

1 sent to that property owner within, I
2 forget, ex-number of days, after the vote by
3 Council.

4 So, I mean, kind of works off
5 Council's schedule and, you know, having the
6 documents in front of Council to vote on.

7 So you can have the hearing. But,
8 you know, prepare findings of fact and look
9 over the transcript, you can't do it right
10 then and there.

11 You would vote on that afterwards,
12 because, this way, if they appeal, you
13 always have that record down at the
14 courthouse that the courthouse won't -- the
15 Judge won't send it back to hear.

16 I think we did that in the Main Bike
17 World case. They actually appealed and went
18 to a hearing. And we had another hearing in
19 front of the Judge.

20 And, ultimately, we won that and the
21 building was torn down. We also did that
22 with the building we discussed, the concrete
23 building down on Lonesome Road. Round Derby.

24 That was also another schedule and a
25 hearing. We did that Shallant property.

1 Council, at that point, did vote to spend
2 Council fees to tear that building down,
3 which we still have a lien on today.

4 So, you know, we didn't want a Judge
5 saying, okay, Council, you got to go tear it
6 down, because they're not.

7 Council should spend the money the
8 way they see fit in the budget. So that's
9 why we did the ordinance this way.

10 MR. BIERLYA: And the reason we use
11 dangerous buildings is because in the first
12 sentence of definition of dangerous
13 building, the verbiage structure is used and
14 structure is above water, below water, put
15 on land.

16 But then the rest of the ordinance
17 pertains to a dangerous building. But the
18 word structure, in that first paragraph,
19 constituted Nadia's wall.

20 So, we have a long stretch. It's
21 what Council could tell me and I can write
22 another letter to say, you need to come in
23 for the hearing. And, at that point in
24 time, present why you should or should not
25 get rid of this wall.

1 So, there is another avenue that the
2 -- if you look under 229-4, nuisance
3 properties.

4 And that follows into the
5 landlord/tenant ordinance that it says, if a
6 person is inhibited by use of their property
7 beyond -- within the boundaries of their
8 property, if there's a danger, you follow
9 the same guidelines where I would go and
10 look at it, give the letter for 10 days for
11 them to fix it.

12 After 10 days, you would go inspect
13 it. If it wasn't repaired or fixed then,
14 they would have another 10 days as in the
15 landlord/tenant ordinance.

16 And then, after that, if it wasn't
17 fixed, you would have the police write up a
18 criminal citation and then the fines and
19 fees are adapted to that ordinance.

20 So, it was dangerous buildings for
21 nuisance properties. So, that one line in
22 there on C that does say, you know, within
23 the boundaries of your -- safety hazard,
24 within the boundaries of your property.

25 So, right now, we're into the

1 dangerous building. So, solicitor or
2 Council has the letter that I sent them.
3 Nothing has been done. Registered letter
4 has to come back.

5 I have delivered the letter. If you
6 want -- you know, Council can decide on --
7 the next time, write another letter, tell
8 them to come in front of Council as to why
9 they did or why they haven't chose to
10 repair.

11 MS. MACHESKA: Nadia Macheska.
12 Could I ask something? So, can I assume
13 that the first thing, regarding this
14 retaining wall, that I have to look at is,
15 my neighbors do not do anything within 10
16 days of the receipt of this letter, okay,
17 work shall begin within 10 days of receipt
18 of this notice and comply with this notice
19 within sixty days from receipt of this
20 notice.

21 So, the letter was dated July 13th.
22 So, would that be 10 days from July 13th?
23 And then, if so, they're in violation, my
24 lawyer, Bridget Carey, feels that they are
25 in violation.

1 She wanted me to speak tonight. She
2 wanted me to ask you, have you received an
3 action of building permits from Mr. and Mrs.
4 Guido?

5 MR. SEMENZA: To repair the wall?

6 MS. MACHESKA: Yes.

7 MR. SEMENZA: Steve, have we?

8 MR. BIERYLA: Nothing has been
9 received.

10 MR. SEMENZA: Nothing has been
11 received.

12 MS. MACHESKA: Okay. So the answer is
13 no. Now, if every day a violation of the
14 fine that is allowed, like every day after
15 that, like, each day of noncompliance, is
16 that a violation and should they be fined
17 each day?

18 MR. RUSSELL RINALDI: Are you
19 asking me if we're fining them every
20 day?

21 MS. MACHESKA: I'm asking if that's
22 what it is.

23 MR. BIERYLA: Nadia, what happens is
24 after -- Council is aware now that they have
25 to have the meeting and have them come in,

1 right?

2 So, once Council decides -- once
3 Council decides and makes that decision and
4 I believe it says the findings of facts, and
5 they are given the notice to repair, if they
6 don't repair it after they receive that
7 notice, then and only then does that come
8 into play.

9 When I started to say before, it's
10 in Council's lap right now, because we went
11 through the procedures.

12 Now Council has to decide on a date
13 for them to come in. And then after the
14 hearing, you decide why or not, findings of
15 fact, like the solicitor said. And then if
16 you say you must repair the wall, you must
17 repair the wall from what date.

18 If they don't repair the wall by
19 that date, thereafter, penalties apply.

20 MR. SEMENZA: Bill, does Council have
21 to vote on having a hearing?

22 ATTORNEY RINALDI: Yes, you have to
23 set the date for the hearing.

24 MR. SEMENZA: So, have to vote if
25 there's going to be a hearing and set the

1 date.

2 ATTORNEY RINALDI: Yeah. You got to
3 set -- you guys set it. So, however you
4 want to do it, separate night or same night
5 as a regular meeting.

6 MR. SEMENZA: Okay.

7 ATTORNEY RINALDI: See, it's kind of
8 a civil matter between you and your
9 neighbor. And we're trying to make the
10 ordinance apply.

11 MR. SEMENZA: We couldn't instruct
12 Steve to do anything, because it's something
13 that has to be done at the table as a vote.
14 But I will put it on the agenda tonight and
15 we will vote on it, if we're going to have a
16 hearing.

17 MS. MACHESKA: In other words, this
18 letter that Mr. and Mrs. Guido received with
19 the 10 days --

20 MR. SEMENZA: Basically ignored and
21 basically --

22 MS. JOAN WELK: Why don't you have
23 Bridget send them a letter?

24 MS. MACHESKA: Bridget has
25 corresponded with Attorney Rinaldi.

1 MS. JOAN WELK: Doesn't mean --

2 MR. RUSSELL RINALDI: Excuse me.

3 No, no. It does mean something. It means,
4 the way I'm taking it, and correct me if I'm
5 wrong, Steve, you're the zoning officer and
6 I don't mean to --

7 MR. SEMENZA: You're fine.

8 MR. RUSSELL RINALDI: -- interrupt.
9 It means that we can vote tonight. That was
10 the first step. This is the second step,
11 correct?

12 MR. BIERYLA: Not vote. You have to
13 --

14 MR. RUSSELL RINALDI: Vote to set
15 up the meeting. We couldn't do that unless
16 they receive that first. So that does mean
17 something. That's why.

18 MS. JOAN WELK: Been on it for eight
19 years.

20 MR. RUSSELL RINALDI: We've only
21 know for what, six weeks?

22 MR. FEBBO: Joanie, we just got that
23 when you came to the meeting, last month you
24 came to us.

25 MS. MACHESKA: Well, the Council,

1 you mean, or the Borough of Old Forge
2 meaning Steve? Because Steve knows about it
3 since I would say April.

4 MR. BIERLYA: May 26th. That's when
5 I wrote the letter for you. Because, prior
6 to that --

7 MS. MACHESKA: You knew about it
8 before then. You said that you didn't. I
9 said, don't write the letter. Wait. Maybe
10 I can work with them because I didn't want
11 -- I mean, I don't want to do anything to my
12 neighbors. I just want to be able to walk on
13 my sidewalk.

14 ATTORNEY RINALDI: Ultimately, you
15 might have to, because they're trespassing
16 on your property and we can't take action on
17 that.

18 MS. MACHESKA: Pardon me.

19 ATTORNEY RINALDI: Ultimately, you
20 might have to because they're trespassing on
21 your property and we can't handle that.

22 We can't represent you in that. You
23 have to file that claim.

24 MS. MACHESKA: Steve said to me,
25 because I asked Steve if I could be notified

1 when they were going to start the project,
2 because I wanted to be home so I could see
3 if there's any damage to my property.

4 Because, as it stands now, I don't
5 know if there's damage to my property. I
6 assume no.

7 But until they pick up everything, I
8 will not know if there's any damage to my
9 property.

10 ATTORNEY RINALDI: That's something
11 you're going to have to handle on your own.

12 MS. MACHESKA: And I want to be
13 there. But I have to know when they're
14 going to start, so I can be home that day. I
15 don't know what to do.

16 ATTORNEY RINALDI: I kind of
17 explained to Bridget that we would try to
18 work within the confines of our ordinance.

19 So we're treating that wall as a
20 structure. It's not a house, not a home,
21 not a building. We sent a letter to see if
22 we can get something done by notifying them
23 that this structure needs to be repaired.
24 Structure being the wall.

25 MS. MACHESKA: Is there any other way

1 that a letter can be sent versus
2 hand-delivered and certified?

3 ATTORNEY RINALDI: You want to make
4 sure that they received it.

5 MS. MACHESKA: Exactly. Because
6 Bridget mentioned another way that she never
7 sent them certified because people don't
8 respond.

9 ATTORNEY RINALDI: You do personal
10 service.

11 MS. MACHESKA: No, no, no. She sends
12 them something, something, something else.

13 ATTORNEY RINALDI: I have no idea.

14 MS. MACHESKA: You know what, wait a
15 minute. If I have the original letter here
16 from --

17 ATTORNEY RINALDI: Regardless if --

18 MS. MACHESKA: -- 2008.

19 ATTORNEY RINALDI: Regardless
20 whether it comes back or not, as long as we
21 send it to the address on the tax records,
22 that's good enough.

23 Doesn't matter whether they sign for
24 it or not. Just has to be sent certified to
25 that address. If they refuse to pick it up,

1 that's their problem. They received notice
2 under our ordinance.

3 MS. MACHESKA: But then when do you
4 start counting then?

5 ATTORNEY RINALDI: When Council
6 wants to set a hearing.

7 MR. FEBBO: We're on the board now.
8 After eight years, you got on the board.
9 And we're following the process that we have
10 to take.

11 But, as you heard, it takes a while
12 longer, as far as sixty days before we could
13 really -- so, that being said, we need to
14 pick a date for a meeting to have them come
15 in for a public meeting, correct?

16 ATTORNEY RINALDI: Yeah. Send them
17 a letter saying Council scheduled a hearing
18 date on your notice of repair on such and
19 such a date, if you wish to be heard.

20 MR. FEBBO: That being said, could
21 we do that this evening?

22 MR. SEMENZA: We will do that this
23 evening, yes.

24 ATTORNEY RINALDI: Pick the date.
25 He can do the letter.

1 MR. BROWN: I just ask, now that we
2 know that they -- the ramifications to take
3 once a letter is sent and received, could we
4 get a list? Or I don't know -- I don't know
5 if it would be possible tonight, but, from
6 Steve pertaining to all the letters of
7 dangerous buildings you sent?

8 It seems like, if you send the
9 letter, then -- and these dangerous
10 buildings are still there and nothing gets
11 Council in the whole -- but feels like
12 there's miscommunication because we didn't
13 do our part and have them come in for a
14 hearing.

15 Could we have a list of all the
16 dangerous buildings that you sent out so we
17 could call these owners in for a hearing?

18 MR. BIERLYA: Some of them have been
19 taken care. They didn't have to speak.

20 MR. BROWN: Okay.

21 MR. BIERLYA: Some of them are still
22 pending.

23 MR. BROWN: Yeah. The ones that are
24 still pending, could we have a list to call
25 them in so we can speed everything up?

1 MR. SEMENZA: Councilman Brown, we
2 are on you.

3 MR. BROWN: That's about it.

4 MR. SEMENZA: That's it. Councilman
5 Rinaldi.

6 MR. RUSSELL RINALDI: Just a few
7 things, and I jumped out of orthodox. I
8 should have got these before.

9 Nothing to report on any of my
10 committees. Just a few questions for a
11 couple of the department heads.

12 Number 1, Steve, if you could, on
13 the corner of Humphrey and Connell Street, I
14 don't know, Jimmy Tanafara's mother's old
15 building -- I'm sorry, mother's old house,
16 you know the street that goes back to the
17 Junior Football Field, must have been about
18 30 bags of garbage in the front yard.

19 MR. BIERYLA: Let me ask you this
20 Russell. Monday. Was that Monday?

21 MR. RUSSELL RINALDI: No. I know
22 the garbage came this week. So it might
23 have went out.

24 MR. BIERYLA: That was a trouble
25 property. We had two cars. Chief Dubernas

1 and myself went down at the time of the
2 motor homes. And we spoke with the
3 residents.

4 I know right after we spoke,
5 everything was cleaned up. So, I will check
6 and make sure that everything was picked up.

7 MR. RUSSELL RINALDI: Monday about
8 8:00 when I was leaving football practice,
9 so I don't know what time you were there.

10 MR. BIERLYA: Because, across the
11 street, I can't think of his name right now.
12 I told him, if you have any problems with
13 garbage sitting there after the schedule
14 date, please call me and I will take care of
15 it.

16 MR. RUSSELL RINALDI: Right. Like I
17 said, I know the garage was probably getting
18 picked up. It wasn't picked up yet by
19 Monday, coming this week.

20 Just if you could check it out,
21 because I saw there was animals all over it.
22 It was a lot. That's all.

23 Dave, quick question. I should have
24 asked you before. Two questions on the
25 paving project.

1 Number 1, Sanderson Street, they
2 milled it from Oak to Charles. Are they
3 going the whole way or stopping at Charles?

4 MR. LOPATKA: I have to look at the
5 plan. I don't know off the top of my
6 head.

7 MR. RUSSELL RINALDI: It says
8 Sanderson Street. I know Sanderson runs the
9 whole way. Goes about another block anyway,
10 one block.

11 MR. PAPI: Just that one section, I
12 believe it is.

13 MR. RUSSELL RINALDI: Is it just
14 from Oak?

15 MR. LOPATKA: I think they wouldn't
16 stop. But I would have to look at the plan.

17 MR. RUSSELL RINALDI: The reason
18 being is because, if you keep traveling, the
19 rest of the road looks good.

20 Again, I'm no road engineer. But
21 right at the intersection from just like the
22 whole street of Charles, if you go from
23 Charles on the other side, the whole other
24 side is chewed up.

25 I wouldn't see why they didn't do

1 the whole intersection and then continue on
2 with the rest.

3 If you drive by tomorrow, Paul,
4 you'll see what I mean. On the opposite
5 corner, where they stop milling, if there
6 was a crosswalk there, that whole section is
7 destroyed.

8 It's all chewed up. Two big
9 potholes. I don't know why they wouldn't do
10 the whole thing. That's why I asked.

11 Not the whole street, just that
12 whole intersection.

13 MR. LOPATKA: Wasn't up to them.
14 More a decision was made in the Borough as
15 to what we were going to do. So, if that
16 wasn't included on it --

17 MR. RUSSELL RINALDI: No. That was
18 my question, if you can check.

19 MR. LOPATKA: I will check.

20 MR. RUSSELL RINALDI: Second, the
21 millings that we're getting that we're
22 putting down on our properties, I know
23 they're being laid out and I'm not sure if
24 they were just bulldozed out. Are they
25 being oiled and rolled?

1 MR. LOPATKA: Going to be. The
2 oiling part is the Borough's responsibility,
3 is not really part of this project.

4 That's -- I believe the Borough is
5 going to hire someone to do that.

6 MR. RUSSELL RINALDI: Right.

7 MR. LOPATKA: Pennsy, when they're
8 finished, will haul the millings out.

9 MR. RUSSELL RINALDI: I saw the
10 bulldozer. Our machine or earthwork
11 machines, right, was pushing them all. I
12 thought we were oiling them, but just I
13 wanted to double-check.

14 MR. LOPATKA: Yeah.

15 MR. RUSSELL RINALDI: Okay.
16 Solicitor, Bill, not to stay on it too long.
17 I know we already talked about it. And it
18 has to do with regards to Mrs. Cordiano's
19 decision to resign tonight.

20 And in respect to Mr. Brown and Mr.
21 Mulkerin, I mean, this is an important
22 decision. And I know you're going to, but
23 I'm just asking, could you find out for us
24 100 percent the exact way we should handle
25 it?

1 Just so, in the future -- and I know
2 you will. I'm not saying you won't. But
3 I'm saying, it's a pretty big decision we
4 have to make. And I just want to make sure
5 we do it the correct way.

6 I'm not sure if the public way, with
7 everyone there, is legal. Maybe it is.
8 Maybe it isn't. I don't know.

9 And I just wanted to express that to
10 you, I mean, and also to Council. But, I
11 mean, this is a big decision. So, if we can
12 make sure we're doing it completely the way
13 we're supposed to be.

14 And Marylynn, I was going to ask
15 when we got to it, the lights, I didn't see,
16 maybe it's in there, did we get a price on
17 it or just an estimate even?

18 MS. BARTOLETTI: This is just a
19 resolution to go forward.

20 MR. RUSSELL RINALDI: No purchases?

21 ATTORNEY RINALDI: It's going to be
22 748 actual lights that are going to be
23 changed.

24 Two different charges. One is
25 \$2,166.00, which is the fee to change

1 everything over.

2 Then there's another cost of
3 \$2,094.00 because there's a bunch of lights
4 that are not actually ten years old yet.

5 And if you want to wait and do
6 those, when they become older than 10 years
7 old, then the cost becomes less.

8 But because there are so many and
9 it's such a small amount, I think it's
10 better to go through the whole thing at once
11 and get it all done.

12 And then because it does change the
13 lighting, I'd hate to have people driving
14 down one street and have the lighting be one
15 way and go to another block and lighting is
16 a different way. That will cause complaints.

17 So, there are two small charges and
18 it is 748 lights.

19 MR. RUSSELL RINALDI: And the only
20 reason why I ask, I don't know, you can find
21 this out with a phone call, any of us could,
22 but I heard three days ago that Taylor, when
23 they redid all theirs, the whole town only
24 cost them \$1,650.00.

25 I don't know if that's true or not.

1 Maybe they have less lights, less footage.

2 MS. BARTOLETTI: Well, they have a
3 lot less than we do.

4 MR. RUSSELL RINALDI: I'm not sure,
5 so.

6 MS. BARTOLETTI: It depends on the
7 style of lights. For example, the lights in
8 the Shiny Hills Development, because they're
9 fancy lights, they cost quite a bit more
10 than just a regular streetlight.

11 MR. RUSSELL RINALDI: Old style.

12 MS. BARTOLETTI: They have to take
13 them apart and put them back together. The
14 fittings, I guess is called, that they use
15 is much more expensive to change.

16 So the old plain old lights that
17 they have, they're the cheapest ones. But,
18 you know, it all depends on what you have.

19 It depends on the amount, depends on
20 the style. It depends on --

21 MR. RUSSELL RINALDI: The number I
22 heard, I mean, it could just be two
23 conversations. So, I don't know.

24 Like I said, I don't know if it was
25 the --

1 MS. BARTOLETTI: Once it's done

2 --

3 MR. RUSSELL RINALDI: -- correct
4 amount or not.

5 MS. BARTOLETTI: Once it's done, it
6 is supposed to save some money per month.
7 But I think a lot more of the interest for
8 this was because of the type of lighting
9 that it is. It's much more pleasing to the
10 eye.

11 You know, that's a big plus as well.
12 But there is a savings. So, when we get our
13 bills, there are two different charges. One
14 is for rental of the actual light itself and
15 the whole bit. The other part is for the
16 actual electric.

17 So, that particular thing, you can
18 be shocked when you stop and get different
19 prices. It could fluctuate.

20 Just like a person's house, if you
21 shop your electric, two different charges.
22 Same thing with the lights, the
23 streetlights.

24 MR. RUSSELL RINALDI: That's all.

25 MS. BARTOLETTI: Going to be

1 interesting to see once it's all done, where
2 we'll end up.

3 MR. RUSSELL RINALDI: That's all.
4 Thank you.

5 MR. BROWN: Mr. Chairman, I did
6 forget. The recommendations, the one that
7 legally we can change, if we wanted to, is
8 the Section D, shorten the length of time
9 for an owner of a dangerous building to
10 complete the corrections required to the
11 property to ten days.

12 Council, as a whole, I know not
13 everyone is here. But my opinion is to
14 shorten that, put a stipulation in there for
15 buildings that need to be, like, torn down.

16 I don't know if anybody else would
17 be in agreement of that. Just so the
18 solicitor could fix up the ordinance, add
19 the amendment and advertise it.

20 And if we wanted to vote on it, to
21 pass it at a meeting, I just wanted to get
22 your opinion on that.

23 MR. SEMENZA: Okay. Could you send
24 everybody a printout? What you said was a
25 mouthful. So everybody can review it on

1 paper.

2 MS. BARTOLETTI: If you'd like, you
3 could just send it to me and my staff could
4 give it to everyone, rather than you having
5 to do that. It's not something you should
6 have to worry about.

7 If you send it, either Ann Marie or
8 Sandy could get it out to everyone. Okay.

9 MR. SEMENZA: Councilman Febbo.

10 MR. FEBBO: Nothing.

11 MR. SEMENZA: I have nothing myself.

12 Public comment. You were the only
13 one that signed up.

14 MS. MACHESKA: I already spoke.

15 MR. SEMENZA: I know you did. I
16 didn't know if you want to say anything
17 else.

18 MS. MACHESKA: No. Thank you.

19 MR. SEMENZA: Right now, going to go
20 into new business. The first motion is going
21 to be an easement agreement between Ross
22 Merieski and the Borough of Old Forge.

23 ATTORNEY RINALDI: This was a
24 subdivision plan that was done and approved,
25 I think, last year. And the easement was

1 never done for the sewer for the Borough.
2 So, it's been completed, reviewed and the
3 deed is here. Just need approval to accept
4 it.

5 MR. FEBBO: Mr. Chairman, I'll make
6 the motion.

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

10 ATTORNEY RINALDI: Well, we want to
11 have an easement to fix our sewer. So, I
12 hope somebody seconds it.

13 MR. SEMENZA: Easement agreement
14 between Ross Merieski and the Borough of Old
15 Forge. I have a motion on the floor by
16 Councilman Febbo.

17 ATTORNEY RINALDI: There's a
18 requirement that the Planning Commission and
19 the Council placed upon --

20 MR. SEMENZA: Can the president
21 second it?

22 MR. BROWN: I will second that
23 motion.

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

1 call, please.

2 MS. BARTOLETTI: Councilman Brown.

3 MR. BROWN: Yes.

4 MS. BARTOLETTI: Councilman Febbo.

5 MR. FEBBO: Yes.

6 MS. BARTOLETTI: Councilman Rinaldi.

7 MR. RUSSELL RINALDI: I abstain.

8 MS. BARTOLETTI: Councilman Semenza.

9 MR. SEMENZA: Yes.

10 The second motion is a resolution to
11 enter an agreement with PPL Electrical
12 Utilities Corporation for the furnishing of
13 electrical streetlights, delivery service
14 required to light the streets of the Borough
15 of Old Forge and authorize proper officers
16 of the Borough to execute and deliver said
17 agreement.

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

20 MR. SEMENZA: Motion on the floor by
21 Councilman Rinaldi.

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

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

1 call, please.

2 MS. BARTOLETTI: Councilman Brown.

3 MR. BROWN: Yes.

4 MS. BARTOLETTI: Councilman Febbo.

5 MR. FEBBO: Yes.

6 MS. BARTOLETTI: Councilman Rinaldi.

7 MR. RUSSELL RINALDI: Yes.

8 MS. BARTOLETTI: Councilman Semenza.

9 MR. SEMENZA: Yes.

10 Next we have preliminary plan
11 approval for Birchwood Estates. Anybody from
12 Birchwood Estates want to address Council
13 real quick?

14 MR. FRED RINALDI: Yeah. Good
15 evening. Fred Rinaldi for Birchwood Estates
16 Realty. Seeking preliminary approval. We
17 received preliminary approval from Planning,
18 Lackawanna County.

19 I believe we answered and addressed
20 all the concerns of your engineer. So,
21 we're just seeking preliminary approval so
22 we can start construction.

23 Still have to come back for final
24 approval.

25 MR. SEMENZA: I didn't know if you

1 had anything more to add.

2 MR. FRED RINALDI: I think I'm out of
3 words.

4 MR. LOPATKA: There were some
5 conditions. I don't know if all the
6 conditions were met. Just so that they
7 know.

8 MR. FRED RINALDI: Yes, yes, that's
9 correct.

10 MR. LOPATKA: I think the H.O.P.,
11 which is an outside agency, I think they
12 were waiting for a letter from Lower
13 Lackawanna, right?

14 MR. FRED RINALDI: Right.

15 MR. LOPATKA: That said you can tie
16 into the sewer, I don't know. I don't
17 recall exactly what else was on it.

18 MR. SEMENZA: Is that being addressed
19 by planning?

20 MR. VINCI PICCOLINI: Yes, yes.

21 Yes.

22 MR. DREW CALWELL: Also here on
23 behalf of Birchwood Estates. Just to answer
24 Dave's questions, if he has any questions
25 for Council.

1 MR. LOPATKA: I don't. I'm just not
2 a hundred percent positive those were the
3 conditions.

4 MR. DREW CALWELL: Was also hand in
5 hand with the LSVA's approval. Dave
6 verbally agreed to it. But we are awaiting
7 the letter.

8 DEP will also issue a sewage
9 planning module for connection as well. And
10 we are also awaiting general permits from
11 DEP.

12 MR. SEMENZA: What are you waiting on
13 for LLVSA?

14 MR. DREW CALWELL: Formal
15 permission to connect.

16 MR. SEMENZA: To the sewer line. And
17 they're okay with the flow that you're going
18 to be sending down to LLVSA?

19 MR. DREW CALWELL: They provided a
20 letter. They already provided a letter
21 stating that their system has capacity to
22 accept flows from the development.

23 It's more so the actual connection
24 has been agreed upon verbally. But we're
25 waiting a formal letter.

1 MR. SEMENZA: Okay. The Chair would
2 entertain a motion to grant preliminary plan
3 approval for Birchwood Estates.

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 second?

8 MR. BROWN: Chairman, I'll second
9 that motion.

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

13 MS. BARTOLETTI: Councilman Brown.

14 MR. BROWN: Yes.

15 MS. BARTOLETTI: Councilman Febbo.

16 MR. FEBBO: Yes.

17 MS. BARTOLETTI: Councilman Rinaldi.

18 MR. RUSSELL RINALDI: Yes.

19 MS. BARTOLETTI: Councilman Semenza.

20 MR. SEMENZA: Yes.

21 At this time, we're going to -- the
22 personnel committee met last night,
23 interviewed several applicants for part-time
24 police officers.

25 Bill, do I have to make -- will I

1 make one motion and say each individual's
2 name?

3 ATTORNEY RINALDI: You can do them
4 one at a time and frame the motion for it.

5 MR. SEMENZA: Okay. All right. We
6 will do them one at a time. The motion to
7 approve the following individuals to be
8 hired as a part-time police officer for the
9 Borough of Old Forge, the first name will be
10 Jiovanni DonVito.

11 MR. FEBBO: Mr. Chairman, I'll make
12 that motion.

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

16 MR. RUSSELL RINALDI: I'll second
17 it.

18 MR. SEMENZA: Seconded by Councilman
19 Rinaldi, on the question. Public input. Roll
20 call, please.

21 MS. BARTOLETTI: Councilman Brown.

22 MR. BROWN: Yes.

23 MS. BARTOLETTI: Councilman Febbo.

24 MR. FEBBO: Yes.

25 MS. BARTOLETTI: Councilman Rinaldi.

1 MR. RUSSELL RINALDI: Yes.

2 MS. BARTOLETTI: Councilman Semenza.

3 MR. SEMENZA: Yes.

4 The second one will be to approve
5 the following individual to be hired as a
6 part-time police officer for the Borough of
7 Old Forge, Thomas Errigo, E-r-r-i-g-o, for
8 the record.

9 MR. RUSSELL RINALDI: I'll make that
10 motion, Mr. Chairman.

11 MR. SEMENZA: Motion on the floor by
12 Councilman Rinaldi. Can I have a second?

13 MR. BROWN: Mr. Chairman, I'll
14 second that motion.

15 MR. SEMENZA: Seconded by Councilman
16 Brown, on the question. Public input. Roll
17 call, please.

18 MS. BARTOLETTI: Councilman Brown.

19 MR. BROWN: Yes.

20 MS. BARTOLETTI: Councilman Febbo.

21 MR. FEBBO: Yes.

22 MS. BARTOLETTI: Councilman
23 Rinaldi.

24 MR. RUSSELL RINALDI: Yes.

25 MS. BARTOLETTI: Councilman Semenza.

1 MR. SEMENZA: Yes.

2 The third name to approve the
3 following individual be hired to be a
4 part-time police officer for the Borough of
5 Old Forge is Nicholas Kasperowski.

6 MR. FEBBO: I'll make that motion.

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

9 MR. RUSSELL RINALDI: Second it, Mr.
10 Chairman.

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

14 MS. BARTOLETTI: Councilman Brown.

15 MR. BROWN: Yes.

16 MS. BARTOLETTI: Councilman Febbo.

17 MR. FEBBO: Yes.

18 MS. BARTOLETTI: Councilman Rinaldi.

19 MR. RUSSELL RINALDI: Yes.

20 MS. BARTOLETTI: Councilman Semenza.

21 MR. SEMENZA: Yes.

22 Motion to approve the following
23 individual to be hired as a part-time police
24 officer for the Borough of Old Forge. The
25 name is Nicholas Lugin.

1 MR. FEBBO: Make that motion.

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

4 MR. RUSSELL RINALDI: I'll second
5 it.

6 MR. SEMENZA: Seconded by Councilman
7 Rinaldi, on the question. Public input.
8 Roll call.

9 MS. BARTOLETTI: Councilman Brown.

10 MR. BROWN: Yes.

11 MS. BARTOLETTI: Councilman Febbo.

12 MR. FEBBO: Yes.

13 MS. BARTOLETTI: Councilman Rinaldi.

14 MR. RUSSELL RINALDI: Yes.

15 MS. BARTOLETTI: Councilman Semenza.

16 MR. SEMENZA: Yes.

17 The next motion is a motion to
18 approve the following individual to be hired
19 as a part-time police officer for the
20 Borough of Old Forge, as needed, Thomas
21 Sherwood.

22 MR. FEBBO: I'll make that motion,
23 Mr. Chairman.

24 MR. SEMENZA: Motion by Councilman
25 Febbo. May I have a second?

1 MR. RUSSELL RINALDI: Second it.

2 MR. SEMENZA: Seconded by Councilman
3 Rinaldi, on the question.

4 MR. RUSSELL RINALDI: Not on the
5 question. But I'd like to speak a little
6 bit.

7 Mr. Sherwood worked for us
8 previously. And I know he left the
9 department a few months back due to -- which
10 I found out last night, I wasn't sure why.
11 He didn't go into full detail, but he had
12 some personal issues.

13 And he came back. I thought he did
14 a very good interview. I'm a firm believer
15 in second chances.

16 I mean, I'll be honest. I'm not
17 saying people who sit here don't. But I
18 speak for myself. I have a pretty big
19 heart.

20 And I think -- he was a good
21 officer. And I think he'll continue to be
22 one, if he's hired back.

23 I really felt for him last night.
24 So, that's why I seconded that motion for
25 him.

1 MR. SEMENZA: Public input. Roll
2 call.

3 MS. BARTOLETTI: Councilman Brown.

4 MR. BROWN: Yes.

5 MS. BARTOLETTI: Councilman Febbo.

6 MR. FEBBO: Yes.

7 MS. BARTOLETTI: Councilman
8 Rinaldi.

9 MR. RUSSELL RINALDI: Yes.

10 MS. BARTOLETTI: Councilman Semenza.

11 MR. SEMENZA: Yes.

12 Next motion is a motion to approve
13 the following individuals to be hired as a
14 part-time police officer for the Borough of
15 Old Forge, as needed. The name is Jacob
16 Thomas.

17 MR. RUSSELL RINALDI: I'll make that
18 motion.

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

21 MR. FEBBO: Second the motion.

22 MR. SEMENZA: Seconded by Councilman
23 Febbo, on the question. Public input. Roll
24 call, please.

25 MS. BARTOLETTI: Councilman Brown.

1 MR. BROWN: Yes.

2 MS. BARTOLETTI: Councilman Febbo.

3 MR. FEBBO: Yes.

4 MS. BARTOLETTI: Councilman Rinaldi.

5 MR. RUSSELL RINALDI: Yes.

6 MS. BARTOLETTI: Councilman Semenza.

7 MR. SEMENZA: Yes.

8 The next motion is a motion to
9 approve the following individual to be hired
10 as a part-time police officer for the
11 Borough of Old Forge, as needed, is Taylor
12 Trubia.

13 MR. BROWN: Mr. Chairman, I'd like to
14 make that motion.

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

17 MR. RUSSELL RINALDI: Second.

18 MR. SEMENZA: Seconded by Councilman
19 Rinaldi, on the question.

20 MR. RUSSELL RINALDI: On the
21 question, just again just a few words. I
22 don't want anyone to take my comment about
23 Mr. Sherwood to be the only good applicant.
24 All the applicants were well. They all
25 interviewed well.

1 I singled him out in the beginning
2 because he's a reapplicant. And I felt
3 that, you know, he deserved a little
4 explanation as why, you know, he was coming
5 back to the force, why he was reapplying
6 back to the force, so.

7 But, again, all applicants that we
8 interviewed last night, I thought were
9 exceptional, all interviewed well. So, I
10 wanted to put that on the record. That's
11 it.

12 MR. SEMENZA: Public input.

13 MR. HORVATH: Jeffrey Horvath. I'm
14 with the Scranton Times. Does this motion
15 hire them? Or does it give the police
16 department the permission to hire them?

17 MR. SEMENZA: No. This motion hires.

18 MR. HORVATH: Hire them on as
19 needed.

20 MR. SEMENZA: They're all on
21 as-needed basis. They're part-time.

22 MR. HORVATH: So, there's no set
23 amount of hours a week they'll work.
24 It's --

25 MR. SEMENZA: No, not at all. The

1 Chief will -- Chief, do you want to give him
2 a quick --

3 CHIEF DUBERNAS: 20th of every month,
4 submit their availability. Upon their
5 availability, fulfill the shifts that are
6 required.

7 MR. HORVATH: Chief, how many
8 part-time officers do you guys have now?

9 CHIEF DUBERNAS: To date,
10 approximately 17, I think.

11 MR. HORVATH: 17. And do you guys
12 speak to what the hourly rate for a
13 part-timer is?

14 CHIEF DUBERNAS: Have to let you
15 know. 12-ish. I'm not sure.

16 MR. SEMENZA: What's the --

17 CHIEF DUBERNAS: 12.36.

18 MR. SEMENZA: 12.36.

19 MR. HORVATH: Thank you. Appreciate
20 it.

21 MAYOR MULKERIN: Just so everyone
22 knows, these officers are hired part-time.
23 We recently updated our F.T.O, our Field
24 Training Officer procedures that they have
25 to complete 320 hours under supervision

1 prior to being on the streets by themselves.

2 MR. SEMENZA: Is that with a
3 full-time officer?

4 MS. BARTOLETTI: We currently have
5 four F.T.Os. And they're qualified to be
6 trainers.

7 MR. SEMENZA: Are they full-time
8 officers?

9 MAYOR MULKERIN: Not all four of
10 them are full-time. Some are 32 hours.

11 CHIEF DUBERNAS: One is 32 hours.

12 MAYOR MULKERIN: Yeah, one is a 32
13 hours.

14 MR. SEMENZA: Roll call, please.

15 MS. BARTOLETTI: Councilman Brown.

16 MR. BROWN: Yes.

17 MS. BARTOLETTI: Councilman Febbo.

18 MR. FEBBO: Yes.

19 MS. BARTOLETTI: Councilman

20 Rinaldi.

21 MR. RUSSELL RINALDI: Yes.

22 MS. BARTOLETTI: Councilman Semenza.

23 MR. SEMENZA: Yes.

24 The Chair is going to entertain a
25 motion to accept the resignation letter from

1 Councilman -- Councilwoman, I'm sorry, Jen
2 Stone Cordiano.

3 Could I have a motion to accept the
4 resignation letter?

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

7 MR. SEMENZA: Motion on the floor by
8 Councilman Brown. May 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.

12 MR. HORVATH: Would that be
13 effective immediately?

14 MR. SEMENZA: Effective immediately.
15 Roll call, please.

16 MS. BARTOLETTI: Councilman Brown.

17 MR. BROWN: Yes.

18 MS. BARTOLETTI: Councilman Febbo.

19 MR. FEBBO: Yes.

20 MS. BARTOLETTI: Councilman

21 Rinaldi.

22 MR. RUSSELL RINALDI: Yes.

23 MS. BARTOLETTI: Councilman Semenza.

24 MR. SEMENZA: Yes.

25 The next motion is a motion -- Bill,

1 do you want to help me out how to state this
2 motion, authorize Steve to set up a public
3 hearing or authorize Steve to go forward
4 with the process for us to set up a public
5 hearing? How do we go about doing that?

6 Do we have to authorize Steve to do
7 anything or do we set up the public hearing?

8 ATTORNEY RINALDI: You want to send
9 a notice to the property owner at -- what's
10 the address?

11 MR. BIERLYA: 516 Winter.

12 ATTORNEY RINALDI: 516 Winter Street
13 of the repairs that need to be made and the
14 right to come in to a hearing, which will be
15 scheduled for whichever date you want to
16 schedule it.

17 MR. FEBBO: Our next meeting.

18 MR. SEMENZA: Could we quick talk
19 about a date here? Our work session would
20 be on September 6th. We can do it at our
21 next work session.

22 Councilman Febbo, are you available
23 on of 6th?

24 MR. FEBBO: Yes.

25 MR. SEMENZA: Marylynn.

1 MS. BARTOLETTI: Yes.

2 MR. SEMENZA: Chairman entertain a
3 motion to authorize Steve to send a letter
4 to the owner of 516 Winter Street for the
5 repairs to be made and to come in for a
6 public hearing, Bill?

7 ATTORNEY RINALDI: Yeah. For notice
8 of a hearing to show cause why the repairs
9 shouldn't be made.

10 MR. SEMENZA: To show why the
11 repairs --

12 ATTORNEY RINALDI: Should not be
13 made.

14 MR. SEMENZA: Should not be made.
15 Date of the hearing would be September 6th
16 at 6:30, do we want to have it? Or at 7:00,
17 and then go right in to our meeting?

18 ATTORNEY RINALDI: Can have it at
19 6:30.

20 MR. SEMENZA: 6:30.

21 MS. MACHESKA: Could I get a copy of
22 that letter or --

23 MR. SEMENZA: Yeah.

24 MS. MACHESKA: Thank you.

25 MR. SEMENZA: Motion on the floor.

1 MR. RUSSELL RINALDI: I'll second
2 it.

3 MR. SEMENZA: No, no, no. I called
4 for a motion.

5 MR. RUSSELL RINALDI: I'll make a
6 motion.

7 MR. SEMENZA: Motion by Councilman
8 Rinaldi.

9 MR. FEBBO: I'll second it.

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

13 MS. BARTOLETTI: Councilman Brown.

14 MR. BROWN: Yes.

15 MS. BARTOLETTI: Councilman Febbo.

16 MR. FEBBO: Yes.

17 MS. BARTOLETTI: Councilman Rinaldi.

18 MR. RUSSELL RINALDI: Yes.

19 MS. BARTOLETTI: Councilman Semenza.

20 MR. SEMENZA: Yes.

21 That will do it. At this time, the
22 Chair will entertain a motion --

23 ATTORNEY RINALDI: Wait, wait. Need
24 a new date.

25 MR. SEMENZA: Of course.

1 MS. BARTOLETTI: For the September
2 meeting, on the 20th is the one I can't
3 make. I was trying to count days to see
4 about the 45-day situation. But that takes
5 us way past it anyway, so.

6 Do you think you would rather do it
7 on the 27th because maybe, by that time, you
8 would be close to appointing someone?

9 MR. FEBBO: That's a week later.

10 MS. BARTOLETTI: Because you have 45
11 days to fill the position.

12 MR. SEMENZA: Okay. Why don't we do
13 September 27th? So, we'll change our
14 regular council meeting to September 27th.

15 MS. BARTOLETTI: Yes.

16 MR. PAPI: Is that a Tuesday?

17 MR. SEMENZA: Tuesday.

18 MS. BARTOLETTI: Basically,
19 technically, we would have until the 30th to
20 fill the position. You might as well do
21 that on that Tuesday.

22 MR. FEBBO: Will be filling that
23 position on the 27th?

24 MS. BARTOLETTI: On the 27th.

25 MR. SEMENZA: Do I have to make a

1 motion to that, Mary? Or we just said it?

2 ATTORNEY RINALDI: Yes. Make a
3 motion to change the regular meeting date
4 from September 21st to September 27th.

5 MR. SEMENZA: Chairman entertain a
6 motion.

7 MS. BARTOLETTI: 20th to the 27th.

8 MR. SEMENZA: Chairman entertain a
9 motion to change our regular meeting date
10 from September 20th to September 27th.

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

13 MR. SEMENZA: Motion on the floor by
14 Councilman Rinaldi.

15 MR. FEBBO: Second that motion.

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

19 MS. BARTOLETTI: Councilman Brown.

20 MR. BROWN: Yes.

21 MS. BARTOLETTI: Councilman Febbo.

22 MR. FEBBO: Yes.

23 MS. BARTOLETTI: Councilman Rinaldi.

24 MR. RUSSELL RINALDI: Yes.

25 MS. BARTOLETTI: Councilman Semenza.

1 MR. SEMENZA: Yes.

2 MR. BROWN: Quick thing before we
3 adjourn. I just realized that, actually, my
4 comments were included in the solicitor's
5 packet in the solicitor's agenda.

6 So, I don't know if we can, but it
7 says right there. I don't know what we need
8 to do. But I was there. Just to make
9 everybody clear, everybody did get it.

10 ATTORNEY RINALDI: I attached it to
11 my report, Devon.

12 MR. BROWN: Didn't want anybody
13 saying they didn't receive it. It was
14 attached to the packet.

15 MR. SEMENZA: Okay. Chair entertain
16 a motion to adjourn.

17 MR. RUSSELL RINALDI: I'll make that
18 motion.

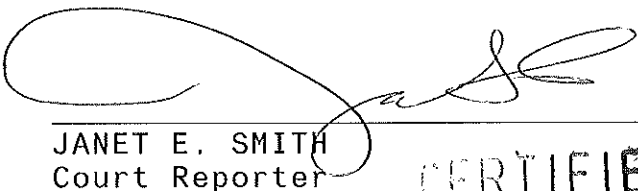
19 MR. SEMENZA: Motion on the floor by
20 Councilman Rinaldi. All in favor.

21 (Chorus of Ayes.)

22 (Whereupon, at 8:35 p.m., the
23 meeting was concluded.)
24
25

C E R T I F I C A T E

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the meeting of the above cause and that this copy is a correct transcript of the same to the best of my ability.



JANET E. SMITH
Court Reporter

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