -- if we don't agree
23 with each other.

24 MS. BARTOLETTI: Then you vote at a
25 special meeting, which would be in two

1 weeks. I understand you don't want to wait,
2 but at the same time I'd rather have it make
3 sure it's working perfectly rather than set
4 fees and then have to change it again.

5 MR. NOTARI: I can understand that.
6 Again, we need to show up for meetings.

7 MR. FEBBO: I agree with that.

8 MR. NOTARI: Even if it's the six of
9 us to show up at a meeting. Even if it's a
10 public work session, to hold a public work
11 session, I don't know, the last week of the
12 month or --

13 MR. BROWN: Well, we have a motion
14 on the floor, don't we?

15 MR. NOTARI: We do.

16 MR. RUSSELL RINALDI: We have a
17 motion and a second. We're on the question.

18 MR. LENCESKI: Public input?

19 MR. WILCHINSKI: Mr. Notari, what's
20 your rationale for imposing this fee?

21 MR. NOTARI: My rationale is we have
22 an ordinances on the books that say all
23 landowners, all landlords that rent
24 properties out need a license and need to be
25 registered with the borough. That has not

1 happened and it needs to happen.

2 Unfortunately, not every landlord is you,
3 Mr. Wilchinski.

4 MR. WILCHINSKI: My question,
5 though, I own property in three different
6 counties and I have nothing like that within
7 any of those counties. One being the
8 Pittston area, one being Dupont and one
9 being Wilkes-Barre, and all of these are
10 high-end apartments. Okay? I have nothing
11 like that ever imposed to me.

12 Now, as a landlord I have -- my
13 leases are 25 pages. My sewer bills are
14 paid by the tenants. Everything is pushed
15 off onto the tenants, so anything that I'm
16 going to get is going to be pushed off onto
17 the tenant. Regardless of whichever way it
18 works out, it will be pushed out onto the
19 tenant.

20 MR. FEBBO: I think one of the key
21 words you said there was high end.
22 Unfortunately, we don't have high-end
23 landlords.

24 MR. WILCHINSKI: That's the key to
25 keeping Old Forge in the status it should

1 be. Like that area that I want to develop.
2 I can't get that because of Chelland's
3 property. I want to put nine units there.
4 All that --

5 MR. NOTARI: Every guy at this table
6 wants you to put those units there.

7 MR. RUSSELL RINALDI: If you don't
8 feel comfortable answering you don't have
9 to, but are you just questioning
10 Mr. Notari's motion or are you against it?

11 MR. WILCHINSKI: I'm not against it,
12 but what happens is --

13 MR. RUSSELL RINALDI: Because I was
14 going to ask why you were against it for a
15 little more clarification so I understood.

16 MR. WILCHINSKI: People like myself,
17 I'm going to push it off onto the tenant
18 because people don't realize how much I pay
19 in taxes for that building. I pay more
20 taxes on that building than I pay on my home
21 that's worth \$500,000 in Laflin.

22 MR. NOTARI: But you push that off
23 onto your tenant.

24 MR. WILCHINSKI: Not really. I
25 lose, actually, more than a rent, but I

1 might make -- and the mortgage on the
2 building. Might make one rent, if that.
3 People don't understand.

4 MR. NOTARI: I understand where
5 you're coming from.

6 MR. WILCHINSKI: I'm just curious
7 why that -- there's other municipalities --

8 MR. NOTARI: That's why personally
9 I'd like to cap it, so that someone such as
10 yourself -- how many units do you have now,
11 six?

12 MR. WILCHINSKI: There's four.

13 MR. NOTARI: So when you put up
14 additional units -- say you put up a
15 nine-unit building, that, you know, we
16 understand that at a certain limit that
17 you're registered. It's something that
18 needs to be done. It's a way for us to get
19 a handle on the properties that are on
20 Sussex Street. Not all the properties but
21 our problem properties.

22 MR. WILCHINSKI: I think there's a
23 better way of going about it. Like those
24 people who owe those sewer bills.

25 MAYOR MULKERIN: You own those

1 properties. Do they have the ordinance that
2 the borough or the city issues you, like, a
3 permit for rent?

4 MR. WILCHINSKI: For example, like
5 when this building was built every unit has
6 to have an occupancy permit via BIU.

7 MAYOR MULKERIN: The way this
8 ordinance reads is that the borough would
9 issue you a permit so that you can rent.
10 With the -- if your property would become a
11 nuisance, the consequence being the borough
12 can pull the permit.

13 MR. WILCHINSKI: I'm not against it.
14 I understand that.

15 MAYOR MULKERIN: Do you have them
16 anywhere else?

17 MR. WILCHINSKI: Nothing in the
18 other 22 apartments that I own.

19 ATTY. RINALDI: It's not a permit so
20 that he can rent. It's a registration so
21 that the borough knows who the landlord is,
22 who's the person to contact and make sure
23 that we have information. It's not to say
24 he can't rent without that.

25 MAYOR MULKERIN: It does say in

1 there that if his property is deemed a
2 nuisance after X amount of time that that
3 permit or registration can be pulled and he
4 would not be allowed to rent.

5 MR. BROWN: And it says without a
6 license you cannot rent for up to a year.
7 It states in the book it's a license.

8 ATTY. RINALDI: But it's more so we
9 know what's going on there.

10 MAYOR MULKERIN: But it also is the
11 license for him to rent. That's the way the
12 ordinance reads, with the consequence being
13 that can be pulled if your property becomes
14 a nuisance. So it is a license or a permit.
15 Same terminology.

16 MR. BROWN: I think they do have
17 them. I know Wilkes-Barre has them. Last
18 year they hired the Marino Brothers as
19 property inspectors. It went back to the
20 pubic department. I know in the paper just
21 a few days ago Mayor Tony George just hired
22 two new rental inspectors to go down there.
23 I don't know if they're coming after high
24 end. I know down in the city of Pittston
25 Mayor Jason Klush, they hired rental

1 inspectors, too. So I don't know if they
2 haven't made their way up, but I know that
3 it was advertised in the Luzerne County
4 papers.

5 MR. LENCESKI: Move forward. Roll
6 call.

7 MS. BARTOLETTI: Councilman Brown?

8 MR. BROWN: I'm going to explain
9 that I'm voting yes tonight because this is
10 just a fee and there is no fee in place, so
11 I am hoping that council members will voice
12 their vote. I feel that right now \$100, it
13 may not be a lot, but at least it's
14 something. We get moving. If there needs
15 to be an increase we can always come back to
16 it. My vote will be yes for the \$100 unit
17 fee tonight.

18 MS. BARTOLETTI: Councilman Notari?

19 MR. NOTARI: I'm going to vote no
20 because I don't think I phrased the motion
21 the way I intended to.

22 MS. BARTOLETTI: Councilman Febbo?

23 MR. FEBBO: No. I'm going to go
24 with Bill's advice here. I think there's a
25 lot more to be discussed outside of this

1 meeting that we need to really go over
2 before we pull the trigger on it. I agree
3 with everything we're talking about. I
4 think we have a good foundation to go with
5 more so than we had before, but at this
6 point I don't feel comfortable saying yes.
7 I'll vote no.

8 MS. BARTOLETTI: Councilman Ferrett?

9 MR. FERRETT: I agree. I vote no.

10 MR. RUSSELL RINALDI: I'm voting no
11 because I want to give Mr. Notari another
12 chance to make another motion and reframe
13 it.

14 MS. BARTOLETTI: Councilman
15 Lenceski?

16 MR. LENCESKI: No.

17 MR. NOTARI: I'm going to defer to
18 our borough manager and our solicitor. I'm
19 not going to make another fee motion. I
20 would like to have the borough manager
21 schedule a meeting Monday --

22 MS. TALERICO: Nothing was
23 accomplished again.

24 MR. NOTARI: -- to discuss, I guess.
25 Actually I'm not good Monday.

1 MS. BARTOLETTI: Are you asking for
2 the whole council?

3 MR. NOTARI: I'm not sure. We want
4 to have a special meeting so we can approve
5 these fees.

6 MR. FEBBO: Bill, does that give you
7 time to give us something? Because I'm
8 totally confused on the whole thing,
9 throwing fees out there and everything else.

10 ATTY. RINALDI: You set a fee, it
11 has to be in relation to the service you're
12 providing. If you're buying signs that it
13 covers the cost of the signs, covers the
14 clerical work, paperwork. You'd be better
15 off if you knew the program you were going
16 to put in place, what you were going to do.
17 Then you can set the fees around it so your
18 program is covered by the fees.

19 MR. NOTARI: I get it, and again,
20 I'm going back to what I've been harping on.
21 We have to sit down and put this program
22 together.

23 ATTY. RINALDI: I'm not saying you
24 don't and I'm not trying to stop you. I'm
25 just saying you have to sit down and say

1 okay, here's what the department is going to
2 look like and here's what you're going to do
3 and here's how many people need to be there,
4 one or two, and here's how it's going to
5 run. Here's going to be who's in charge of
6 it and here's the fees we need to set so
7 it's fair to everybody.

8 I mean, you can look at the fees in
9 different ways. Put a cap on it, are you
10 subsidizing bigger apartment complexes and
11 hurting the little guy. There's all ways to
12 look at fees, so you really have to think
13 about what the fee is and what it
14 represents.

15 So if you're going to hire a
16 third-party inspector and he's going to
17 charge you \$25 a unit and that's the deal
18 you make with him you want to make sure your
19 fee covers it, it covers his fee, because
20 otherwise it's costing you money to run the
21 program.

22 MR. BIERLYA: It does say in there
23 that council shall set the fees by
24 resolution from time to time.

25 ATTY. RINALDI: The fees can change.

1 MR. NOTARI: So I can't actually
2 make a motion to set the fees. We need a
3 resolution.

4 MR. FEBBO: What we need is a lot of
5 clarity on a lot of issues one step at a
6 time. We're going in the right direction
7 for the first time in a long time. I just
8 think that we can't pull in different
9 directions. We have to have all our facts
10 together.

11 MR. BROWN: We currently sent out
12 for the license to the landlord. We're on M
13 as of the last meeting. We've waived that
14 fee.

15 MR. RUSSELL RINALDI: We must be on
16 R because I just got mine two days ago.

17 MR. BIERLYA: You waived the
18 resolution.

19 MR. BROWN: We waived the resolution
20 for registration. So can't we just go ahead
21 with these motions? We waived the
22 registration fee for the people. Why don't
23 we just go ahead and make the motions for
24 the --

25 MR. RUSSELL RINALDI: You can make

1 them.

2 MR. BROWN: -- for the fines for
3 properties that are in violation.

4 MR. FEBBO: Again, we have a missing
5 part of the puzzle. You can't put a puzzle
6 together without the parts.

7 MR. BROWN: We've been missing parts
8 for years. You sat down with Rick. Well,
9 propose it -- and Steve. Propose it.

10 MR. FEBBO: You're right. I have
11 tentative prices here. Tentative.

12 MR. BROWN: Steve, are you agreeing
13 on the fees that you sat down with these
14 guys?

15 MR. BIERYLA: I sat down and I gave
16 them what I thought.

17 MR. RUSSELL RINALDI: Make the
18 motion if you want, see if it passes.

19 MR. RUSSICK: Doesn't the borough
20 belong to the Association of Boroughs in the
21 Commonwealth of Pennsylvania? If they do,
22 somebody in the boroughs of Pa. probably
23 have something very similar to what you're
24 trying to impose.

25 MS. BARTOLETTI: They used to have a

1 group called the borough discussion group
2 where you write in your question and
3 everybody would answer. They ended it.

4 MR. RUSSICK: Why don't you contact
5 the legal department for the association of
6 boroughs and ask for guidance in this
7 matter.

8 ATTY. RINALDI: They're going to
9 give you the same answer. Your fees have to
10 be attainable to the cost. We don't know
11 what our cost is and we're setting fees.
12 That's the thing I'm trying to point out.

13 MR. FEBBO: That's what I'm cloudy
14 on.

15 ATTY. RINALDI: I, more than
16 anybody, want you to just get the process
17 in. The fees are easy. Once you know the
18 process and what it's going to cost you and
19 who's going to be doing it it's easy to set
20 the fees.

21 MR. LENCESKI: All right. It is
22 getting late. Is there a motion on the
23 floor for anything? Anything more, Rick?

24 MR. NOTARI: I would like to discuss
25 this further in our executive after the

1 meeting.

2 MR. RUSSELL RINALDI: Marylynn, how
3 much was Amanda making in the sewer
4 department?

5 MS. BARTOLETTI: Oh, boy, \$12 or \$13
6 an hour. I don't remember.

7 MR. RUSSELL RINALDI: I'm going to
8 put a motion to the floor that the job that
9 we're going to hire for for the zoning
10 department and the sewer department, I'm
11 going to say for a maximum 30 hours a week
12 at \$12 an hour for that advertised position
13 that we made a motion for two motions prior.
14 Just so we have clarification on the
15 advertisement, the job description and the
16 amount of money.

17 MAYOR MULKERIN: Is it at the same
18 rate for, like, whatever Amanda was making?

19 MR. RUSSELL RINALDI: She said 12,
20 13.

21 MR. FEBBO: So you're talking about
22 two different people?

23 MR. RUSSEL RINALDI: No, just that
24 motion --

25 MR. FEBBO: I would prefer one

1 person for each department.

2 MR. RUSSELL RINALDI: I would, too,
3 but that wasn't the motion that passed. I
4 would, too.

5 MR. LENCESKI: Personally, I think
6 we should come up with a job description,
7 then the salary.

8 MR. RUSSELL RINALDI: We have a job
9 description.

10 MR. FEBBO: No, we don't.

11 MR. RUSSELL RINALDI: The motion was
12 to split the time between the sewer
13 department and the zoning department.

14 MR. NOTARI: Job description is a
15 clerical position and an administrative
16 position.

17 MR. BROWN: Mr. Rinaldi, would you
18 like to make a motion as per the previous --

19 MR. RUSSELL RINALDI: I made my
20 motion. I said \$12 an hour and a maximum of
21 30 hours a week to be split between the
22 zoning department and the sewer department
23 according to the motion that Mr. Notari made
24 for the clerical person. I make that
25 motion.

1 MR. NOTARI: I'll second it.

2 MR. LENCESKI: On the question?

3 Public input? Roll call.

4 MS. BARTOLETTI: Councilman Brown?

5 MR. BROWN: Yes.

6 MS. BARTOLETTI: Councilman Notari?

7 MR. NOTARI: Yes.

8 MS. BARTOLETTI: Councilman Febbo?

9 MR. FEBBO: Reluctantly I'll say
10 yes.

11 MS. BARTOLETTI: Councilman Ferrett?

12 MR. FERRETT: Yes.

13 MS. BARTOLETTI: Councilman Rinaldi?

14 MR. RUSSELL RINALDI: Yes.

15 MS. BARTOLETTI: Councilman
16 Lenceski?

17 MR. LENCESKI: Yes.

18 MR. NOTARI: Nice work, council. We
19 accomplished something.

20 MR. LENCESKI: Anything else?

21 MR. RUSSELL RINALDI: I'm good.

22 MR. FERRETT: No.

23 MR. FEBBO: No.

24 MR. LENCESKI: I'm making a motion.

25 MR. BROWN: I have a question

1 because you said we're coming back to my
2 question.

3 MR. LENCESKI: I just want to let
4 everybody know Tri-Boro Soccer is going to
5 pay for slip seeding down at Sibley. I
6 don't know if we're going to -- I just
7 wanted to make sure that was okay with
8 everyone first. Tri-Boro Soccer put it out
9 to bid. A cost of \$2,500, I believe, to
10 slip seed Sibley.

11 MR. NOTARI: I'm very appreciative
12 of Tri-Boro Soccer doing this, but did they
13 ask for permission?

14 MS. BARTOLETTI: No.

15 MR. NOTARI: Sibley is our park and
16 that's great if they want to donate to the
17 park and help the park get better, but
18 there's a chain of command. I think
19 everybody that uses our fields needs to
20 realize that chain of command is the borough
21 manager. So I think we need to let the
22 public know and our friends know -- Joe,
23 you're involved in soccer. So I think the
24 fact that we just need to, you know, I mean,
25 tell them, like, they went out and got a bid

1 but they don't have permission to do it.

2 MR. LENCESKI: I definitely
3 understand.

4 MR. NOTARI: So just let's try to
5 let all our people know and our volunteers
6 know that anytime they're using borough
7 facilities or borough property that it has
8 to go through the borough. We're not
9 turning anybody away. That's for sure.
10 We'll take all the donations we can get.

11 MR. LENCESKI: I understand what
12 you're saying, but I can't argue if
13 someone's going to throw some seed down on
14 the field. It's not like it's construction
15 or anything. Right now I'm bringing it to
16 the floor because I know they looked for the
17 bid Saturday and I didn't know that it was
18 going to happen so fast. That's why I was
19 bringing it up right now. I know they were
20 interested in doing it.

21 MR. NOTARI: I'm not against it
22 happening, I'm against the process.

23 MR. LENCESKI: Well, here it is. It
24 happened Saturday. That's why I was
25 bringing it up, to ask everyone what they

1 thought.

2 MR. NOTARI: It's a great idea.

3 MS. STOCKEY: At what meeting will
4 the discussion take place as to the fee
5 schedule?

6 MR. RUSSELL RINALDI: We might still
7 get one.

8 MR. LENCESKI: May 2nd we'll have a
9 special meeting and we're going to vote on
10 it. We're going to discuss it in executive
11 session after the meeting is adjourned,
12 unless someone brings it up right now.

13 MR. BROWN: I was told to wait in
14 regard to -- now, this all has to do with
15 the fees. So I was told to wait until
16 Mr. Notari's motion comes, then we were
17 going to see what was going to happen. So
18 Mr. Notari's motions came and they failed,
19 so back to where we were previously. What
20 are we going to do in the meantime?

21 MS. BARTOLETTI: I think it was
22 because in the code it says that it's
23 supposed to be set by resolution, and when
24 you do a resolution you have to --

25 MR. BROWN: I get that. We're just

1 finding this out now three years after I've
2 been complaining. But until that time --

3 MS. BARTOLETTI: We haven't set
4 fees. You said it's been on the books six
5 years or however many. At least do them the
6 right way.

7 MR. RUSSEL RINALDI: Make a motion.
8 Make another one. Reframe it.

9 MR. BROWN: What are we going to do
10 with these properties until then? Because
11 we still have to enforce the code that is on
12 our books.

13 MR. NOTARI: Well, Steve continues
14 to monitor the properties that are nuisance
15 properties and we continue to do what we've
16 been doing.

17 MAYOR MULKERIN: The other side of
18 that, too, is that the nuisance property
19 ordinance is more consequences. Like,
20 violations and arrests still take place. So
21 they're still going to take place. The
22 consequences to, really, the property owner.
23 You know that if something happened in the
24 next two weeks it's not, like, the property
25 owner's going to be held accountable within

1 the next two weeks.

2 MR. RUSSELL RINALDI: Once the
3 property owner's held accountable, that's
4 when the places will start getting cleaned
5 up.

6 MR. WILCHINSKI: Why hasn't the
7 property owner been held responsible? Sewer
8 bills are \$40,000. The water is supposed to
9 be shut off regardless.

10 MR. RUSSELL RINALDI: Why hasn't he,
11 Steve or Bill?

12 MR. BIERYLA: He's talking about
13 sewer bills.

14 MR. RUSSELL RINALDI: The people who
15 Mr. Notari -- I don't know who they are.
16 The ones Mr. Notari said have outstanding
17 sewer bills.

18 MS. YEAGER: They're on payment
19 plans.

20 MR. NOTARI: Here's the other
21 problem. The sewer department is its own
22 entity right now, so when there are sewer
23 bills and they're late sewer bills
24 Mrs. Yeager puts them on a payment plan or
25 put liens on them or, in the worse case

1 scenario, we'll have their water shut off.
2 But that's never communicated to zoning.
3 There's nothing that says that's a violation
4 of being a landlord.

5 So my hope is by combining --
6 putting the sewer department underneath the
7 borough umbrella that maybe that can change.

8 MR. RUSSELL RINALDI: Maybe like
9 Councilman Febbo said and I said and I'm
10 sure everyone else said a few times, maybe
11 we get one person for each department part
12 time. Focus that part-time person
13 completely on one and the part-time person
14 completely on the other. We have the money.

15 MR. BIERYLA: The plus side of that,
16 knowing that if a lien is there and you do
17 shut the water off, well, now it's a health
18 and safety issue. That's where I come in.
19 But I have no idea what liens, who's water
20 is shut off, what's going on. I just don't
21 know.

22 MR. FEBBO: I agree with you in a
23 two people deal because I think you get a
24 person to focus totally on sewer, and then
25 if he needs help get somebody to focus

1 solely on that, but yet they can interact
2 together.

3 MR. BROWN: Will you guys make a
4 motion to hire the second one, Mr. Rinaldi
5 or Mr. Febbo?

6 MR. RUSSELL RINALDI: Will you?

7 MR. BROWN: I'm asking you guys.

8 MR. RUSSELL RINALDI: Go ahead.

9 MR. FEBBO: Do we do that without
10 discussion of job description and salaries?

11 MR. BROWN: What you do is you post
12 it, to post a position. Not to hire
13 somebody, to post it to get applications.

14 MR. NOTARI: We have one position.
15 Hopefully we get multiple applications.

16 MR. FEBBO: Let's wait until
17 Marylynn comes back.

18 MR. NOTARI: We'll have an
19 application pool if we decide to hire a
20 second person.

21 MR. LENCESKI: 7-1 in the code book,
22 "sewer collection hearing board created
23 4/21/88. The purpose of the board, three
24 council members, is to hear requests from
25 those who are in arrears with payments of

1 their Old Forge Borough Sewer Agency bills
2 and to establish affordable payment plans
3 for people with special financial needs."
4 Not some rich person that hasn't paid their
5 bill, that comes in and wants to give 15
6 bucks a quarter that owes thousands of
7 dollars. This board, which it might as well
8 be the committee, should get all the papers,
9 start looking at all the people who owe tons
10 of money, and if they're able to work and
11 they have jobs they need to pay more than
12 \$10, \$15 a quarter or however they pay.

13 MR. RUSSELL RINALDI: It should be
14 the committee but, Bill, doesn't the
15 ordinance say it can't be the committee?

16 ATTY. RINALDI: About four or five
17 years ago there was people that would have
18 meetings.

19 MR. RUSSEL RINALDI: There's a board
20 of directors.

21 ATTY. RINALDI: It's a committee
22 appointed by --

23 MR. FEBBO: Go by the book.

24 MR. NOTARI: We have a three-person
25 sewer committee.

1 MR. LENCESKI: You have to meet, get
2 the bills and bring the people in. If
3 there's hardships, we understand. Hey,
4 you're 90 years old. If you have a
5 restaurant, then you should pay. You're
6 driving a Cadillac around, you should pay.

7 MR. BROWN: Who's on the committee?

8 MAYOR MULKERIN: Sewer committee.

9 ATTY. RINALDI: In the past they
10 used to do it.

11 MR. FEBBO: And it worked.

12 MR. LENCESKI: Anybody else? I'm
13 going to adjourn the meeting. Anything
14 else?

15 MR. BROWN: I just want to say we
16 had a productive meeting. A lot of motions
17 out there.

18 MR. LENCESKI: Make a motion to
19 adjourn the meeting.

20 MR. NOTARI: I'll make it.

21 MR. LENCESKI: All in favor?

22 (Unanimous. Meeting adjourned.)
23
24
25

C E R T I F I C A T E

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 204 pages, is a true and correct copy, done to the best of my ability, of same and the whole thereof.


Mark Wozniak
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