

1 talking about.

2 MR. SEMENZA: Anybody have any
3 questions for Dave? Thanks, Dave. Mark,
4 fire chief's report?

5 CHIEF TAGLIATERRA: I really don't
6 have anything. The only thing is we did 300
7 calls last year, both in and out of town.
8 Obviously you guys know about the fire
9 Wednesday morning. I really want to give a
10 shout out to Colleen and Bobby Harris. If
11 it wasn't for Colleen, I think, spotting the
12 fire I think there definitely would have
13 been tragedy there because when I pulled up
14 on scene I heard not one smoke detector
15 going off. From what I understand from her,
16 talking to her, her and Bobby got up into
17 that third-floor apartment to get the people
18 out. So if she didn't spot it or they
19 weren't there, there definitely would have
20 been loss of life in that building.

21 MR. SEMENZA: Well, good job to
22 everybody involved and tip my hat to you
23 guys and the police officers involved.

24 Mark, needless to say, is that
25 building probably going to be --

1 CHIEF TAGLIATERRA: In my opinion, I
2 don't think that building's going to come
3 back from that. I don't think it can. I
4 think there's too much damage on the second
5 and third floor, water damage throughout.
6 Then again, you don't know because there's
7 people out there today that will take the
8 top two floors off and just rebuild the
9 basement and the first floor. But I can't
10 say for sure. That's up to the insurance.

11 MR. BIERLYA: In talking to Helen's
12 nephew, he's a contractor, too. He would be
13 doing the demolition on the building. He
14 said his uncle was thinking about possibly
15 if it could be salvaged. The bottom half.
16 If it couldn't, take it down, and they were
17 considering putting one or two office
18 buildings there. That's still in contention
19 with what they can and can't do when the
20 insurance company clears it.

21 MR. NOTARI: Who owns that building?

22 MR. BIERLYA: Helen Bredigo. She's
23 about 96. She lives in Pittston.

24 CHIEF TAGLIATERRA: I also want to
25 thank Paul for sending his guys out as quick

1 as they did. Without them we definitely
2 would have had some firefighter injuries.
3 The two guys he sent out that night hustled
4 their ass off getting salt everywhere they
5 could.

6 MR. PAPI: Mike Ruether and Bob
7 Reesio.

8 MR. SEMENZA: Give the guys thanks
9 from us.

10 MR. PAPI: All the guys are good
11 now. They use their heads.

12 MR. SEMENZA: Initial have any
13 questions for the fire chief? Thanks, Mark,
14 Bill.

15 ATTY. RINALDI: I have a couple
16 things. I did get the e-mail from the tax
17 collector with regards to raising his
18 compensation. The deadline to do that is
19 February 15th. The last raise we did was
20 2013. We can do them before the municipal
21 election only. So it's \$5,800, he's
22 requesting an increase of \$500 or some cents
23 a bill. I'll put that together, advertise
24 that for passage for the regular meeting in
25 January. You're not going to have time to

1 do it in February.

2 MR. FERRETT: It's ten cents per
3 copy now.

4 ATTY. RINALDI: So it equates to
5 \$500. Since he's already on salary we're
6 going to make it a salary.

7 MR. NOTARI: Bill, is that something
8 in the future he should ask for before the
9 budget is done? Or no? Is this typically
10 when they have to ask for it?

11 ATTY. RINALDI: I don't know if
12 there's any time. As long as it gets done
13 before February 15th. It won't go into
14 effect until '18.

15 MS. BARTOLETTI: He has to ask
16 before -- it has to be before he runs again.
17 It's for the position for next year.

18 MR. FEBBO: Like we can't give
19 ourselves a raise.

20 ATTY. RINALDI: Get releases from a
21 defendant in a criminal case. Evidently
22 officers from Taylor and Old Forge assisted
23 in part of his guilty plea. He agreed not
24 to sue any police officers or the borough
25 for anything. Something the DA's office did

1 for us. That's Jim Hogan.

2 You're going to have a mortgage
3 satisfaction piece also. Back in 1992 there
4 was a program in connection with the borough
5 and the county where people were loaned X
6 amount of dollars to make improvements on
7 their homes. As long as they completed the
8 improvements and remained in the property
9 and did not sell it for a period of ten
10 years those mortgages would be released.

11 There's one coming up from 1992.
12 Evidently they're selling the property.
13 It's well beyond the ten years. It was
14 \$7,000. It's just an administerial thing.
15 It has to be satisfied so there's no lien on
16 the property. It was Lillian Kreseski. She
17 might have passed away after 2002. She did
18 the improvements, everything's compliant.
19 We need to satisfy the mortgage for the
20 title company.

21 I'll have the ordinance on for
22 Lawrence Street. That's it.

23 MR. SEMENZA: Anybody have any
24 questions for Bill?

25 MR. LENCESKI: Bill, are you

1 comfortable with us procuring that property?

2 ATTY. RINALDI: We own the one next
3 door. We've been leasing it for a hundred
4 years. If they want to give it to us,
5 great. Plus, they're giving us an easement
6 for the road. Now we don't have to ask them
7 to do work on it. We can cut the trees
8 down, make it passable, take care of it.
9 That's great for us. It will be a better
10 entranceway now.

11 MR. SEMENZA: Anybody else? Thanks,
12 Bill. Marylynn?

13 MS. BARTOLETTI: Two things. One is
14 an invitation from Pennsylvania Ambulance,
15 and the other one is Lackawanna County
16 Association of Boroughs meeting. Please let
17 Ann Marie know if anyone's going to go to
18 the Association of Boroughs meetings. They
19 have to make reservations. They do have
20 some topics that they are going to discuss
21 at this point.

22 The other thing, I'm going to pass
23 down this document so everybody can take a
24 look at it. It was brought to Jason's
25 attention. It seems like there's a stop

1 sign, I'm going to say, missing on the
2 corner of Monroe and Madison. Jason looked
3 at it and it's basically what he called a
4 three-way intersection that has no stop
5 signs. It's something we can do. Paul can
6 have the guys go and put a sign back up.
7 But Jason definitely feels something should
8 be there. It seems like it's just missing.
9 No one seems to know if there was anything
10 there in the past.

11 MR. PAPI: It seems if one went
12 missing one of the neighbors would call. I
13 asked the guys. Nobody can ever recall ever
14 seeing a stop sign there. It's just a
15 little street, Madison. Only two houses on
16 it.

17 MR. SEMENZA: You talked to Ron
18 Giacometti? I wonder if he would know.

19 MR. PAPI: Yascavage calls for
20 everything.

21 MS. BARTOLETTI: It seems possible
22 the person requesting it is someone new in
23 the neighborhood and not used to whatever
24 everyone else is used to. This person
25 brought it to Jason's attention.

1 MAYOR MULKERIN: Jason initially
2 told the gentleman that he was wrong. There
3 was a stop sign. The guy's going no,
4 there's not. There has to be. It's a three
5 way. I think he called the guy and
6 apologized.

7 MS. BARTOLETTI: One other thing is,
8 when we were passing the budget on the 27th
9 and there was concern about a person's
10 salary and that it may not be where it's
11 supposed to be, the salary was set by
12 resolution. So I have a copy of the
13 resolution. I already gave it to
14 Mr. Ferret, but I have a copy of the
15 resolution, and then I put together a table
16 of the salaries throughout the years where
17 there was increases and where there was a
18 salary increase but then it was returned
19 back to where it should have been.
20 Everything is right where it should be. So
21 if anybody wants a copy I have it here.
22 That's all I have for tonight.

23 MR. SEMENZA: Anybody have any
24 questions for Marylynn?

25 MR. NOTARI: Mare, any update on our

1 website?

2 MS. BARTOLETTI: No. I'll be quite
3 honest with you, I haven't called because
4 I've been out sick.

5 MR. NOTARI: Do you need any help
6 with it?

7 MS. BARTOLETTI: Yes.

8 MR. NOTARI: Feel free to let me
9 know.

10 MS. BARTOLETTI: The hardest part
11 was getting it away from where it was and
12 putting it to the new place. I think once
13 it was passed there everything else was
14 ready to roll.

15 MR. NOTARI: So we're pretty much
16 just waiting for the guy to turn it on?

17 MS. BARTOLETTI: Kind of, yes.

18 MR. NOTARI: Who is our -- it's
19 somebody with the borough association.
20 Right?

21 MS. BARTOLETTI: We have our own
22 in-house IT guy we use. There was a little
23 bit of an issue back and forth. It was
24 actually three different people because it
25 was a previous post as well.

1 MR. NOTARI: Do we need a new
2 in-house IT guy?

3 MS. BARTOLETTI: Something I'm
4 working on.

5 MR. SEMENZA: Anybody else have any
6 questions for Marylynn? Thanks, Mare. At
7 this time I'm going to go down the table,
8 see if any councilmen have anything to
9 report.

10 MAYOR MULKERIN: Nothing for the
11 agenda. I just wanted to acknowledge the
12 fire department and Officer Colleen Catanese
13 and Officer Harris. I'm looking into, I
14 guess, acknowledging the police department
15 work. I'm looking into how to go about
16 recognizing their efforts for their work on
17 the fire.

18 Other than that, the chief was at
19 SWAT training today. That's why Officer
20 Bernardi is here in place. I don't know if
21 everyone realizes that the chief goes to
22 SWAT training once a month and he's very
23 involved and very respected amongst that
24 group. Everyone I talk to gives him kudos.
25 That's all.

1 MR. BROWN: First thing, August 1st
2 the chief presented us with a list of
3 streets that had some errors in regard to
4 address. At our last public safety meeting
5 it was discussed, so I'm just going to hand
6 that down to the solicitor and just ask for
7 any recommendations for our regular meeting,
8 whether we have to do an ordinance. Jay
9 handed this out on August 1st and then it
10 was addressed in our public safety meeting.
11 So we've been aware of the streets on the
12 list. If we can just put any
13 recommendations on the agenda for the 24th.

14 Second thing is that we do have one
15 last scheduled meeting pertaining to the
16 public safety department. We want to let
17 everybody know. Just a reminder, it's our
18 last one. My calendar it's scheduled for
19 6:00. February 7th, Tuesday.

20 MR. NOTARI: Couple things. Again,
21 per the discussion we had tonight on those
22 two buildings, I still believe we should be
23 getting reports for the work session and not
24 for the meeting. I think if we get reports
25 for the work session we can discuss things

1 during this time. This is the time to do
2 that kind of work, to discuss what's going
3 on, what's going to be on the agenda for the
4 meeting. Meetings are more to do business
5 and conduct business, in my eyes, instead of
6 reading reports and going over reports,
7 having questions. It also gives us two
8 weeks to look over these reports and come up
9 with any kind of suggestions or ideas or
10 questions that we might have instead of
11 having it two days before the meeting.

12 So again, if anyone else agrees or
13 disagrees you can just tell me, but I really
14 believe that we should have those reports
15 for our work session.

16 Another question I have is will it
17 be on the agenda to a third-party inspector?
18 Did we get anybody?

19 ATTY. RINALDI: I'm going to let the
20 ad go the way it was unless anybody wants to
21 change it. I was holding back until after
22 the 1st of the year to make sure nobody
23 wanted to do any changes. There's only two
24 ordinances I'm going to ask for enforcement
25 of unless there's something else.

1 MR. FEBBO: Based on what the chief
2 said before, when they do inspections do
3 they inspect for fire alarms, smoke alarms?

4 ATTY. RINALDI: I'm trying to figure
5 out -- I did one draft that everybody got of
6 the RFP, so I'm guess you really want
7 recommendations on how to organization the
8 department, set it up, put together a list.
9 So it's not only enforcing the ordinance.
10 That's what I was hoping -- I was actually
11 thinking about it last week. You're really
12 asking somebody to come up with a plan for
13 the borough, not just come and do this,
14 because you don't know what you want them to
15 do. It's not like collecting trash. You
16 really want them to assist the borough
17 setting up a landlord registration, and then
18 once --

19 MR. SEMENZA: Not so much setting up
20 the landlord registry. We have that on the
21 code, don't we?

22 MR. BIERYLA: The landlord registry,
23 they're not even really involved in it.
24 That's our process right now.

25 ATTY. RINALDI: But we don't have

1 one.

2 MR. BIERYLA: We have one up to a
3 certain point. We don't have a completed
4 one, but we have one that's far enough along
5 that if they were to come in and we did get
6 something in the next couple months that
7 they can move right along with it because
8 it's a long list.

9 ATTY. RINALDI: Don't you want them
10 to also make sure that the fee is collected
11 for each building, and once the fee is
12 collected --

13 MR. BIERYLA: We have none that set
14 in. The only thing you have is registry.

15 ATTY. RINALDI: Part of that
16 ordinance is register, inspect, annual
17 registry, and then enforcement under it, and
18 then the other ordinance you're going to
19 have to enforce is commercial -- is another
20 one that deals with commercial landlord
21 buildings and how they're supposed to be
22 built to code under that section.

23 MR. BIERYLA: It also says to be
24 administered by council, not the third
25 party.

1 ATTY. RINALDI: I thought that's
2 what you wanted, was a third party to
3 administer that whole animal.

4 MR. SEMENZA: Basically that's what
5 I thought we were going to do.

6 MR. RUSSICK: Why don't you go to
7 the Association of Boroughs. Use that SOP
8 from a city or town that does this.

9 MS. BARTOLETTI: I don't think they
10 have one. They changed that discussion
11 group. They don't have it the way they used
12 to. I'll ask.

13 MR. SEMENZA: Dave, Dunmore has a
14 third-party inspector, and I believe it's
15 BIU. Correct?

16 MR. LOPATKA: It is.

17 MR. SEMENZA: Is it something we're
18 talking about here?

19 MR. LOPATKA: They inspect -- I
20 think they do go out and do third-party
21 inspections on commercial buildings.
22 Anything above and beyond three units.

23 ATTY. RINALDI: Which is what our
24 ordinance is, beyond three or four units.

25 MR. LOPATKA: Has to be three units

1 or maybe four units. Three or more makes it
2 commercial. They do inspect those. With
3 the third-party inspector.

4 MR. RUSSICK: There's other
5 municipalities that have the same thing.

6 MR. SEMENZA: Are we going to have
7 to adopt a property maintenance code or
8 something, Bill, for this?

9 ATTY. RINALDI: You actually have it
10 for three or more tenants. Everything is in
11 place ordinance-wise, it's just people-wise
12 how you want to do it.

13 MR. SEMENZA: So who do we want them
14 to inspect, basically? I thought we were
15 under the understanding that we were going
16 to do it for --

17 ATTY. RINALDI: Whatever is in the
18 ordinance.

19 MR. NOTARI: All landlords.

20 MR. SEMENZA: Not only commercial,
21 but everybody. Any kind of rental property.

22 ATTY. RINALDI: Three or more.
23 We're not doing double houses. That's what
24 we're not doing.

25 MR. LOPATKA: Has to be considered

1 commercial, three or more. That's my
2 understanding. Other than that, it's just a
3 residential dwelling.

4 ATTY. RINALDI: Even our
5 registration says three or more. Double
6 houses are excluded.

7 MR. SEMENZA: Can we do it like
8 that, Bill?

9 ATTY. RINALDI: That's the way I
10 have it. I can say enforce the ordinance
11 but it's kind of vague.

12 MR. SEMENZA: Well, basically
13 enforce it. That's why I'm asking do we
14 have to adopt something else --

15 ATTY. RINALDI: No, we have all the
16 tools in place. Same way we have
17 third-party inspections, they have to go by
18 our codes. We have all the codes and we
19 adopted everything under our code book.
20 It's just enforcement issues. We don't need
21 anything until you pick somebody and enter
22 into an agreement with them and set the
23 fees, which can be negotiated. That's part
24 of the RFP. They say here's what we'll
25 charge, here's what we'll pay the borough

1 back or tack on.

2 MR. BROWN: Would we have to change
3 our current nuisance property ordinance?
4 Because under the current ordinance the only
5 exempt status is if you are an owner of a
6 half-double and you reside on one side and
7 the other side is rented out. So pertaining
8 to the way our current code stands would we
9 have to change it for classifying three or
10 more units?

11 MR. NOTARI: I thought it was any
12 rental property whatsoever. I didn't think
13 you had to own three or the building needed
14 three or more.

15 MAYOR MULKERIN: Councilman Brown is
16 right.

17 MR. BROWN: That was in one of my
18 recommendations I sent out previously.

19 MAYOR MULKERIN: Unless you're the
20 owner or a relation of the owner.

21 MR. BIERLYA: Living in half of the
22 double.

23 MR. LOPATKA: If you're owner
24 occupied.

25 ATTY. RINALDI: For registering

1 purposes it would bring it in, but not for
2 the other sections.

3 MR. NOTARI: I'm really confused now
4 because I thought we were bringing in a
5 third-party inspector to inspect rental
6 properties to make sure they were up to code
7 and alleviate Steve to do other work.

8 MAYOR MULKERIN: And following the
9 nuisance property ordinance.

10 MR. NOTARI: If we're only bringing
11 somebody in to do three or more how many of
12 those properties do we actually have in the
13 borough?

14 ATTY. RINALDI: You have a lot of
15 properties in the borough.

16 MAYOR MULKERIN: There's a lot of
17 three or more that were maybe homes that
18 were subdivided.

19 ATTY. RINALDI: Just going up and
20 down Main Street there's at least a dozen.

21 MR. PAPI: More than that.

22 MR. SEMENZA: Can we run it for all
23 rental properties?

24 ATTY. RINALDI: Then you get into
25 single-family homes. Do you want to go down

1 that far?

2 MR. SEMENZA: I'm saying two units.

3 ATTY. RINALDI: You do have to
4 register if you're a double and you rent out
5 half you have to register.

6 MR. FEBBO: Steve, do you have an
7 opinion?

8 MR. BIERLYA: No.

9 MAYOR MULKERIN: It defines a rental
10 property as?

11 MR. NOTARI: "Any dwelling designed
12 for permanent living quarters but not
13 limited to single-family dwellings;
14 two-family dwellings; one-family,
15 semi-attached dwelling; row dwellings;
16 multi-family dwellings; and garden
17 apartments."

18 ATTY. RINALDI: So anything rented
19 out.

20 MR. NOTARI: Correct.

21 ATTY. RINALDI: Because we wanted to
22 register absentee landlords, so we covered
23 anything you can rent out.

24 MR. SEMENZA: I think we should
25 cover that in this, too. Everything you can

1 rent out.

2 MR. NOTARI: That's my purpose.
3 That was the purpose I thought we were --

4 MR. SEMENZA: Right?

5 ATTY. RINALDI: That's enforcing it,
6 but still we have no list and nobody's
7 registered. So we still need that part to
8 come into the equation.

9 MAYOR MULKERIN: Did you receivable
10 applications back, Steve?

11 MR. BIERYLA: Here's the part where
12 you guys are straying away.

13 MAYOR MULKERIN: Wait, please. We
14 sent out how many applications,
15 approximately? Because I know people got
16 them because they were questioning me.

17 MR. BIERYLA: About 450, 500.

18 MAYOR MULKERIN: How many did we
19 receive back, offhand?

20 MR. BIERYLA: Two-thirds.

21 ATTY. RINALDI: So part of that
22 enforcement is going to be hey, do you have
23 a unit you're not registering. Is that
24 going to be the third party's job?

25 MAYOR MULKERIN: My understanding

1 was we're bringing in this third party to do
2 the inspections for these absentee landlords
3 and all the rental properties.

4 ATTY. RINALDI: Is it just that
5 Steve's going to call up and say go out and
6 inspect, or is it here's our system, make
7 sure everybody's in compliance with the
8 ordinance?

9 MR. RUSSICK: What does the
10 ordinance say?

11 MAYOR MULKERIN: Everybody has to
12 register and they're issued a permit by the
13 borough, a rental permit.

14 MR. NOTARI: My understanding was
15 this person was going out to inspect. It
16 wasn't they were keeping track of the list.
17 They had to know the law, they had to go out
18 and say this rental property is good, this
19 rental property is not following the laws of
20 the borough. That was my take, and if I was
21 wrong, I'm wrong.

22 MAYOR MULKERIN: Mine, too. That
23 frees up Steve to do the rest of his job.

24 MR. NOTARI: Once we have that list,
25 then Steve is going to be the one that

1 issues the permit, not the inspector. But
2 having a third-party inspector is going to
3 free Steve up from doing all of these
4 inspections himself.

5 I think what originally was meant to
6 do is take Steve out of the equation so we
7 have an unbiased person going into each
8 rental property in this borough and Steve
9 not having to worry about anybody looking
10 over his shoulder saying well, so and so
11 owns that one. Let him go. So and so, him
12 you can do. To me, that was the whole idea
13 behind this.

14 CHIEF TAGLIATERRA: The third-party
15 inspectors, he just told us the fire
16 department can't go in.

17 MR. BROWN: In the ordinance it
18 states the borough or Steve's designee, like
19 a borough official. You can appoint a
20 borough official or Steve's designee. So
21 would we need or would we be open to and
22 able to appointing a third-party inspection
23 agency? Steve, our engineer, Mr. Lopatka
24 and the fire department so they're, like,
25 all on the same front when we have to put

1 them under Steve's designee/borough
2 official?

3 MR. NOTARI: But reading right from
4 the code book 258-4, inspecting and testing,
5 "The Old Forge Borough fire chief and/or the
6 code enforcement officer is hereby
7 authorized and empowered to inspect each
8 smoke detector installed within a dwelling
9 unit at least one time per year, or in the
10 case of a fire, within the leased or rented
11 dwelling unit immediately thereafter."

12 MR. BROWN: Because Chief Tag had
13 asked to be included, but I guess from a
14 legal standpoint they can't. I'm just
15 trying to figure out how we can include
16 everyone.

17 MAYOR MULKERIN: Bill, legally if
18 the ordinance reads that way --

19 ATTY. RINALDI: I did the ordinance
20 not for a third-party inspector. If you
21 have to adjust it -- that ordinance was done
22 because everybody wanted landlords signed up
23 and registered.

24 MAYOR MULKERIN: Given what
25 Councilman Notari just read, does that give

1 the fire department permission to go in --

2 ATTY. RINALDI: They can go in and
3 check the fire detectors.

4 MAYOR MULKERIN: Now you're back in.
5 I think the way the ordinance reads --

6 ATTY. RINALDI: They can't just go
7 and look at a property because they want to
8 see what it's like inside. If you're going
9 in for a smoke detector check you guys can
10 probably go in any commercial building and
11 do that. Steve can. Our other ordinance
12 gives you the ability in landlord/tenant
13 situations to do it.

14 MAYOR MULKERIN: I think the gray
15 area that is key is if he's inspecting a
16 dangerous building, that's private property.
17 This falls under the nuisance property,
18 which is a rental agreement. So I think
19 that's the difference. Am I wrong? If it's
20 a dangerous building that's private
21 property. That doesn't fall under that
22 ordinance where Steve and the chief can
23 inspect.

24 ATTY. RINALDI: Right. He's going
25 on for one purpose, they're going on for a

1 totally different purpose.

2 MAYOR MULKERIN: If we're going into
3 these apartment buildings, which that
4 apartment building on Oak, if this ordinance
5 was enforced when it was passed eight years
6 ago you would have known the layout of that
7 apartment building.

8 MR. BIERLYA: Numerous locations
9 when I had Chief Tag and Chief Stull with me
10 because of a nuisance property so they can
11 see exactly what the inside looked like and
12 maybe pick up something that I might be
13 overlooking.

14 MAYOR MULKERIN: And the police also
15 sometimes accompany, too.

16 MR. BIERLYA: Yes, and sometimes
17 that's where a lot of the information comes
18 from. Officer Bernardi just had one down on
19 Harrison Street where the owners went to the
20 hospital, animals left inside. He's in a
21 rehab center. Somebody was supposed to come
22 and take care of the animals and we've been
23 feeding them since.

24 ATTY. RINALDI: He's got exigent
25 circumstances. He can't just walk up to

your house and walk in. I don't care how many tenants you've got.

MR. BIERYLA: Tomorrow, probably, we're going to have to get Griffen Pond involved because nobody's taking care of the animals for the last 16, 18 hours.

MR. SEMENZA: So everybody at the table, was it under your impression that this third-party inspector was going to inspect all rentals and commercial rentals?

ATTY. RINALDI: I knew they were going to do that part, but I also thought you were going to have them make sure everybody was registered.

MR. SEMENZA: Steve, I thought that was going to go through you and then you were going to call for the inspection.

MR. BIERYLA: That's the part nobody
had set up.

MR. SEMENZA: I don't know how anybody else feels about it.

MR. NOTARI: That's what I thought.

MAYOR MULKERIN: Whoever is the third-party agency that comes in, I mean, do we see what their expectations are, too?

1 They might do this. Why are we reinventing
2 the wheel? If this is what they do, let's
3 see how they approach it and adjust from
4 there.

5 MR. SEMENZA: Dave, any other
6 boroughs you work for have anything like
7 this?

8 MR. LOPATKA: Just Dunmore. I can
9 ask them what their process is.

10 MR. SEMENZA: Bill, do you know of
11 any other places that do anything like this?

12 ATTY. RINALDI: The only one I know
13 is the city of Scranton, and I don't think
14 they got theirs off the ground yet. Same
15 thing, trying to get a list together and
16 make sure everybody's registered. It's an
17 annual thing. Steve's going to have to, you
18 know, January, February, March every year
19 say everybody registered? Now I got to go
20 out and start sending notices, you're not
21 registered, or is that something you want a
22 third-party inspector to do?

23 MR. SEMENZA: I think it would stay
24 in-house and we would send it out and make
25 sure everybody got registered and come back

1 here. Am I thinking wrong?

2 MR. BIERLYA: Supposedly once you
3 have a registry and there is a change of a
4 tenant, you're supposed to be notified of
5 that change. So all you have to do is keep
6 an updated file. Then you can go back and
7 look and see this tenant moved out, that
8 tenant moved out.

9 MR. SEMENZA: The only reason I'm
10 saying this, if the borough's not notified
11 of a change of a tenant, then obviously the
12 police department's not going to be
13 notified, and the police department is the
14 big factor here, that they should be
15 notified every time somebody else moves in
16 and out of a thing.

17 Officer Bernardi, do you agree with
18 me? Do you understand what I'm saying by
19 that? Joe Shmoe moves out and Jane Doe
20 moves in and all the sudden Jane Doe is a
21 big trouble maker.

22 OFFICER BERNARDI: It would be
23 helpful to have that information.

24 ATTY. RINALDI: And that's kind of a
25 big job.

1 MR. SEMENZA: I'm sure it is. Once
2 everything's set up and once it
3 starts rolling it's going to work itself.

4 MR. FEBBO: He's going to work it
5 out with Amanda, so if he already has that
6 in progress let him finish it up with that
7 and go with that.

8 MR. RUSSICK: What you have to do is
9 find a successful program and follow that.

10 MR. BIERLYA: I know that Dunmore
11 does half the town one year, half the town
12 the next year.

13 MR. LOPATKA: I'll find out.

14 MR. SEMENZA: They seem like they're
15 pretty on top of it. Does council want to
16 wait until the next meeting to discuss it or
17 do you want to have Bill go ahead and post
18 it as it is?

19 MR. FEBBO: I think we should wait,
20 pick out the best one to go with.

21 MR. NOTARI: It needs to get done.

22 MAYOR MULKERIN: It's been three
23 years. We've talked about a list for three
24 years at this table. A list for three
25 years. You've had numerous people,

1 including myself, volunteer to take this
2 task on and we're still going to wait, hold
3 off.

4 MR. SEMENZA: I think we should run
5 the ad, Bill, and then work it out with the
6 inspection company. I think we should do
7 the permits and everything in-house. I
8 don't think we should put it in a third
9 party's hands. I don't know if anybody
10 agrees, but that's just my opinion.

11 MR. NOTARI: I'm with you.

12 ATTY. RINALDI: Okay.

13 MR. SEMENZA: Anybody have any
14 questions for Bill? Bill, anything else?

15 ATTY. RINALDI: No.

16 MR. SEMENZA: We're not even on you.

17 MR. NOTARI: No, I'm done.

18 MR. FERRETT: The only thing I'd
19 like to say for the agenda for next meeting,
20 the paving program. I'd like to see it come
21 up and see what council thinks, whether
22 council will approve a paving program for
23 the year 2017.

24 MS. BARTOLETTI: Do you have any
25 ideas or anything put together yet?

1 MR. FERRETT: Well, we talked about
2 it and everything and we don't know just
3 what position council is going to take. If
4 council says it's okay, then we'll sit down
5 and discuss how much we're going to spend,
6 what roads we're going to do. You'll be
7 invited.

8 MR. FEBBO: Where are we with the
9 housing project, Apollo?

10 MS. BARTOLETTI: I haven't heard
11 anything at all.

12 ATTY. RINALDI: I'm waiting for them
13 to get back on the sewer issue. I discussed
14 it with Joe. I understand people don't want
15 to pave it with our money, so let me see
16 what -- and I haven't heard. They're
17 working on their end. Their end isn't done.
18 We're not holding it up.

19 MR. NOTARI: Does the road need to
20 be rebuilt like Kohler?

21 MR. LOPATKA: I haven't been down
22 there.

23 MS. BARTOLETTI: Yes. That was bad.

24 MR. FERRETT: I think you should
25 understand one thing, that whenever you

1 don't have a road, that someone else has it
2 and they're turning it over to the borough,
3 that road better be in good shape before the
4 borough takes it over so we don't be
5 responsible. Those are the things that
6 we've been going through a long time. You
7 get a developer comes in, before he turns
8 everything over to the borough the borough
9 wants to make sure that the roads are --
10 that's a big point. It's not a question of
11 taking over the roads in Apollo Drive or
12 these places, it's a question of --

13 MR. NOTARI: What condition they're
14 in.

15 MR. FERRETT: Correct. The county
16 is collecting all the money, they're getting
17 all this dough, why is it -- why don't we go
18 to work and negotiate and try to get
19 something off them. Something a little
20 better than what we're getting. Fifty years
21 ago rent was \$50. They're giving you \$1,500
22 for a whole year, for all the money that
23 they collect. We're just letting everything
24 ride by. You're going to open up a can of
25 worms that somebody's going to come in and

1 say the county list has X number of roads
2 and the borough took them over and the
3 borough didn't even own the roads and the
4 borough fixed them and everything. What are
5 you going to do then? You got a code, you
6 got rules that you go by. Now you're
7 bending everything.

8 MR. NOTARI: I understand what
9 you're saying, Joe, but I think a private
10 developer is a lot different than a public
11 housing complex that really --

12 MR. FEBBO: Do we collect liquid
13 fuels on it?

14 MR. SEMENZA: Yes.

15 MR. FEBBO: Are we supposed to?

16 ATTY. RINALDI: Only if you own the
17 roads.

18 MS. BARTOLETTI: They have been on
19 for 15 years back, that I can remember.

20 ATTY. RINALDI: You have to remember
21 going back 20 years -- I forget who the guy
22 was. He wanted to make sure every borough,
23 every city got liquid fuels money, so he'd
24 run around and put anything on that he could
25 find as a street so that the borough got a

1 good amount of money. Now, he would just do
2 it on his own. The boroughs and towns would
3 never review them, because I know going back
4 ten yeas we started taking roads off liquid
5 fuels. But the PennDOT guy was trying to
6 help boroughs and communities, so they would
7 list everything that they saw a car on and
8 paved. They control it. They send you a
9 list every year. You can say that shouldn't
10 be on it.

11 MR. FEBBO: Can they come back to us
12 and say you collected liquid fuel --

13 ATTY. RINALDI: No, because you're
14 probably plowing the streets. They've
15 probably been on liquid fuels from at least
16 the 1970s. So it's a little ridiculous to
17 say take them off now.

18 MR. FERRETT: There were a lot of
19 roads taken off in 2009. Mr. Russick is
20 always complaining.

21 MR. RUSSICK: The late Mr. Pero
22 asked me to research. We got a list of the
23 roads. That's how I found out there were
24 two Center Streets here in Old Forge on
25 opposite sides of the borough. He asked me

1 to research the streets, whether or not they
2 conform to liquid fuels. There were several
3 streets that did not. So I gave the report
4 to council and they subsequently removed
5 those streets, including the streets up at
6 Rosemount.

7 MR. SEMENZA: Councilman Notari,
8 anything else?

9 MR. NOTARI: No.

10 MR. SEMENZA: Councilman Ferrett?

11 MR. FERRETT: No, that's the only
12 thing.

13 MR. FEBBO: No.

14 MR. LENCESKI: Nothing tonight.

15 MR. SEMENZA: One thing I have for
16 Councilman Lenceski is to find a
17 representative for Tri-boro Soccer for the
18 rec board, see if we get it done for this
19 month because he's up.

20 MR. LENCESKI: Is Mr. Webber showing
21 any interest?

22 MR. SEMENZA: I don't know. I'm
23 asking you. That's about all I have.

24 MR. BROWN: Can we just get a
25 rundown of what we think might be on the

1 agenda for next meeting?

2 MR. SEMENZA: Right now?

3 MR. BROWN: Like, I just recommended
4 the changes we can do, the change of the
5 streets. I don't know if anybody else had
6 anything.

7 MR. SEMENZA: I believe that there's
8 going to be a report from Dave for both
9 properties on Oak Street, the stop sign on
10 Madison and Monroe, Lawrence Street, tax
11 collector, Joe wants to put the paving
12 program on the agenda.

13 ATTY. RINALDI: What does council
14 want to do with regard to those roads up
15 there? We can change this agreement and
16 make a fuss over it. It says here that they
17 can dedicate the streets to you improved or
18 unimproved. If they're not improved you can
19 assess them what it would cost to pave them.
20 Do you want to fight that battle? I'm just
21 asking. I thought you just wanted to get
22 them, use the UDAG money and pave them and
23 get them to start paying the sewers.

24 You can try and make an issue about
25 it and say listen, you guys never dedicated

1 them, now they're like crap. So now we're
2 going to assess you. If you want to
3 dedicate them over we're going to assess you
4 a cost of paving.

5 MR. SEMENZA: My feeling is --

6 ATTY. RINALDI: I know they're
7 putting the borough in a tough spot because
8 anybody who complains down there they call
9 and say the borough owns the roads. We know
10 that's not the case. Two years ago they
11 promised they'd pave them and then they
12 changed that plan and don't want to pave
13 them now and want to throw it in our lap.

14 MR. FEBBO: Can we negotiate a 50/50
15 split?

16 ATTY. RINALDI: We can ask.

17 MR. SEMENZA: I think we should try
18 to negotiate more. Maybe tell them pay for
19 them at first and see what they say and go
20 from there.

21 Marylynn, can we take that off the
22 liquid fuels list ASAP, all them roads?

23 MS. BARTOLETTI: We can if that's
24 something you want.

25 ATTY. RINALDI: If you're going to

1 taken any off it would only be Apollo and
2 Eisenhower because we don't plow those, but
3 we plow the other ones, which are Kohler and
4 Dunn.

5 MR. SEMENZA: Dunn is a borough
6 road.

7 ATTY. RINALDI: Dunn, Kohler. They
8 weren't done by the county. 1926 they were
9 laid out.

10 MR. SEMENZA: So Dunn is not deeded
11 to us either.

12 ATTY. RINALDI: No, but they're
13 going to give us a deed and we'll take it.
14 There was probably no deed back in 1926
15 anyway.

16 MR. SEMENZA: How did we pave Dunn
17 Avenue in the past when it's not our road?

18 ATTY. RINALDI: It's yours. The
19 only thing on Redman Heights it shows the
20 lots. Apollo and Eisenhower, they're inside
21 their parcel. But as of 1926 these were
22 roads.

23 MR. SEMENZA: Is it a big deal to
24 take something off the liquid fuels list?

25 MS. BARTOLETTI: No.

1 MR. SEMENZA: I say take it off.

2 MR. NOTARI: If that happens, we
3 took them off the list, does the county then
4 get the liquid fuels money for those?

5 ATTY. RINALDI: No.

6 MR. LOPATKA: They're just their
7 property.

8 ATTY. RINALDI: Like George Dunbar's
9 development down there, he won't get liquid
10 fuels, we don't get liquid fuels.

11 MR. SEMENZA: If we're not doing
12 anything on them roads there's no reason we
13 should be getting money for them.

14 MR. SEMENZA: Go to public comment.
15 Joe Russick?

16 MR. RUSSICK: Joe Russick, 642 Clark
17 Street. Two days before Christmas I noticed
18 that the street light was out on the corner
19 of Apache and Clark, and that's a busy
20 intersection. So I looked online for PP&L
21 trying to find a way to get in contact with
22 somebody. It's a nightmare. So I called
23 the borough building and got the answering
24 device and then I called Paul. Paul
25 immediately called me back and placed a call

1 within a day that the street light was
2 replaced. I just want to thank Paul and
3 Marylynn and her crew for looking into that.

4 While the guy was there he was
5 replacing the light fixture. I thought
6 they're going to put an LED in there. He
7 said no, we're going to put the same one.
8 He said we ran into some issues with the
9 LEDs. We had to send the whole lot of them
10 back.

11 Again, thank you for addressing that
12 issue in a timely fashion.

13 Down at Saint Lawrence Church, at
14 the 5:30 mass, we get out of there about
15 quarter of six. In the wintertime, when its
16 dark, when people are leaving, if we can get
17 a police car down there just to flash the
18 lights to slow them down for about ten
19 minutes. I see people trying to get across
20 the street and I hold my breath. It's a
21 blind spot.

22 MR. NOTARI: Should we put a
23 crosswalk somewhere in that area?

24 MR. SEMENZA: Can't do it. Has to
25 be on a corner.

1 MR. PAPI: I called PennDOT and
2 asked them the rules of the crosswalk, and
3 they said the pedestrian is supposed to
4 stand and wait for traffic to stop. Then
5 once traffic stops or opens up, then they
6 cross. In you're in the crosswalk, then the
7 car is supposed to stop. But it's partly
8 the pedestrian also has to wait for traffic
9 to open up.

10 MR. SEMENZA: Thank you, Joe.

11 MR. FERRETT: A moment ago Bill said
12 that the lower streets, Apollo Drive, are
13 within that compound that belongs to the
14 county and everything. Bill, from a legal
15 standpoint of view, being that the county
16 doesn't want to do anything whatsoever being
17 that this is Old Forge, as a council do we
18 not have a right to go ahead and patch those
19 holes and then assess the county for work
20 that the borough does?

21 ATTY. RINALDI: No.

22 MR. FERRETT: Because everybody's
23 complaining about all the holes and
24 everything.

25 ATTY. RINALDI: No, but what we can

1 do is ask -- just to see what we're going to
2 argue with them about, maybe ask Dave to
3 just say what's it going to cost to pave
4 only Apollo and Eisenhower, just what we're
5 looking at there price-wise, and then at
6 least we'll know what we're talking about
7 and how much money we're going to spend out
8 of that UDAG -- CDBG, and then we can always
9 say -- we can suggest something. At least
10 know what the number is to do it. Right now
11 we don't know what that number is.

12 MR. FERRETT: What about a temporary
13 fix?

14 ATTY. RINALDI: We're not touching
15 them. There's still such a thing as a
16 temporary fix. The only reason we did them
17 was because we were in litigation there.
18 There's no --

19 MR. LOPATKA: Technically you're
20 going on private property.

21 MR. FERRETT: We have no
22 jurisdiction on making any kind of
23 regulations on what we can force people to
24 do and not do in our own town?

25 ATTY. RINALDI: They put in the

1 roads but they're private roads.

2 MR. FERRETT: They have to upkeep
3 the roads. If they don't upkeep the roads
4 we can't do nothing.

5 ATTY. RINALDI: They're not our
6 roads and they're not for the public.
7 They're only for the people in that
8 development. So it's up to the people in
9 that development to scream and cry, which
10 they do.

11 MR. FERRETT: Why don't we just go
12 to work and post a sign in that area any
13 complaints you have take to the county,
14 don't come to the borough?

15 ATTY. RINALDI: We do tell them
16 that.

17 MR. FERRETT: Let's put the signs up
18 so they know what's going on.

19 MR. SEMENZA: You want to put signs
20 up down there call the county and complain?

21 MR. FERRETT: I would patch the
22 holes and I'd make them pay for it. There's
23 got to be something, some kind of way the
24 borough --

25 MS. BARTOLETTI: Joe, have you been

1 down there?

2 MR. FERRETT: Yes.

3 MS. BARTOLETTI: I don't know how
4 you can patch them. It's crumbled away. I
5 don't know how you patch that because it's
6 in such bad shape. The upper one
7 especially.

8 MR. RUSSICK: Call HUD. I guarantee
9 you'll get action.

10 MR. SEMENZA: Can you call HUD and
11 see what they say?

12 ATTY. RINALDI: I can. You guys
13 have been collecting money for the 30 years
14 that's there.

15 MR. SEMENZA: Our side is if the
16 county's been saying they're your road for
17 30 years, all the sudden now they're theirs.
18 We've been arguing this for a long time, and
19 just recently that they've agreed with us.

20 Before I adjourn does anybody have
21 anything else? The chair would entertain a
22 motion to adjourn.

23 MR. NOTARI: I'll make that motion.

24 MR. SEMENZA: Motion by Councilman
25 Notari. All in favor?

(Unanimous. Meeting adjourned.)

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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 96 pages, is a true and correct copy, done to the best of my ability, of same and the whole thereof.


Mark Wozniak
Official Court Reporter

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