

OLD FORGE BOROUGH COUNCIL MEETING

Old Forge Borough Building  
314 South Main Street  
Old Forge, Pennsylvania

Tuesday, August 16, 2016

7:05 p.m.

MEMBERS PRESENT:     ROBERT SEMENZA, COUNCIL MEMBER  
                             RUSSELL RINALDI, COUNCIL MEMBER  
                             DEVON BROWN, COUNCIL MEMBER  
                             LOU FEBBO, COUNCIL MEMBER

ALSO PRESENT:     MAYOR ROBERT MULKERIN  
                             MARYLYNN BARTOLETTI - BOROUGH MANAGER  
                             WILLIAM RINALDI, ESQUIRE - SOLICITOR

Janet E. Smith  
Court Reporter  
(570) 650-0753

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P-R-O-C-E-E-D-I-N-G-S

MR. SEMENZA: Good evening, ladies and gentlemen. Welcome to the August 16th Borough Council Meeting. Stand for the Pledge of Allegiance.

(Pledge of Allegiance)

MR. SEMENZA: The purpose of tonight's meeting is to go through some housekeeping.

The public sign-in sheet, if anybody wants to address Council. Give you a few minutes at the end of the meeting.

Go up to new business, and we'll go to our department heads.

Roll call, please, Marylynn.

ATTORNEY RINALDI: Mr. Brown.

MR. BROWN: Glad to be here tonight.

ATTORNEY RINALDI: Miss Cordiano, absent. Mr. Febbo.

MR. FEBBO: Here.

ATTORNEY RINALDI: Mr. Ferrett, absent. Mr. Rinaldi.

MR. RUSSELL RINALDI: Here.

ATTORNEY RINALDI: Mr. Lencieski, absent. Mr. Semenza.

1 MR. SEMENZA: Here. Okay. The  
2 Chairman will entertain a motion approve the  
3 minutes from the prior meeting.

4 MR. FEBBO: Mr. Chairman, I'll make  
5 that motion.

6 MR. SEMENZA: Motion on the floor by  
7 Councilman Febbo. Could I have a  
8 second?

9 MR. RUSSELL RINALDI: I'll second.

10 MR. SEMENZA: Second by Councilman  
11 Rinaldi on the question. Public input. Roll  
12 call, please.

13 ATTORNEY RINALDI: Mr. Brown.

14 MR. BROWN: Yes.

15 ATTORNEY RINALDI: Mr. Febbo.

16 MR. FEBBO: Yes.

17 ATTORNEY RINALDI: Mr. Rinaldi.

18 MR. RUSSELL RINALDI: Yes.

19 ATTORNEY RINALDI: Mr. Semenza.

20 MR. SEMENZA: Yes.

21 Second motion is a motion to approve  
22 the treasurer's report. No, this does not  
23 include sewer accounts.

24 MR. RUSSELL RINALDI: Mr. Chairman,  
25 make that motion.

1 MR. SEMENZA: Motion on the floor by  
2 Councilman Rinaldi. Could I have a second?

3 MR. BROWN: Second.

4 MR. SEMENZA: Second by Councilman  
5 Brown, on the question. Public input. Roll  
6 call, please.

7 ATTORNEY RINALDI: Mr. Brown.

8 MR. BROWN: Yes.

9 ATTORNEY RINALDI: Mr. Febbo.

10 MR. FEBBO: Yes.

11 ATTORNEY RINALDI: Mr. Rinaldi.

12 MR. RUSSELL RINALDI: Yes.

13 ATTORNEY RINALDI: Mr. Semenza.

14 MR. SEMENZA: Yes.

15 The Chair would entertain a motion  
16 to approve invoices for payment. Note, this  
17 does not include sewer accounts.

18 MR. RUSSELL RINALDI: Mr. Chairman,  
19 I'll make that motion.

20 MR. SEMENZA: Motion on the floor by  
21 Councilman Rinaldi. Could I have a second?

22 MR. BROWN: Chairman, I'll second  
23 that motion.

24 MR. SEMENZA: Second by Councilman  
25 Brown, on the question. Public input. Roll

1 call, please.

2 ATTORNEY RINALDI: Mr. Brown.

3 MR. BROWN: Yes.

4 ATTORNEY RINALDI: Mr. Febbo.

5 MR. FEBBO: Yes.

6 ATTORNEY RINALDI: Mr. Rinaldi.

7 MR. RUSSELL RINALDI: Yes.

8 ATTORNEY RINALDI: Mr. Semenza.

9 MR. SEMENZA: Yes. Fourth motion is  
10 the motion to approve sewer department  
11 financial reports.

12 MR. RUSSELL RINALDI: Mr. Chairman,  
13 I'll make that motion.

14 MR. SEMENZA: Motion on the floor by  
15 Councilman Rinaldi. Could I have a second?

16 MR. FEBBO: Second.

17 MR. SEMENZA: Second by Councilman  
18 Febbo on the question. Public input. Roll  
19 call, please.

20 ATTORNEY RINALDI: Mr. Brown.

21 MR. BROWN: Yes.

22 ATTORNEY RINALDI: Mr. Febbo.

23 MR. FEBBO: Yes.

24 ATTORNEY RINALDI: Mr. Rinaldi.

25 MR. RUSSELL RINALDI: Yes.

1 ATTORNEY RINALDI: Mr. Semenza.

2 MR. SEMENZA: Yes.

3 Fifth motion is a motion to approve  
4 sewer department invoices for payment.

5 MR. RUSSELL RINALDI: Mr. Chairman,  
6 I'll make that motion.

7 MR. SEMENZA: Motion on the floor by  
8 Councilman Rinaldi. Could I have a second?

9 MR. FEBBO: I'll second that motion.

10 MR. SEMENZA: Seconded by Councilman  
11 Febbo on the question. Public input. Roll  
12 call, please.

13 ATTORNEY RINALDI: Mr. Brown.

14 MR. BROWN: No.

15 ATTORNEY RINALDI: Mr. Febbo.

16 MR. FEBBO: Yes.

17 ATTORNEY RINALDI: Mr. Rinaldi.

18 MR. RUSSELL RINALDI: Yes.

19 ATTORNEY RINALDI: Mr. Semenza.

20 MR. SEMENZA: Yes.

21 Now we'll go to our department  
22 heads. Paul, DPW, manager's report, please.

23 MR. PAPI: Good evening,  
24 everyone. DPW report for July. Brief  
25 description of some of the things we did

1 last month.

2 I responded to 93 PA one calls for  
3 the month of July. I have our summer help  
4 back on cutting vegetation on Connell Street  
5 and Brook Street.

6 They painted the cannon. They did a  
7 real nice job. We fixed some road  
8 subsidences on Nichols Avenue.

9 I sent four men out, two trucks  
10 pothole patching. We fixed the tailgate on  
11 our 2008 F550. And we installed a new  
12 sanitary lid and riser on Mowery Street.

13 We installed a new catch basin on  
14 Miles Street. We fixed three catch basins  
15 on Apache Drive that were in bad shape and  
16 fixed a sewer lid in the middle of the  
17 street, same location.

18 Sent two trucks and for two hours  
19 pothole patching. I contacted Lackawanna  
20 County Bridges when it was brought to my  
21 attention that the bridge on Connell Street  
22 was in rough condition.

23 And when I finally got in touch with  
24 them, they responded quickly, sent a team  
25 down, inspected it. And within days, they



1                   were working on it and had it all completed  
2                   within a couple days. So that's all taken  
3                   care of.

4                   I responded to a blocked sewer  
5                   Sunday morning on the corner of Bridge and  
6                   Drake.

7                   I was called out to 100 Rose Lane  
8                   for a block sewer. Turned out to be a  
9                   blocked lateral.

10                  And I sent everybody out cleaning  
11                  storm drains to prepare for the rain event.  
12                  We didn't have any flood problem the last  
13                  couple weeks. Been keeping the storm drains  
14                  as clean as we could.

15                  And on the back page is all the  
16                  mileage for all the vehicles, Bobby. Anybody  
17                  have any questions?

18                  MR. SEMENZA: Any questions for Paul?  
19                  Thanks, Paul.

20                  MR. PAPI: Sure.

21                  MR. SEMENZA: Zoning, zoning  
22                  enforcement officer's report, please.

23                  MR. BIERLYA: Yes, good evening. For  
24                  the month of July, I spoke with the party  
25                  wishing to take over Napes on Oak Street and

1 open a hoagie shop.

2 At the planning meeting, William  
3 Senepedis showed a minor subdivision plan  
4 for George Mamera on Monroe Avenue. The  
5 planning approved the plan.

6 Chris Eyler was also at the planning  
7 meeting. That's who I spoke to about the  
8 hoagie shop that they wish to put on where  
9 Napes was on Oak Street. Planning approved  
10 it.

11 I received a complaint on the  
12 overgrown property on Seneca Drive. Since  
13 then, it's been cut.

14 Contacted the new owner of 1234  
15 South Main Street about the garbage on the  
16 sidewalk. The owner took care of the  
17 garbage.

18 We were just down there today. The  
19 garbage was out again, and the grass is in  
20 violation. I do believe that they have an  
21 eviction notice tomorrow or Thursday down at  
22 the magistrate.

23 I spoke to the contractor on the  
24 permit application process. Sent a letter to  
25 the resident on an abandon car on Alirosa

1 Lane. Since then, that's been removed.

2 Sent a letter to 212 Wyalusing  
3 Avenue on the yard cleanup. That is  
4 scheduled for the magistrate on the 25th.

5 I spoke with a resident on  
6 requirements on installing an inground pool.  
7 I sent the letter to a resident on Saint  
8 Lawrence about the overgrown hedges, making  
9 it hard to see on the corner of Mary and  
10 Lawrence. The hedges were cut and grass was  
11 cleaned.

12 Spoke with Cathy Reap about boxing  
13 fitness therapy gym she wants to put in the  
14 Maxon Drive, MMA.

15 Since then, she was at the planning  
16 meeting in August and was given approval to  
17 take the spot over. It's actually physical  
18 therapy for Parkinson's Disease.

19 Spoke with residents about  
20 requirements for installing above-ground  
21 pool setbacks that were needed.

22 I sent an overgrown hedges to 118  
23 Sussex Street. That's been cleaned up. I  
24 spoke with the resident of Dunn Avenue about  
25 a deck the contractor was installing.

1           The property line was in question.  
2           And until the property line is established,  
3           going to hold off on doing the deck.

4           By the way, there is an existing  
5           deck there. He was just going to knock it  
6           to down but had to go on the other man's  
7           property to do it. So, they're establishing  
8           the line.

9           Sent a letter to the residents on  
10          Kohler Avenue about an abandoned vehicle  
11          parked on private property. Since then, it  
12          has been removed.

13          I spoke to a resident at 1158  
14          Franklin Street about an overgrown property.  
15          I have to get back up and check that.  
16          That's behind the fence. So, drive by and  
17          see it.

18          Received a complaint on high  
19          vegetation on the corner of Keyser Avenue  
20          and Spring Street, where, coming out, that  
21          was a line of sight. The vegetation was  
22          cleared.

23          I spoke with Safeguard Properties on  
24          the issue of high grass and missing fence at  
25          424 Moosic Road. Since then, they really

1 haven't done anything. So, it's going to be  
2 a follow-up with them.

3 Put 12 letters in residents'  
4 mailboxes explaining about the recycling of  
5 electronics, mostly TVs that were left out  
6 on curb side. I spoke with the landlord  
7 about the complaints and the property of  
8 Lori Avenue, about 206 Lori Lane. Since  
9 then, the property has been cleaned.

10 I spoke with the landlord at 206 Oak  
11 Street. Driving down the alleyway, there  
12 was a sewer smell. I got out of the car,  
13 and it was leakage coming out of the garage.

14 He sent his plumber down. He snaked  
15 it and that was cleared up. And I sent  
16 letters to the property owners on Elm  
17 Street. If you went down the alley,  
18 everything was impeding the travel of cars  
19 or Mascaro. So, since then, part of that  
20 has been cleaned up, a portion has to go  
21 yet.

22 And we collected \$4,356.00 for  
23 permit fees.

24 MR. SEMENZA: Thanks, Steve. Anybody  
25 have any questions for Steve? Thanks. Dave,

1 engineer's report.

2 MR. LOPATKA: Just a few things.  
3 One of them I'm passing out to update where  
4 the program is at this point.

5 Some of the roads are complete, some  
6 aren't. Right in the middle of everything.  
7 That kind of gives you an update, basically,  
8 as of today, where we're at.

9 One item on there that was talked  
10 about two weeks ago, Wood Street and putting  
11 an inlet in there.

12 I haven't received any feedback on  
13 that, whether or not we're going to put that  
14 in or how we're going to handle that. But a  
15 decision needs to be made pretty soon on  
16 that, if they want to continue.

17 MR. FEBBO: What do we have to do on  
18 that?

19 MR. LOPATKA: Council or somebody  
20 needs to let me know.

21 MR. SEMENZA: Did we get any pricing  
22 on that?

23 MR. LOPATKA: I don't believe so.

24 MR. SEMENZA: Marylynn.

25 MS. BARTOLETTI: Paul, I thought you

1                   talked to Earthworks about it.

2                   MR. PAPI:   Earthworks said they  
3 would do it any time we tell them to.

4                   MR. FEBBO:   We just need the okay to  
5 give Earthworks to go ahead with it.

6                   MR. PAPI: It's going right next to  
7 the other one, correct, Dave?

8                   MR. LOPATKA: No, where the  
9 handicapped. We can meet and show you.

10                  MR. PAPI: Going rate for inlets are  
11 right around 1,1 or 1,200.

12                  MR. LOPATKA: Probably about 75 feet  
13 of pipe to tie into the existing inlet  
14 that's there.

15                  MR. SEMENZA: It's not something that  
16 has to go out for bid or anything like that?

17                  MS. BARTOLETTI: No.

18                  MR. PAPI: I'll get a price before we  
19 start.

20                  MR. FEBBO: Can we expedite that?  
21 Because of a paving project coming on the --

22                  MR. SEMENZA: Yes. That and Grace  
23 Street, right, we talked about inlets on?

24                  MR. LOPATKA: Talked about that  
25 PennDOT right-of-way.

1 MR. SEMENZA: So where do we stand  
2 with that?

3 MR. LOPATKA: I think I sent an  
4 e-mail out to -- I can't -- technically, it  
5 would need to be permitted.

6 MR. SEMENZA: Right. I got your  
7 e-mail. I don't know if you followed up or  
8 got any more information on it.

9 MR. LOPATKA: I did. And other than  
10 the fact it would need some type of permit  
11 to tie in to the --

12 MR. SEMENZA: Timeframe, I forget  
13 what you said in the e-mail. It would be --  
14 if we were for the permit.

15 MR. LOPATKA: That could take a  
16 little time. And I know that we kind of  
17 held off on doing West Grace Street because  
18 the gas company is actually putting a T in  
19 there and that lower section of the road  
20 from Main Avenue up to West Grace.

21 So, buy us a little time. I guess  
22 we need to make a decision whether or not we  
23 want to put inlets and tie in.

24 Just kind of a little additional  
25 request, not a request. A comment came from



1 Paul. Paul was talking about he was talking  
2 with PennDOT, and they're actually starting  
3 to do the pave cuts for the handicap access  
4 ramps and looking to possibly place a number  
5 of inlets along Main Avenue. So they don't  
6 have to go back and do something later with  
7 them.

8 Again, that would require us to get  
9 probably utility permits from PennDOT for  
10 the inlets. And I did follow up on that,  
11 and I have a call in to Kevin Lufshefski who  
12 is in permits and I'll get you more  
13 information on that.

14 I could send an e-mail out once I  
15 have it, so kind of expedite this.

16 MS. BARTOLETTI: Is that -- Paul and  
17 I were discussing that. I don't know if  
18 Paul got to talk to you about it yet. But  
19 this was the whole length of Main Street.

20 I was going to see if you could put  
21 a bid package together to get that out.

22 MR. LOPATKA: That's it. I just  
23 want to verify with permits and PennDOT, how  
24 we need to get it handled on that site. May  
25 be able to, at the same time, deal with

1                   what's on West Grace and inlets on West  
2                   Grace in a similar manner.

3                   Have more information on that  
4                   hopefully tomorrow or Friday. Anybody have  
5                   any questions with regards to the paving  
6                   project?

7                   MS. BARTOLETTI: I do. The list that  
8                   you gave, does this include the additions?  
9                   There was a few additions to the job as it's  
10                  been going on. There's a couple alleys.

11                  MR. LOPATKA: Should include  
12                  everything, yes.

13                  MS. BARTOLETTI: We don't have any  
14                  type of quotation on how much the overages  
15                  are going to be at this point, do we?

16                  MR. LOPATKA: I will put together a  
17                  change order for that, yes.

18                  MS. BARTOLETTI: Okay. Thank you.

19                  MR. FEBBO: On Connell Street,  
20                  remove from project, is that the one that  
21                  the gas company paved, came to remove?

22                  MR. LOPATKA: Yes.

23                  MR. PAPI: The water company.

24                  MR. LOPATKA: Water company, yes.

25                  MR. FEBBO: What about the street

1 going out to Main Street, what is it?

2 MR. PAPI: Union.

3 MR. FEBBO: Union. Is that on here?

4 MR. PAPI: It's on the list. We put  
5 a new inlet there.

6 MR. LOPATKA: Haven't started yet.  
7 It's the third one down.

8 MR. FEBBO: Thank you.

9 MR. LOPATKA: Anybody else then,  
10 paving project?

11 MR. SEMENZA: One other thing. Wood  
12 Street, is that something we have to vote  
13 on? Is that something we have to okay in  
14 the meeting?

15 MS. BARTOLETTI: That's a matter, at  
16 this point, of putting an inlet in; right?

17 MR. FEBBO: Right. Paul, do we have  
18 a pipe up there?

19 MR. PAPI: We have an 18-inch pipe at  
20 the Borough building.

21 MR. FEBBO: Is that sufficient for  
22 it?

23 MR. PAPI: I don't really know. I  
24 don't know what size pipe it's going into.  
25 I think it would be good.

1 MR. LOPATKA: Actually --

2 MR. SEMENZA: It's a two-foot line.  
3 May be a three-foot.

4 MR. LOPATKA: Three-foot, yeah. The  
5 culvert coming --

6 MR. PAPI: Smaller going into bigger  
7 is okay. That will work.

8 MR. LOPATKA: Yeah. I think the  
9 pipe is probably 12 inch from that one to  
10 the existing inlet.

11 MR. SEMENZA: We'll utilize what we  
12 have. If he has an 18-inch, then --

13 MR. PAPI: Call me. And we'll all  
14 meet up there and give me a price.

15 MR. FEBBO: Basically, we are a go  
16 with it, right?

17 MS. BARTOLETTI: Yes.

18 MR. LOPATKA: We can schedule  
19 something later this week and try to get it  
20 done. I do have the papers on hold from  
21 doing that at this point because of that.

22 Next would be the police department  
23 project. I will get a meeting scheduled for  
24 early next week on that. Send an e-mail out  
25 to go over the schedule. We kind of went

1 over the first rendition of changes.

2 Now the architect went back and made  
3 those changes. So, now we're trying to get  
4 to a point where we agree upon the layout.  
5 And we can move forward with engineering and  
6 design and whatnot that has to happen.

7 I believe, Marylynn, are you meeting  
8 also tomorrow with Ed Kohler?

9 MS. BARTOLETTI: Yes.

10 MR. LOPATKA: Need to discuss scope  
11 for the OECD project, get paid through  
12 Lackawanna County Fund. Meeting out with  
13 John Petrini from Lackawanna County  
14 tomorrow. I believe that's 11:00.

15 MS. BARTOLETTI: 11.

16 MR. LOPATKA: So, after that,  
17 provided him a cost estimate at this point  
18 for what the cost would be to redo that  
19 road.

20 All I really need to do is go over  
21 the scope, send him a paragraph describing  
22 what the scope is and go over that tomorrow.

23 So, have the scope mapped out right  
24 after that. Just to go back real quick on  
25 the paving project. I just met Paul at 6:30

1           tonight just to go out and look at a couple  
2           punch list items we need to do.

3           Couple people that needed road curb  
4           put in and one water problem we need to take  
5           a look at.

6           So, that will be part of my  
7           discussions with them prior to the  
8           completion of the project.

9           Other than that, I don't have  
10          anything else, unless somebody has something  
11          else.

12          MR. FEBBO: Before we get away from  
13          paving, the road near the stadium, where it  
14          puddles, is there anything we can do with  
15          that?

16          MR. LOPATKA: Probably could. I  
17          don't know. You don't want to cut the road  
18          at this point.

19          MR. FEBBO: No. We talked about --

20          MR. LOPATKA: Only thing, dig a  
21          hole, put a French drain in.

22          MR. SEMENZA: My only concern about  
23          that is the high school uses that, utilizes  
24          that for parking for football games.

25          MR. FEBBO: Mr. Chairman, you said

1 we would be able to park on that; right?

2 MR. SEMENZA: You could park and  
3 drive over that.

4 MR. LOPATKA: Yes, put a small drain  
5 in there and, you know, drop in a French  
6 drain basically underground. Fill it back  
7 over.

8 Just put a little drain in the low  
9 spot there and get rid of the water.

10 MR. FEBBO: The reason I say that, I  
11 went by there today, it's still pooled up.

12 MR. LOPATKA: I drove by there and  
13 there's still water there.

14 MR. FEBBO: All right. So we can  
15 address that also.

16 MR. SEMENZA: Could you go down and  
17 take a look at it, Dave?

18 MR. LOPATKA: Sure.

19 MR. SEMENZA: And figure something  
20 out for us.

21 MR. LOPATKA: Sure.

22 MR. SEMENZA: I'd like to have it  
23 done before the winter and freezes and have  
24 some problems.

25 MR. FEBBO: Before football season

1           also. Again, whenever you want to do this,  
2           let's get them to give us a price on it.

3                   MR. SEMENZA: Anybody have any  
4           questions for Dave?

5                   MR. LOPATKA: Thank you.

6                   MR. FEBBO: Thanks, Dave.

7                   MR. SEMENZA: Rick Notari from  
8           Lackawanna County.

9                   MR. NOTARI: How is everybody? Rick  
10          Notari, N-o-t-a-r-i. Lackawanna County  
11          Community Human Relations.

12                   Real quick. Just some things. Gypsy  
13          moth spraying scheduling takes place, has to  
14          be done by this week. So, if any residents  
15          or --

16                   MR. SEMENZA: I'm sorry. I wasn't  
17          paying attention.

18                   MR. NOTARI: Gypsy moths spraying  
19          needs to be scheduled for next year. They  
20          schedule a year ahead of time, six months  
21          ahead of time.

22                   So, they are taking schedules now.  
23          Mike, who is in charge of the program, will  
24          come down and look at any areas that any  
25          residents might feel that need spraying for



1 gypsy moths.

2 The phone number is 963-6850.  
3 Again, 963-6850. It needs to be done by  
4 Friday, which is August 19th.

5 And what will happen is, if you call  
6 with a concern, he'll come down and survey  
7 your property and take a look and see if  
8 it's an area that needs to be sprayed.

9 MR. FEBBO: Rick, with that being  
10 said, do we have any problems in Old Forge  
11 that we know of, any complaints about gypsy  
12 moths? This year seems to be --

13 MR. SEMENZA: Any at your house,  
14 Paul?

15 MS. BARTOLETTI: How do you know if  
16 you have a problem?

17 MR. NOTARI: I don't think we have  
18 any problems. I want to say, last year, not  
19 this past year, but maybe last year, they  
20 may have sprayed in one or two areas that I  
21 vaguely remember looking at the map. I  
22 think here in Taylor there were a couple  
23 spots.

24 I don't know if you have a problem.  
25 I guess it's just you realize the area you

1 live, you know. On Lincoln Street, we have  
2 the woods to our backyard, we've always had  
3 problems with, you know, gypsy moths at  
4 certain sometimes of the years, eating away  
5 at the trees.

6 MR. SEMENZA: My sisters, in years  
7 past, had them.

8 MR. NOTARI: I don't think they're  
9 so bad the last couple years. I guess being  
10 a homeowner and knowing your property, I  
11 guess that's how you would figure out if you  
12 needed it or not.

13 MR. FEBBO: Generally, if it is an  
14 area, it would be like the whole side of the  
15 mountain in our area or particular area.

16 MR. NOTARI: I would think so.

17 MR. FEBBO: I didn't hear any  
18 complaints from anybody about gypsy moths  
19 this year.

20 MR. NOTARI: That's good. Again, the  
21 county is holding a first-responder training  
22 class to deal with natural gas vehicles and  
23 natural gas stations.

24 That's going take place in the 911  
25 center. That's September 10th. And contact

1 information is there. That's all I have. Do  
2 you have any questions?

3 MR. SEMENZA: Anybody have any  
4 questions for Mr. Notari?

5 MR. NOTARI: Thanks very much.

6 MR. SEMENZA: Chief, police report.

7 CHIEF DUBERNAS: Just a few things.  
8 Got one step closer with our grant. Our  
9 tasers are ordered. They should be here  
10 probably within two to three weeks.

11 Our NPV guide for the laptops, they  
12 should be here Tuesday or Wednesday. Didn't  
13 confirm. We're moving forward with that.

14 Second, we just had two more  
15 officers of Old Borough with a website,  
16 Officer Nick Binardi, that graduated from  
17 the C.I.T. training, Officer McHugh  
18 graduated from C.I.T. training also. That  
19 brings our department to nine in the county  
20 for crisis intervention training.

21 But other than that, I just have the  
22 list of new hires from the interviews  
23 yesterday. That's all I have.

24 MR. SEMENZA: Anybody have any  
25 questions for Chief Dubernas?

1 CHIEF DUBERNAS: One other thing,  
2 abandoned vehicles. Right now, in the last  
3 two months, we approximately towed over 15  
4 of them.

5 So, we've been working hand in hand  
6 with Steve and with other issues with the  
7 landlord tenants and that. Anything else?

8 MR. FEBBO: Chief, you guys did a  
9 good job with the police, the abandoned  
10 cars, I should say, getting out there.

11 And I get a lot of compliments on  
12 cars that have been sitting at curb side for  
13 the last couple years that are gone now.

14 CHIEF DUBERNAS: It's a long,  
15 tedious process because we're taking  
16 somebody's property so it has to go through  
17 PennDOT.

18 MR. FEBBO: Question for you, what  
19 happened to our signs we were supposed to  
20 get for speed limit?

21 CHIEF DUBERNAS: Still have all the  
22 quotes and everything. As a matter of fact,  
23 I just got a thing back from Cowden, they're  
24 moving their firm and everything. And  
25 they're in the process of redoing

1 everything.

2 They told me everything was on a  
3 standstill with the system and everything. I  
4 haven't heard anything. I got to call back  
5 from them, so.

6 MR. FEBBO: That was a hot topic.

7 MR. SEMENZA: Definitely. I'd like  
8 to see them in the Borough.

9 CHIEF DUBERNAS: And the message  
10 boards, I know we talked about. Plus, I know  
11 Old Forge was coming up and everything. We  
12 just used Taylor's again, so.

13 MR. SEMENZA: What was the quote on  
14 the message board? Do you remember off the  
15 top of your head?

16 CHIEF DUBERNAS: That's where I was  
17 a little wrong. I want say around 8, but it  
18 was a little over 13 for the trailer.

19 MR. SEMENZA: Chris, what is the  
20 price of them? Do you remember?

21 CHRIS: Somewhere in the  
22 neighborhood of 15 grand.

23 CHIEF DUBERNAS: All different  
24 kinds. I know the big one and the cheapest  
25 one that we got was Wenco or Wanco. And

1                   they're the ones I see now on the turnpike.  
2                   They're -- actually can get them in any  
3                   color you want.

4                   They're the ones you see all over  
5                   the turnpike now. I think Wanco. They put  
6                   them on a trailer, just like the Taylor  
7                   ones.

8                   The sign lifts up, runs off of solar  
9                   power and everything.

10                  MR. FEBBO: What about the lasers we  
11                  were talking about?

12                  MR. LOPATKA: Lasers? That was  
13                  Cowden. They just moved. They're in the  
14                  process. Everything is backed up with them.

15                  So, they're not selling nothing.  
16                  They're not doing no trainings, no nothing.  
17                  As a matter of fact, they just did our cars  
18                  for VASCAR.

19                  And they said hopefully to be back  
20                  within the 59th day to recertify them again.  
21                  Again, in the process of moving.

22                  MR. FEBBO: Thank you.

23                  MAYOR MULKERIN: Where are they  
24                  moving from and to?

25                  MR. LOPATKA: Somewhere by

1 Williamsport. I got a message that they're  
2 in the process of moving to a different  
3 place.

4 MR. SEMENZA: Anybody have any  
5 questions for Chief Dubernas? Thanks, Chief.

6 Bill, solicitor's report.

7 ATTORNEY RINALDI: Other than the  
8 information in my report, there's really  
9 nothing to add, because most of it is, I  
10 think, for executive session.

11 PennDOT loan, I think we're going to  
12 close very shortly, since we got the last of  
13 the paperwork to sign it today. Otherwise,  
14 that's it.

15 MR. SEMENZA: Anybody have any  
16 questions for Bill? Thanks, Bill.

17 Marylynn, Borough manager's report.

18 MS. BARTOLETTI: Let's see. We  
19 don't have any more bins for recycling. So  
20 I'm going to order. The only thing we have  
21 left at this point is just a few red.

22 So, I'm probably going to order a  
23 thousand blue and a thousand green and 500  
24 red. I think that should hold the Borough  
25 over for a while now, since we went through

1 3,000 of the other ones.

2 On the agenda, it says about PPL,  
3 going to pass resolution today. And that's  
4 the final step before they do the work to  
5 change over all of our streetlights to LED.

6 I know that was discussed in the  
7 past and said it was in the works. So, just  
8 about there now.

9 Bobby, I had mentioned to you about  
10 the possibility of changing the September  
11 meeting.

12 MR. SEMENZA: Yes.

13 MS. BARTOLETTI: Because I can't  
14 make the one that's scheduled. So, if you  
15 want to discuss that later, after we do some  
16 of the agenda items, maybe it would be  
17 easier.

18 MR. SEMENZA: That's fine. Or, I  
19 mean, that's fine. Talk after the agenda.  
20 All right.

21 MS. BARTOLETTI: I have a letter  
22 that I was asked to read. It says, Dear  
23 Council, Mayor, Borough Manager, Borough  
24 employees, residents of Old Forge.

25 It is with deep regret I'm



1           announcing my resignation from Old Forge  
2           Borough Council.

3                 Due to personal reasons, I will be  
4           unable to dedicate the time needed in my  
5           position going forward.

6                 This comes with a heavy heart, as I  
7           was elected into this position to help our  
8           great town of Old Forge move forward.

9                 I want to thank all who supported me  
10          in my candidacy and also those who supported  
11          my decision to resign, as it is the best  
12          decision at this time for me and my family.

13                The Borough of Old Forge needs and  
14          deserves someone who will have the time  
15          needed in the position to help move our town  
16          forward.

17                With that said, I will do whatever  
18          Council needs of me to assist in replacing  
19          my position with an individual who shares  
20          the same values and goals this town needs.

21                Excuse me. Thank you in advance for  
22          your understanding in my decision.

23                Sincerely, Jennifer Stone Cordiano.

24                So, it is on the agenda tonight that  
25          you guys will vote to accept the

1                   resignation.   Okay.

2                   MR. SEMENZA: Since we're on that  
3                   subject, Bill, Council has, if accepted,  
4                   Council has 30 days to appoint a Council  
5                   member.

6                   ATTORNEY RINALDI: I think it might  
7                   be 45.

8                   MR. SEMENZA: 45?

9                   ATTORNEY RINALDI: 45 days.

10                  MR. SEMENZA: Marylynn, could you run  
11                  an ad in the paper?

12                  MS. BARTOLETTI: Yes. Bill and I  
13                  discussed that earlier. We're going to get  
14                  an ad together. Hopefully, it will go  
15                  tomorrow and put in the paper for Thursday.

16                  MR. SEMENZA: Run it twice?

17                  MS. BARTOLETTI: Yeah.

18                  MR. SEMENZA: And then, Bill, would  
19                  the whole Council be in an executive session  
20                  over this or a personnel meeting?

21                  ATTORNEY RINALDI: However you guys  
22                  want to do it.

23                  MR. SEMENZA: It's new to me. So, I  
24                  don't know. I just want to do it right.

25                  ATTORNEY RINALDI: You guys can

1 review them. Weed some out, if you want.  
2 And then Council can interview everybody.

3 MR. SEMENZA: Could we interview as a  
4 whole Council?

5 ATTORNEY RINALDI: Yeah. Not going  
6 to be voting on anything, just interviewing.

7 MR. SEMENZA: Just want to make sure  
8 wasn't going to violate anything.

9 MR. FEBBO: Private meeting or --

10 ATTORNEY RINALDI: That would be  
11 personnel, private.

12 MS. BARTOLETTI: Basically as we do  
13 interviews. Right.

14 MS. JOAN WELK: Would that be  
15 considered a personnel meeting?

16 MR. SEMENZA: That's what I just  
17 asked.

18 MS. JOAN WELK: I didn't hear his  
19 answer. Talked too low.

20 MR. SEMENZA: He said we can meet as  
21 a whole.

22 ATTORNEY RINALDI: A personnel  
23 meeting but anybody from Council can attend  
24 it.

25 MS. JOAN WELK: In other words, the

1 public is not invited?

2 ATTORNEY RINALDI: Right, right.

3 MAYOR MULKERIN: Bill, just a  
4 question. I read up a little bit on it.  
5 There's a document out there how to fill a  
6 vacancy for Pennsylvania elected office.

7 It does say it's public. So, I  
8 don't know. I could send --

9 ATTORNEY RINALDI: The vote has to  
10 be in public.

11 MAYOR MULKERIN: No. It says, all  
12 interviews and voting are conducted at a  
13 duly-advertised public meeting.

14 ATTORNEY RINALDI: It's going to be  
15 -- I'll look at it, but it's kind of up to  
16 Council. They don't even have to interview  
17 if they don't want. They can just vote on  
18 it.

19 MAYOR MULKERIN: This is from the  
20 Borough Association website. So I can  
21 forward it to you.

22 ATTORNEY RINALDI: I'll look at it.

23 MAYOR MULKERIN: I know that it does  
24 say, all interviews and voting are conducted  
25 at a duly-advertised public meeting.

1 President of Council announces that he is  
2 entertaining nominations to fill vacancies.

3 ATTORNEY RINALDI: Voting, yes.

4 MR. BROWN: Mr. Chairman, I know  
5 down in Avoca, they just filled a Council  
6 seat. It was not public. It was private.

7 MR. SEMENZA: I know.

8 MR. BROWN: I think it varies on your  
9 borough.

10 MAYOR MULKERIN: Pulling it from the  
11 Boroughs' Association website. Maybe Avoca  
12 didn't follow it.

13 MR. BROWN: Up in Mid-Valley, about  
14 a month ago, there was a review appointment  
15 to a Council seat. And I don't think that  
16 that voting meeting was public either. The  
17 interview session, I should say.

18 ATTORNEY RINALDI: The nominations  
19 and voting has to be at a public meeting.

20 MR. BROWN: Yes.

21 MAYOR MULKERIN: As I said, I just  
22 read for you the document from the Borough  
23 Association website.

24 I don't know if I have to read it  
25 again that it says, All interviews and

1 voting are conducted at a duly-advertised  
2 public meeting.

3 MR. BROWN: My question to you --

4 MS. BARTOLETTI: Bill, you can look  
5 it over if you want and see. Maybe --

6 MR. SEMENZA: Will Robert's Rules  
7 state something on this?

8 ATTORNEY RINALDI: It's up to you  
9 guys.

10 MR. FEBBO: Would that not be, we  
11 interview in public but then go into an  
12 executive session and then vote back here in  
13 public again?

14 MS. JOAN WELK: Why would you go in  
15 executive session if you interview here in  
16 public session?

17 MR. FEBBO: As Bill said, we, as  
18 Council --

19 MS. JOAN WELK: You would say -- you  
20 know, put a nomination out there.

21 MR. FEBBO: Should we, as Council --

22 MAYOR MULKERIN: The paragraph lays  
23 out, it sounds like, how it's supposed to be  
24 held.

25 I can forward it to all of Council.

1 Bill can look it over and advise us on what  
2 we are -- that's what we pay him for, to  
3 advise us on what to do.

4 I'm just telling you from the  
5 Borough Association website, there's a  
6 document, how to fill a vacancy.

7 MR. SEMENZA: Bob, please forward.

8 MAYOR MULKERIN: I will. Just for  
9 the record, it goes on to state, according  
10 to Robert Rules, nominations do not need a  
11 second. But your own bylaws and rules might  
12 require a second.

13 So, that's where Roberts' Rules come  
14 in. It says, after the nominations are  
15 made, the president close the nominations as  
16 read.

17 Read the first name and ask for a  
18 vote -- a voice vote. First person receives  
19 the majority vote, then voting is concluded.  
20 I'll send it to everyone.

21 MR. SEMENZA: Basically vote by name  
22 then?

23 MAYOR MULKERIN: That's what it  
24 sounds like. Bill can look it over.

25 MR. SEMENZA: Forward it and Bill can

1 look it over. And I'll look it over. And  
2 we have 45 days to advertise and go through  
3 it. All right.

4 Marylynn, I'm sorry.

5 MS. BARTOLETTI: Just one more thing  
6 I wanted to mention. I've been receiving a  
7 lot of calls in regard to the streets in the  
8 Lackawanna Housing where Apollo and  
9 Eisenhower are.

10 And I've been discussing with Bill,  
11 and I know we talked about it here as well.  
12 But I just wanted to point out that Bill is  
13 still working on it with the solicitor for  
14 Lackawanna Housing.

15 So, we still don't have any answers  
16 from them, correct?

17 ATTORNEY RINALDI: Correct.

18 MS. BARTOLETTI: Still don't have  
19 any updates. But I want it to be noted that  
20 we did discuss it at this meeting tonight.  
21 And that's all I have.

22 MR. SEMENZA: Anybody have any  
23 questions for Marylynn? Thank you,  
24 Marylynn.

25 At this time, I'm going to go down



1 the table and see if any Councilmen have  
2 anything to address.

3 Mayor, start with you.

4 MAYOR MULKERIN: Very quick, I have  
5 a couple things. I don't know if everyone  
6 received the minutes from the public safety  
7 meeting.

8 Councilman Brown sent out minutes.  
9 He didn't include me as attending both the  
10 January and the August meeting, which I  
11 attended both.

12 So, I respectfully ask that those  
13 meeting minutes are amended and sent to show  
14 that I attended the meeting.

15 Also, September 4th, there's an  
16 event in town, Rooting for Ryan. The young  
17 man in town that's a student that was  
18 diagnosed with cancer.

19 September 4th at our Karen Ginels  
20 14. I'm sure everyone here has seen it on  
21 Facebook for the public. It would be great  
22 if we can help out.

23 MS. BARTOLETTI: If anyone needs  
24 tickets, I have them here.

25 MAYOR MULKERIN: Do you have ticket?

1 I didn't know.

2 MS. BARTOLETTI: Yes, I do.

3 MAYOR MULKERIN: Also, the Festival,  
4 September 9, 10 and 11th. That's all I  
5 have.

6 MR. SEMENZA: Thanks, Bob.  
7 Councilman Brown.

8 MR. BROWN: Yes. I'm just looking  
9 over my minutes here. I just want to make  
10 sure.

11 I will edit the attendance roll  
12 record for the minutes. And I do, I  
13 attached every meeting minutes I have with  
14 yourself and the police chief. And then the  
15 last meeting --

16 MS. BARTOLETTI: Excuse me, Devon.  
17 If you get a chance, could you forward a  
18 copy to myself as well?

19 MAYOR MULKERIN: Also, could you  
20 forward a copy to myself as well, please?

21 MR. BROWN: Last meeting, I know you  
22 passed them out on paper form, last time I  
23 printed them out. And I e-mailed them to  
24 you before the meeting, we got them.

25 MR. SEMENZA: Okay.

1 MR. BROWN: I just wanted to go over  
2 on the -- I want to go over the Nuisance  
3 Property Ordinance, which I've addressed  
4 with the solicitor, Chairman Semenza and  
5 Steve here at the meeting.

6 In response to Section 112-6-6,  
7 hearing procedures, Section 1, I recommended  
8 be reducing the amount of timeframe for a  
9 hearing in front of Council to 10 days,  
10 maximum, once a violation letter is sent.

11 The response from our legal advice  
12 is that due to us meeting with counsel,  
13 there would no change because Council can  
14 set the limitations.

15 My second recommendation is Section  
16 C, reduce the amount of time to provide  
17 feedback from the hearing to a 10-day  
18 maximum allotment.

19 Recommendation by legal counsel is  
20 no need to change this because, again, they  
21 would be coming before us and we would set  
22 the timeframe.

23 Section D, reduce the amount of time  
24 allowed for correction of feedback from the  
25 hearing to 10 days after the results of the

1 hearing have been received.

2 Again, no need to change that  
3 because they would be coming before us.

4 And then the fourth recommendation,  
5 to see if we can eliminate the hearing  
6 procedure in front of Council.

7 Advice on the legal end is we can  
8 not, because the owners have the right to be  
9 heard.

10 I'm not trying to make any owner be  
11 unheard. I was just trying to speed up the  
12 process.

13 And Section 112-A, notice of  
14 violation. First recommendation was Section  
15 B, amended ordinance to allow for violations  
16 to be sent by certified mail instead of  
17 personal service.

18 Legal counsel, there was no need to  
19 change because we, at the last meeting,  
20 Steve said if he was unable to find an  
21 owner, he would send it out.

22 And then Section D, shorten the  
23 length of time for an owner of a dangerous  
24 building to complete the corrections  
25 required to the property to 10 days.



1 out, they don't reply. Suppose that letter  
2 goes out -- I'll give you for an example,  
3 suppose that letter goes out yesterday.

4 They got ten days to start.  
5 Council's next meeting, for Council as a  
6 group, is either the next work session,  
7 which is 30 days, or the next public  
8 session.

9 But Council has to be notified, as  
10 you were in the packet, to set a date to  
11 notify that person, which is another letter  
12 that has to go out and another maybe  
13 certified.

14 And if they don't accept it, then  
15 that goes into another two-week process that  
16 they won't sign for.

17 And if you put it in the mailbox,  
18 they're going to say that they didn't get  
19 it. So, the timeframe between sending the  
20 letter, not doing the work, coming back to  
21 Council, Council setting a date and then  
22 giving them an opportunity to come in to  
23 Council, something has to change in that  
24 timeframe where, when the first letter goes  
25 out, you don't have to reply.

1                   You know what I mean? It's either  
2                   you wait for a time to send it out, and  
3                   Council agrees on it's going to be the work  
4                   session or it's going to be the public  
5                   meeting that these people need to come.

6                   The timeframe is way too long to get  
7                   something -- you know, because everything is  
8                   laid on Council.

9                   If I was to go down to Teddy now,  
10                  and I have -- Teddy reads the ordinance.  
11                  I'm sorry. Magistrate Giglio, he says, it  
12                  says Council.

13                  Until Council decides, you can't  
14                  come here because Council deals with the  
15                  decision.

16                  If they revoke Council's authority  
17                  to say within that timeframe that something  
18                  should be done, then and only then can you  
19                  revert to the magistrates with findings of  
20                  fact from Council on the hearing.

21                  So, you still have that little bit  
22                  of window or that gap in between. That  
23                  might be good for a dangerous building,  
24                  because, once again, notifies somebody, get  
25                  something up. And they have to knock a

1 building down.

2 In Nadia's case with the wall, that  
3 doesn't -- just takes way too long, because  
4 it's a wall. Should have been done within  
5 the first 20 days, something being done.

6 It wasn't a rocket scientist that  
7 you need a big excavator. Guy with a little  
8 jack hammer could have went in there and  
9 removed that wall and drilled a couple pins  
10 in to support the other wall until the other  
11 wall got fixed.

12 And, in this case, like I said,  
13 Council is the ultimate decision-maker right  
14 now.

15 As to me to write a letter to the  
16 neighbor to say that Council wants you to  
17 come here and as to why Council wants you to  
18 come in front of them.

19 MR. BROWN: Solicitor, which one do  
20 you think that would follow under the  
21 recommendation?

22 ATTORNEY RINALDI: When we did this  
23 ordinance, you know, Council has got to make  
24 the decision to spend money to tear down a  
25 building if an owner doesn't.



1                   That's why it was written this way.  
2                   It would allow the person the opportunity to  
3                   be heard.

4                   We give personal service because  
5                   that's the quickest way to hand it to the  
6                   person and say, you've been served.

7                   You can send out a certified letter,  
8                   might come back three times, might not get  
9                   served.

10                  When you do personal service, that's  
11                  the quickest way to speed it up. You knock  
12                  on the door, person answers the door.  
13                  They're the resident that lives there. You  
14                  hand it to them. Okay.

15                  The other means is if nobody is  
16                  there, if it's an abandoned building, okay,  
17                  then you just go by the tax records and send  
18                  a certified letter. And that's what you're  
19                  required to do.

20                  That takes longer to see whether or  
21                  not it gets delivered or doesn't get  
22                  delivered.

23                  With that letter, you can schedule  
24                  the hearing right out of the gate and say,  
25                  listen, here's your notice. Council

1 instructed me to inspect the premises.

2 Here's what we found.

3 This needs to be repaired, you know,  
4 within 10 days and completed within 60 days.  
5 There's a hearing scheduled before Council.  
6 And that has to be coordinated between Steve  
7 and Council.

8 And you have the stenographer here.  
9 That person chooses to come in, if they want  
10 to. If they don't, Council just puts on  
11 Steve's testimony. They vote on the  
12 findings and say, either the building should  
13 come down or should be repaired or what  
14 needs to be done.

15 After that, they'd have 30 days to  
16 appeal that decision, if they wanted to, in  
17 the Court of Common Pleas.

18 I think one person actually did one  
19 time. And then it would just go forward.

20 So, I mean, all this is a schedule.  
21 Because, once you have the hearing, the  
22 transcript needs to come back, get a  
23 findings of facts prepared.

24 And Council would vote, okay, here's  
25 what we found or didn't find. Then that gets