

1 OLD FORGE BOROUGH COUNCIL

2 OLD FORGE, PENNSYLVANIA

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4
5 IN RE: REGULAR MEETING OF COUNCIL

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8
9 SEPTEMBER 27, 2016

10 7:00 P.M.

11 OLD FORGE MUNICIPAL BUILDING

12 314 SOUTH MAIN STREET

13 OLD FORGE, PENNSYLVANIA

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18 COUNCIL MEMBERS:

19 ROBERT SEMENZA, PRESIDENT

20 JOSEPH LENCESKI, VICE-PRESIDENT

21 JOSEPH FERRETT

22 RUSSELL RINALDI

23 DEVON BROWN

24 LOUIS FEBBO

25 RICK NOTARI

WILLIAM RINALDI, ESQUIRE, SOLICITOR

MARYLYNN BARTOLETTI, BOROUGH MANAGER

Mark Wozniak
Official Court Reporter

1 MR. SEMENZA: Roll call, please.

2 MS. BARTOLETTI: Councilman Brown?

3 MR. BROWN: Glad to be here.

4 MS. BARTOLETTI: Councilman Notari?

5 MR. NOTARI: Present.

6 MS. BARTOLETTI: Councilman Febbo?

7 MR. FEBBO: Here.

8 MS. BARTOLETTI: Councilman Ferrett?

9 MR. FERRETT: Here.

10 MS. BARTOLETTI: Councilman Rinaldi?

11 MR. RUSSELL RINALDI: Also present.

12 MS. BARTOLETTI: Councilman

13 Lenceski?

14 MR. LENCESKI: Here.

15 MS. BARTOLETTI: Councilman Semenza?

16 MR. SEMENZA: Here. Good evening,

17 ladies and gentlemen, and welcome to our

18 regular meeting of September 27, 2016.

19 We'll hear from our department heads, we'll

20 go down the table, hear from council.

21 There's a public sign-in sheet if anybody

22 would like to address council.

23 First we'll go into housekeeping.

24 The first motion is a motion to approve the

25 minutes from the prior meeting.

1 MR. LENCESKI: I'll make that
2 motion.

3 MR. SEMENZA: By Councilman
4 Lenceski. Can I have a second?

5 MR. NOTARI: Second.

6 MR. SEMENZA: Second by Councilman
7 Notari. On the question? Public input?
8 Roll call, please.

9 MS. BARTOLETTI: Councilman Brown?

10 MR. BROWN: No.

11 MS. BARTOLETTI: Councilman Notari?

12 MR. NOTARI: Yes.

13 MS. BARTOLETTI: Councilman Febbo?

14 MR. FEBBO: Yes.

15 MS. BARTOLETTI: Councilman Ferrett?

16 MR. FERRETT: Abstain.

17 MS. BARTOLETTI: Councilman Rinaldi?

18 MR. RUSSELL RINALDI: Yes.

19 MS. BARTOLETTI: Councilman

20 Lenceski?

21 MR. LENCESKI: Yes.

22 MS. BARTOLETTI: Councilman Semenza?

23 MR. SEMENZA: Yes. The chair would
24 entertain a motion to approve the treasurer
25 reports. Note this does not include sewer

1 accounts.

2 MR. RUSSELL RINALDI: I'll make that
3 motion, Mr. Chairman.

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

6 MR. LENCESKI: Mr. Chairman, I'll
7 second that.

8 MR. SEMENZA: Second by Councilman
9 Lenceski. On the question?

10 MR. NOTARI: I have a question. The
11 treasurer's report is the profit/loss
12 statement I received in my packet?

13 MR. SEMENZA: Yes.

14 MR. NOTARI: Okay.

15 MR. SEMENZA: Public input? Roll
16 call, please.

17 MS. BARTOLETTI: Councilman Brown?

18 MR. BROWN: No.

19 MS. BARTOLETTI: Councilman Notari?

20 MR. NOTARI: Yes.

21 MS. BARTOLETTI: Councilman Febbo?

22 MR. FEBBO: Yes.

23 MS. BARTOLETTI: Councilman Ferrett?

24 MR. FERRETT: Yes.

25 MS. BARTOLETTI: Councilman Rinaldi?

1 MR. RUSSELL RINALDI: Yes.

2 MS. BARTOLETTI: Councilman

3 Lenceski?

4 MR. LENCESKI: Yes.

5 MS. BARTOLETTI: Councilman Semenza?

6 MR. SEMENZA: Yes. The chair would
7 entertain a motion to approve invoices for
8 payment. Note this does not include sewer
9 accounts.

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

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

14 MR. LENCESKI: Mr. Chairman, I'll
15 second that.

16 MR. SEMENZA: Seconded by Councilman
17 Lenceski. On the question?

18 MR. NOTARI: That's the unpaid bills
19 report that we received?

20 MS. BARTOLETTI: Yes.

21 MR. NOTARI: I wanted to clear that
22 up. Thank you.

23 MR. SEMENZA: Public input? Roll
24 call, please.

25 MS. BARTOLETTI: Councilman Brown?

1 MR. BROWN: No.

2 MS. BARTOLETTI: Councilman Notari?

3 MR. NOTARI: Yes.

4 MS. BARTOLETTI: Councilman Febbo?

5 MR. FEBBO: Yes.

6 MS. BARTOLETTI: Councilman Ferrett?

7 MR. FERRETT: No.

8 MS. BARTOLETTI: Councilman Rinaldi?

9 MR. RUSSELL RINALDI: Yes.

10 MS. BARTOLETTI: Councilman

11 Lenceski?

12 MR. LENCESKI: Yes.

13 MS. BARTOLETTI: Councilman Semenza?

14 MR. SEMENZA: Yes. The chair would
15 entertain a motion to approve the sewer
16 department financial reports.

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

18 MR. SEMENZA: Motion on the floor by
19 Councilman Febbo. Can I have a second?

20 MR. NOTARI: I'll second it.

21 MR. SEMENZA: Seconded by Councilman
22 Notari. On the question? Public input?
23 Roll call, please.

24 MS. BARTOLETTI: Councilman Brown?

25 MR. BROWN: Yes.

1 MS. BARTOLETTI: Councilman Notari?

2 MR. NOTARI: Yes.

3 MS. BARTOLETTI: Councilman Ferrett?

4 MR. FERRETT: No.

5 MS. BARTOLETTI: Councilman Febbo?

6 MR. FEBBO: Yes.

7 MS. BARTOLETTI: Councilman Rinaldi?

8 MR. RUSSELL RINALDI: Yes.

9 MS. BARTOLETTI: Councilman

10 Lenceski?

11 MR. LENCESKI: Yes.

12 MS. BARTOLETTI: Councilman Semenza?

13 MR. SEMENZA: Yes. The next motion
14 is a motion to approve sewer department
15 invoices for payment.

16 MS. YEAGER: I have it listed
17 separately underneath. Council's aware that
18 there's questions on one of the bills.

19 MR. SEMENZA: Lucille, is that
20 invoice for payment included in this here?

21 MS. YEAGER: It's on the bottom of
22 the list, yes.

23 MR. SEMENZA: So I'm going to --

24 ATTY. RINALDI: Ask for a motion to
25 amend that list and exclude the Hutchinson

1 bill until reviewed by council.

2 MR. SEMENZA: The chair would
3 entertain a motion to amend the sewer
4 department invoices for payment to table the
5 Hutchinsons' claim so council could have
6 further review on it.

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

8 MR. SEMENZA: Motion on the floor by
9 Councilman Notari.

10 MR. RUSSELL RINALDI: I'll second
11 that.

12 MR. SEMENZA: Seconded by Councilman
13 Rinaldi. On the question? Public input?
14 Roll call, please.

15 MS. BARTOLETTI: Councilman Brown?

16 MR. BROWN: No.

17 MS. BARTOLETTI: Councilman Notari?

18 MR. NOTARI: Yes.

19 MS. BARTOLETTI: Councilman Ferrett?

20 MR. FERRETT: No.

21 MS. BARTOLETTI: Councilman Febbo?

22 MR. FEBBO: Yes.

23 MS. BARTOLETTI: Councilman Rinaldi?

24 MR. RUSSELL RINALDI: Yes.

25 MS. BARTOLETTI: Councilman

1 Lenceski?

2 MR. LENCESKI: Yes.

3 MS. BARTOLETTI: Councilman Semenza?

4 MR. SEMENZA: Yes. This would be a
5 motion to approve sewer department invoices
6 for payment.

7 MR. RUSSELL RINALDI: Mr. Chairman,
8 I'll make that motion.

9 MR. SEMENZA: Motion on the floor by
10 Councilman Rinaldi.

11 MR. NOTARI: I'll second it.

12 MR. SEMENZA: Seconded by Councilman
13 Notari. On the question? Public input?
14 Roll call, please.

15 MS. BARTOLETTI: Councilman Brown?

16 MR. BROWN: Yes.

17 MS. BARTOLETTI: Councilman Notari?

18 MR. NOTARI: Yes.

19 MS. BARTOLETTI: Councilman Ferrett?

20 MR. FERRETT: No.

21 MS. BARTOLETTI: Councilman Febbo?

22 MR. FEBBO: Yes.

23 MS. BARTOLETTI: Councilman Rinaldi?

24 MR. RUSSELL RINALDI: Yes.

25 MS. BARTOLETTI: Councilman

1 Lenceski?

2 MR. LENCESKI: Yes.

3 MS. BARTOLETTI: Councilman Semenza?

4 MR. SEMENZA: Yes. Right now I see
5 Fred Rinaldi and Frank Pero from the little
6 league here. Before I go into our
7 department heads I'm going to let them come
8 up and give us a brief presentation.

9 MR. FRED RINALDI: Good evening.
10 I'm the president of the Old Forge Lyons
11 Little League. I guess we are here
12 tonight -- I guess the 351 children are here
13 tonight to ask for your assistance. As many
14 of you may know, we're in the midst of a
15 lighting project in which we received a
16 grant for \$77,150 from LSA, DCED, and we're
17 seeking assistance from the borough, a
18 request for \$10,000. I have some handouts
19 from Musco Lighting, which is our final
20 quote, and a copy of the lighting plan
21 behind it.

22 Just to give you a little
23 background, Musco Lighting, it's the
24 official lighting sponsor for little league,
25 so little league receives a discounted price

1 from them. Also, they're a Keystone vendor
2 and part of the Keystone purchasing network
3 that gives a further discount that the
4 commonwealth contracts with them directly
5 for discounted pricing in addition.

6 Originally when we received the
7 budget estimate from Musco it was
8 approximately \$115,000 because not only does
9 it include the installation of the lights --
10 purchase and installation of the lights, but
11 also the demolition of the current lighting
12 structures, which I think it's around six
13 telephone poles.

14 The lighting system is
15 deteriorating. The poles are in great
16 disrepair. The electrical lines are
17 overhead. Current little league standard
18 requires all underground lighting or all
19 underground utilities for lighting to the
20 poles. Musco, we've been going back and
21 forth for numerous months.

22 The lighting plan meets the
23 standards of little league, which is 50/30.
24 Fifty, average, in the infield and 30 in the
25 outfield. They feel we'll get more lighting

1 because of the circumference of our field.
2 Our field is approximately 185 feet deep. A
3 normal little league is around 210, 220.

4 Their final quote, which actually
5 came this afternoon, is \$93,000. So we're
6 seeking a request of \$10,000 to help
7 support --

8 MR. SEMENZA: Where are you going to
9 pick up the other six?

10 MR. FRED RINALDI: We're going to do
11 our own fund-raising. For the past three
12 years the little league has contributed
13 approximately \$286,000 into fields owned by
14 the borough, which we were glad to do. I
15 think they look great. The kids enjoy it.
16 You know, some council members were there.
17 Joe Lenceski contributed in-kind of maybe
18 \$15,000 because he was there every day for
19 at least two months brick by brick at Miles.
20 But for that, it wouldn't have gotten done.
21 Bob, you were there helping. Everyone
22 helped. We have a great board. Frank Pero
23 is -- everyone is dedicated to make our
24 fields the finest fields in Lackawanna
25 County, which I think they are.

1 We're here today to ask for a
2 request that needs to fill that gap. We
3 spent the last three years rebuilding the
4 fields. We finished Pagnotti last year,
5 which I think looks great, and we're always
6 willing to do more but we need your help and
7 the children need your help. That's why
8 we're here tonight.

9 MR. SEMENZA: The lighting that's
10 currently lighting the field on Miles
11 Street, what Musco's going to put in,
12 obviously it has to be more efficient
13 energy-wise. Do you guys have any idea of
14 how much more efficient the borough would be
15 saving in electric?

16 MR. FRED RINALDI: Well, they
17 estimate, I think, 30 to 40 percent more
18 efficiency in the lighting. You know, the
19 current -- the lighting down there now, I
20 guess -- we were up at a field in north
21 Scranton last night and you can see they
22 have the similar lighting. They have the
23 Musco lighting, which we're going to
24 hopefully get. When it's that twilight
25 hour, that's when it's -- you can see the

1 brightness compared to our field. The
2 lights have been there for 40 years. They
3 still work, but is the lighting adequate?
4 No. Are the telephone poles deteriorating?
5 Yes. Is the electrical overhead? Yes.

6 I think for the next 25 years, if
7 you're willing to make this commitment to
8 the 351 children, you don't have to worry
9 about a light bulb, something breaking. For
10 25 years they're going to monitor these
11 lights remotely. They can be turned on and
12 turned off remotely. We'll gladly give the
13 borough -- it's really all computerized.
14 All you have to do is enter the game
15 schedules and the lights turn on
16 automatically and turn off. For the next 25
17 years you don't have to worry about fixing
18 anything.

19 I know the gentleman from Musco, Bob
20 Zohler, gave us an example. In north
21 Scranton, they knew there was a problem with
22 one of their lighting fixtures -- I guess
23 the wind blew it -- before they did. They
24 came and fixed it in one day.

25 MR. NOTARI: There's a 25 year

1 guarantee?

2 MR. FRED RINALDI: Yes.

3 MR. NOTARI: The lights have not
4 been there for 40 years. Twenty, maybe, but
5 not 40.

6 MR. SEMENZA: I'd say more than 30.

7 MR. NOTARI: No, there was never
8 lights there when I was in little league.

9 MAYOR MULKERIN: My last year of
10 little league was when the warning track got
11 put in.

12 MR. FEBBO: They're old and we need
13 new lights.

14 MR. NOTARI: Fred, when will this
15 project take place if you're able to raise
16 the rest of the money?

17 MR. FRED RINALDI: Hopefully before
18 the end of the year.

19 MR. NOTARI: So it's not something
20 where Marylynn would be able to put it into
21 the budget for next year. It's something
22 you need right now.

23 MR. FRED RINALDI: Yes.

24 MR. SEMENZA: You don't so much need
25 the money, but you need an answer if you're

1 going to get the money or not. Correct?

2 MR. FRED RINALDI: Yes.

3 MR. SEMENZA: When would you need
4 the money in hand?

5 MR. FRED RINALDI: I would say 30
6 days.

7 MR. NOTARI: Before we start talking
8 about money I have a couple more questions.
9 It's just the little league field. It's not
10 going to include the lights on the
11 basketball court, it's not going to light
12 the basketball court?

13 MR. PERO: The batting area, too.

14 MR. NOTARI: Marylynn, how old are
15 the lights on the basketball courts?

16 MS. BARTOLETTI: I have no idea.
17 The only ones I know of are the ones that we
18 just put in. There's a couple new ones.
19 Other than that, I have no idea.

20 MR. PAPI: We had a tree trimmer
21 down there and he changed some bulbs in the
22 basketball area, and he actually had to go
23 up and fix some wires because they were
24 completely rotted away. So he had to do
25 some electrical work while he was up there.

1 MR. NOTARI: Four posts?

2 MR. FRED RINALDI: Yes.

3 MAYOR MULKERIN: How many now, six?

4 MR. FRED RINALDI: I believe so.

5 Five or six.

6 MR. NOTARI: I'm looking at this one
7 map, illumination summary. I'm just trying
8 to figure out the impact for the rest of the
9 neighborhood.

10 MR. FRED RINALDI: It's direct
11 lighting.

12 MR. NOTARI: Yet it's going to
13 illuminate some of the parking lot at the
14 maximum?

15 MR. FRED RINALDI: Yes. I guess the
16 spillage is insignificant. It will be
17 focused on the field.

18 MR. RUSSELL RINALDI: That's
19 actually pretty good, though.

20 MR. FRED RINALDI: You're going to
21 get ambient lighting to walk around the
22 field. But really it's the field and then
23 you get a little ambient.

24 MR. RUSSELL RINALDI: The maximum
25 lets patrons who are going to the park,

1 games, whatever --

2 MR. FRED RINALDI: Yes, plus you're
3 going to have lighting over the batting
4 cages. There's going to be a fixture on
5 that that will be lit up.

6 MR. PERO: It's just going to be
7 pointed that way.

8 MR. NOTARI: From the left field
9 post? Okay. That's kind of like what we
10 have at the football field.

11 MR. SEMENZA: I would like to go to
12 the school and ask the school for some of
13 the money. I think it would only be fair
14 because the school does use our facilities
15 for all their baseball, basically. High
16 school, girls softball and everything.

17 MR. FRED RINALDI: In all deference
18 to the school, I think they're not in a
19 position to donate money to the field.
20 We've been the sole contributor for the past
21 three and a half years.

22 MR. SEMENZA: I understand that,
23 Fred.

24 MR. NOTARI: They're not in a
25 position. However, they do use the field.

1 I was going to make the same suggestion. If
2 not the little league, I think the borough
3 should approach the school.

4 MR. PER0: That's our point. I
5 don't think we can go to the school. It's
6 not our field.

7 MR. FEBB0: Based on going to your
8 meeting and so on and doing some research on
9 this you people are look for \$10,000 to
10 complete the little league, which entails
11 all the kids in the community, little league
12 baseball. We're going to be addressing the
13 high school, which we know isn't going to go
14 anywhere, for money this year. We also know
15 that they're going to be coming to us,
16 perhaps, next year for the baseball field
17 where the high school plays. That we own.
18 Now, they have used that place continuously,
19 we maintain it.

20 So that being said, I think that we
21 should consider moving forward with the
22 little league request for \$10,000 and then
23 next year, when the high school comes
24 looking for money to maintain the high
25 school field, let them go to the school

1 board. That will give them ample time to
2 know it's coming and also step up to the
3 plate and do their part. Again, they use
4 our field as does the girls softball team
5 use our little league field.

6 MR. FRED RINALDI: Yes, they do.

7 MR. FEBBO: I think we're more than
8 fair by us stepping up for the little
9 league, here. Let's stay with the community
10 kids. Let the high school take some
11 responsibility to come up with whatever they
12 need for the baseball field next year.
13 Serve warning to them now that it's coming.

14 MS. BARTOLETTI: Don't wait until
15 next year. Discuss this now.

16 MR. FEBBO: I'm all for making a
17 motion to give the little league their
18 \$10,000 and again go on record stating we
19 have contributed more to the community than
20 we have, especially to the high school and
21 so on, and let the high school assume the
22 baseball request next year for whatever
23 amount they're looking for.

24 MR. NOTARI: I have a couple
25 questions for Mr. Rinaldi and Mr. Pero. I'm

1 totally behind you in terms of giving you
2 the money. My question is, I guess, when
3 did -- I know we talked about lighting as
4 part of the rec board, Frank, and for years,
5 before you were even on the rec board -- and
6 Bobby knows -- we've talked about lighting.
7 We brought in different people to look at
8 money. We brought in Musco, I know, when
9 Dave Fife was on the board, and they wanted
10 \$100,000 back then.

11 When did you guys decide to approach
12 doing this again and was council informed?
13 Was Marylynn informed? Did she know that
14 this was all going on?

15 MS. BARTOLETTI: Yes.

16 MR. NOTARI: As you said, it's a
17 borough field.

18 MR. PERO: Six months ago the ball
19 started rolling.

20 MR. NOTARI: I just want to make
21 sure that we're all on the same page in
22 terms of it is a borough field. It's not
23 the little league field. The little league
24 has done a tremendous job turning that field
25 into what it is, but I think at some end we

1 need to expect -- the people should expect
2 us to do something to help that field as
3 well, and I think that's the approach we're
4 going to take with the school as we discuss
5 that more going forward. So I just want to
6 make sure that council is on board before
7 the little league goes and starts applying
8 for grants, that we know what's going on.

9 MS. BARTOLETTI: Rick, Fred and
10 Frank have told me step by step as
11 everything was going on. I either talk to
12 the finance committee or the rec committee,
13 whoever it is that's going to be meeting,
14 just to let other people on council know
15 what's taking place. But anything they do,
16 they always make sure I know what's going
17 on.

18 MR. FEBBO: The way it should be.

19 MR. NOTARI: I'll second the motion
20 by Councilman Febbo.

21 MR. SEMENZA: We have a motion on
22 the floor by Councilman Febbo to donate
23 \$10,000 to the Old Forge Little League. Do
24 we have to state where the funds are going
25 to come from?

1 MR. FEBBO: I could put that in the
2 motion.

3 ATTY. RINALDI: I guess it would
4 be -- because you're really giving it to
5 yourself. Allocating \$10,000 towards the
6 little league Miles Street lighting project.

7 MR. SEMENZA: We have a motion on
8 the floor by Councilman Febbo for a payment
9 of \$10,000 to the Old Forge Lions Little
10 League for the Miles Street lighting
11 project. Again, do we have to state where
12 the money is going to come from?

13 MS. BARTOLETTI: That money is not
14 going to come from the general fund.

15 MR. RUSSEL RINALDI: I would like to
16 know where it's coming from.

17 MR. FERRETT: How about the money
18 from the landfill?

19 MS. BARTOLETTI: Well, it's either
20 going to come from the landfill money or --
21 probably easiest would be the landfill
22 account. The ASL account.

23 MR. FERRETT: Because that money is
24 not already accounted into the budget, like,
25 for this year.

1 MS. BARTOLETTI: No. That's why I
2 said it is not coming from the general. I
3 would suggest in your motion to put that
4 it's going to come from the ASL account.

5 MR. SEMENZA: Motion by Councilman
6 Febbo. I believe Councilman Notari seconded
7 the motion. On the question? Public input?
8 Roll call, please.

9 MS. BARTOLETTI: Councilman Brown?

10 MR. BROWN: Yes.

11 MS. BARTOLETTI: Councilman Notari?

12 MR. NOTARI: Yes.

13 MS. BARTOLETTI: Councilman Ferrett?

14 MR. FERRETT: Yes.

15 MS. BARTOLETTI: Councilman Febbo?

16 MR. FEBBO: Yes.

17 MS. BARTOLETTI: Councilman Rinaldi?

18 MR. RUSSELL RINALDI: Yes.

19 MS. BARTOLETTI: Councilman

20 Lenceski?

21 MR. LENCESKI: Yes.

22 MS. BARTOLETTI: Councilman Semenza?

23 MR. SEMENZA: Yes.

24 MR. FRED RINALDI: Thank you, and
25 the children thank you.

1 MR. SEMENZA: Okay. Paul, DPW
2 report, please.

3 (Mr. Papi read his report, which is
4 attached.)

5 MR. SEMENZA: Thanks, Paul. Anybody
6 have any questions for Paul?

7 MR. FEBBO: Equipment wise, one of
8 our trucks, is it the 2008, the Bingo truck?
9 Do you want to bring council up to date on
10 that.

11 MS. BARTOLETTI: Can we stop calling
12 it that?

13 MR. PAPI: It's a 2008 white Ford
14 F550. The motor's shot on it. It's so bad
15 it's not worth sinking any money into it.
16 So I would recommend to replace the truck
17 next year.

18 MR. SEMENZA: How many trucks do we
19 have on the road right now, dump trucks?

20 MR. PAPI: Four.

21 MS. BARTOLETTI: We knew that that
22 truck was having trouble, and when we put
23 the budget together last year, the truck
24 that we bought this year was technically a
25 replacement of that truck, knowing that we

1 were going to retire that truck. So
2 technically that truck has already been
3 replaced. Even though it's still on the
4 road it's been replaced already.

5 MR. PAPI: We have a 2008 red Ford
6 that's in the same situation. The motor can
7 quit on it at any time.

8 MS. BARTOLETTI: Just so we're
9 clear, because it's been brought to my
10 attention by some council members that I'm
11 being cheap about trucks, but that truck
12 that we already did receive was to replace
13 the white truck that took a beating from
14 years of work.

15 MR. FEBBO: That being said, we
16 discussed this with the DPW committee. I
17 think that we have a choice -- we're looking
18 for a front-end loader for next year. We're
19 talking about budgeting coming up now and
20 Marylynn's going to have to look at the
21 numbers. I think it's going to come down to
22 one or the other. If you're looking for a
23 truck, I don't know if that's going to
24 happen if you want a front-end loader.

25 MS. BARTOLETTI: Well, I think that

1 you need to make a decision, really, on one
2 or the other because I just can't see how
3 you could in one year purchase an \$80,000
4 truck and a loader that's \$78,000.

5 MR. PAPI: I would suggest a truck
6 would better fit the borough more so than a
7 front-end loader.

8 MR. FEBBO: That's not what you told
9 me before.

10 MR. PAPI: I know. I thought about
11 it longer and I think that's the best way to
12 go only because of the storm --

13 MR. FEBBO: Okay. Well, you think
14 about it again before Marylynn gets with the
15 budget again and let us know what direction
16 we want to go in there, what best suits the
17 DPW crew and what we need, and then let
18 Marylynn know which direction you want to go
19 in with that.

20 MR. PAPI: The truck is the way to
21 go.

22 MR. SEMENZA: When was the last time
23 that backhoe was serviced?

24 MR. PAPI: Six weeks ago.

25 MR. SEMENZA: What were their

1 thoughts on the machine? Did they give you
2 any -- that it's got a lot of time left?
3 It's ready to break down? Did they say
4 anything about it at all?

5 MR. PAPI: No, he said the machine's
6 running pretty good.

7 MR. SEMENZA: We don't use that -- I
8 mean, how often do we use it a week?

9 MR. PAPI: Well, almost every day
10 loading grass, loading salt. But that's all
11 we use it for.

12 MR. SEMENZA: An hour or two a day,
13 total, maybe?

14 MR. PAPI: Almost every day. Not
15 every day. But an hour or two when we do
16 use it. I'd say three days a week.

17 MR. SEMENZA: So it's not being run
18 for eight hours a day.

19 MR. PAPI: No.

20 MR. SEMENZA: We might get some more
21 time out of that machine?

22 MR. PAPI: Yes.

23 MR. SEMENZA: I agree, too, if it
24 was a decision between the two of them, I
25 mean, I would think that you would need a

1 truck more than you would --

2 MR. PAPI: Yeah, that's why I just
3 said that. I think the truck is the best
4 way to go only because in a snowstorm we'd
5 have more vehicles out there getting the job
6 done quicker. And it would be a salt and a
7 plow truck.

8 MR. FEBBO: Paul, again, in my
9 defense, here, you've been telling me for
10 the last year that the backhoe is shot, that
11 you need a front-end loader, about all the
12 money we're putting in this front-end loader
13 for the front end because we're using it for
14 front end work as opposed to a backhoe,
15 which we don't use.

16 MR. PAPI: Right.

17 MR. FEBBO: But now I'm hearing a
18 reverse comment here.

19 MR. PAPI: Well, you talked to me
20 this morning about it, and I thought it was
21 a good idea to change the backhoe, but on
22 thinking about it longer, when we have a
23 snowstorm it's another truck we have on the
24 road that's going to help us --

25 MR. FEBBO: Which is why for the

1 last couple months I've been asking you
2 about that. Like, what do we need down
3 there, and you've been leaning, again,
4 continuously towards a front-end loader.

5 MR. SEMENZA: Honestly, I can't see
6 something we use for eight hours a week
7 spending \$80,000 on.

8 MS. BARTOLETTI: Paul, I'm going to
9 be coming to you just like we do every year
10 for your wish list for the budget. You
11 still have some time to think about it.
12 Then when it's your turn we'll sit down
13 and --

14 MR. PAPI: Well, I already thought
15 about it. We would get more use out of the
16 truck and the borough would reap the harvest
17 out of the truck more so than a front-end
18 loader. Our backhoe is kind of dependable.
19 When it goes down we can fix it pretty
20 easily. Medico is pretty good on showing up
21 here. They have a guy that lives in Old
22 Forge that works there, so he just brings
23 his truck up. They have everything on the
24 truck.

25 MS. BARTOLETTI: Tell them how they

1 come here and work on it.

2 MR. PAPI: They work on it right
3 here in our yard and then he goes home when
4 it's done.

5 MR. RUSSELL RINALDI: Explain to me
6 the difference between a front-end loader
7 and a backhoe.

8 MR. PAPI: A front-end loader has
9 nothing but a front end on it. A backhoe
10 has a front and a back and you're carrying
11 this big bucket on the back and it's kind of
12 in the way all the time and we never really
13 use it to dig. So that's the difference
14 between a backhoe. Backhoes have the
15 ability to load and dig, where a front-end
16 loader is just a loader. They generally
17 have a larger scoop in the front and you get
18 more work done with them.

19 Plus, our backhoe is only two-wheel
20 drive and it doesn't really get out of its
21 own way in the snow. Where a new one would
22 be four-wheel drive and in a major snow
23 storm you'd be able to --

24 MR. RUSSELL RINALDI: Is there a
25 major price difference in a new backhoe and

1 a new front-end loader?

2 MR. PAPI: I think they're pretty
3 close. Very, very close. Backhoe might be
4 a little bit more than a front-end loader
5 because you're paying for double controls.
6 They're close, but I think a backhoe might
7 be a little bit more expensive. Same size
8 machine, same motor.

9 MR. FEBBO: Paul, again, for the
10 sake of budgeting and all that please sit
11 with Marylynn and decide what you want to do
12 because you are giving me the same spiel
13 today that I gave you when I came on board
14 and I said that that backhoe has a lot of
15 life left in it and you condemned it, not
16 me.

17 MR. PAPI: Well, when you gave me
18 the option to pick one I thought about it
19 long and hard, and I think that a truck
20 would benefit the borough more. That's my
21 opinion.

22 MR. RUSSEL RINALDI: That would be a
23 dump truck with a plow?

24 MR. PAPI: Yes.

25 MR. SEMENZA: That's about \$75,000?

1 MR. PAPI: We have a bunch of good
2 guys there now that are maintaining vehicles
3 and they take care of them.

4 MR. SEMENZA: We are getting a very
5 good DPW.

6 MR. PAPI: Brian Rubel won't put his
7 truck away unless every blade of grass is
8 out of it.

9 MR. SEMENZA: Any other questions
10 for Paul?

11 MR. NOTARI: Paul, I read in our
12 packet some of the stuff. There was a lot
13 replacement between Mamaras and Cherundolos.
14 It mentions Lockley Street and it's a paper
15 street. Is that parallel to Lincoln,
16 between Monroe and Lincoln? There's Lee
17 Street, which is perpendicular. I live on
18 Lincoln. So you don't know anything about
19 Lockley Street?

20 MR. PAPI: Never heard of it.

21 MR. SEMENZA: Even though it's a
22 paper street and it has a name, Rick, it
23 might not be borough owned.

24 MR. PAPI: I think it was like a
25 projection to make a street there but it was

1 never done, so it never really became
2 anything.

3 MR. NOTARI: It's not Lee Court.

4 MR. FEBBO: No. I believe that
5 street's still owned by -- belonging to
6 Mariotti's property?

7 MR. NOTARI: I don't think.

8 MR. PAPI: It's just a little
9 driveway that Preate and Mamara used to use.
10 It's just like an alley, woods.

11 MR. NOTARI: My question is about
12 Lee Street. It was just paved. Across from
13 Lee Street, across Lincoln there's that
14 little area between Diddick's and --

15 MR. PAPI: On the other side.

16 MR. NOTARI: On the other side.
17 That's never been paved. Do we know if
18 that's not dedicated? Is that why that's
19 never been paved? It's across Lincoln. If
20 you came down from Freddy's house, went
21 straight across Lincoln.

22 MR. PAPI: I would guess that it was
23 never dedicated, so the borough never paved
24 it.

25 MR. NOTARI: So that wouldn't be our

1 responsibility, obviously.

2 MR. SEMENZA: Does anything access
3 from that road?

4 MR. NOTARI: No. It would be the
5 back of Belanzini's property or the rest of
6 the Mariotti property behind my house. So
7 more than likely it's not a borough-owned
8 road. That's why it was never paved.

9 MR. PAPI: More than likely, because
10 if it was we'd be paving it and we'd have it
11 on our street list.

12 MR. NOTARI: I know my neighbor
13 himself has put stone down himself in that
14 area because that's where his garage is.

15 My question is if the neighbors
16 wanted would that be something where we
17 could put milling, if we had any?

18 MS. BARTOLETTI: Well, we said that
19 they were only going to go on the properties
20 of the borough, and we're pretty much closed
21 out with that issue.

22 MR. NOTARI: But even in the future.
23 My other question about streets, obviously,
24 is Ledge Street, which is off of Smith
25 Street. I believe the Uhrins live back

1 there and they've always been clambering to
2 have that road paved. I don't know if
3 that's a borough road or not.

4 MR. PAPI: It used to go back to the
5 old baseball field that was there.

6 MR. NOTARI: There is a home back
7 there.

8 MR. SEMENZA: Could we check into
9 that? Bill, could you look into that, see
10 if that street is dedicated to the borough
11 or not?

12 ATTY. RINALDI: Talking about Ledge?

13 MR. NOTARI: Right.

14 MR. SEMENZA: All right. Anybody
15 have any other questions for Paul? Thanks,
16 Paul. Steve, zoning officer, code
17 enforcement, please.

18 (Mr. Bieryla read his report, which
19 is attached.)

20 MR. SEMENZA: Anybody have any
21 questions for Steve?

22 MR. FEBBO: Steve, on the 1234 South
23 Main Street, what happened to the dogs?

24 MR. BIERYLA: He took them with him.
25 I do believe we had the hearing. The animal

1 cruelty officer -- the hearing was August
2 25th. The animal cruelty officer has 37
3 days to take the dog off of him because
4 there was -- the dog had an allergy to high
5 grass and the grass that was all in the back
6 yard. So now all we have to do is find out
7 where he did move to to notify her.

8 The other one was the cat that was
9 left there. The owner -- the landlord who
10 owns the house took the cat home, gave it a
11 flea bath and since then has taken it up to
12 Griffen Pond.

13 MR. FEBBO: The other thing is that
14 a garage that was on Union and Connell,
15 Madrak's, that is down?

16 MR. BIERYLA: That's completely
17 down. I do believe that they got a shed
18 permit, so they put up a shed rather than
19 have the garage.

20 The other thing is Mr. Perone came
21 in this morning for a roof permit. He has a
22 contractor lined up to correct the roof on
23 Orchard Street.

24 MR. FEBBO: I also want to make
25 mention to a letter in our file from Jack

1 Schuback commending you on your assistance
2 to him in constructing the house.

3 MS. BARTOLETTI: I was going to read
4 that.

5 MR. FEBBO: I'll yield that to
6 Marylynn.

7 MAYOR MULKERIN: 1234 and 1286
8 Franklin, I know they've been on your
9 reports for the month. I think the police
10 had some involvement at those addresses. I
11 think we've been called out there.

12 CHIEF DUBERNAS: 1286 Franklin, we
13 were there a dozen times. That's how we got
14 them evicted.

15 MAYOR MULKERIN: I just want to
16 commend you on staying on top of that and
17 getting them out. Great job with that.
18 Thank you.

19 MR. BIERLYA: It took a little
20 while. To give council insight, I spoke
21 with Billy Stull on nuisance properties and
22 what is a legality that the borough can take
23 for almost instantaneous non-occupation, and
24 it would be if we come underneath the
25 nuisance property and they have the three

1 calls, what I could do is ask the fire
2 company to go in for an inspection with me
3 through the landlord for the nuisance. If
4 we find a violation that would definitely
5 inhibit the occupation -- from residents
6 occupying the building the fire company has
7 the ability to call PPL to pull the meter.
8 If they do pull that meter you can't occupy
9 it. I come in underneath it's an unsafe
10 house because there's no electricity and you
11 can't stay there.

12 Prior to that, though, the landlord
13 has to have eviction papers filed down at
14 the magistrate's because that 30 days now
15 just became that ten days or seven-day
16 window when the fire company could come in
17 with the code office for an inspection and
18 have the recommendation to have the meter
19 pulled. PPL will come down at night and
20 pull it. Now you can't stay. So now you're
21 gone.

22 After that set of time the landlord
23 has ten or 15 days to correct the
24 violations, and within that specific amount
25 of time the hearing would be had down at the

1 magistrate's office.

2 So if we run into a terrible
3 situation anymore, I informed Chief Stull
4 that we're going to go that way to remove
5 people.

6 MAYOR MULKERIN: Now, I know those
7 addresses have been on your report for a
8 while.

9 MR. BIERLYA: Yeah. It took a
10 little while but it finally came down to
11 getting them out.

12 MAYOR MULKERIN: 424 Moosic Road, is
13 that the one right before Verrastro's, on
14 the right hand side?

15 MR. BIERLYA: That's the one
16 where -- Maillen's property.

17 MAYOR MULKERIN: I know you spoke to
18 me when you got that quote. There was a
19 quote that came in for \$9,000, and you said
20 all it was was four switches. Again, way to
21 stay on top of that.

22 MR. BIERLYA: Well, I thank Marylynn
23 because she gave the okay and I had Friedman
24 come out and look at a retrofit for what it
25 was, and the astronomical timers, now

1 there's a little switch that the timer will
2 work, it will continue to do it, but it's
3 just like a light switch. It shuts the
4 lights off during the summer. You don't
5 have to worry about time constraints. We
6 went out and we purchased the ten-year-life
7 batteries for battery backup, so we
8 shouldn't have anything for a while.

9 MAYOR MULKERIN: Again, good job
10 with that. The letters that you're sending
11 out to landlords, I asked for a copy. Could
12 you get a copy, throw it in my mailbox.

13 MR. BIERYLA: Yes. I apologize to
14 council or to the mayor. If you asked for
15 something to go in your mailbox, with these
16 evictions and all we had to stay on top of
17 them. It just took up a little bit of time
18 and it slipped my mind a little bit.

19 MR. FERRETT: Steve, I've been away
20 for a little while and probably a little
21 rusty on a lot of things that's going on.
22 Passing by on Milwaukee Avenue I noticed
23 that they're starting to grub over that
24 development. Do they have a permit for
25 that?

1 MR. BIERYLA: I spoke with Jude
2 Caldwell today. That was a question I had
3 last week. Jude said they did get the MPDES
4 permit and he was supposed to copy it to me
5 today but I didn't receive it, so prior to
6 leaving today I sent him a message so that I
7 could receive a copy so that the borough
8 knows that they do have the MPDES permit and
9 they're not putting the cart before the
10 horse to do all the grubbing. You can clear
11 all the property you want but don't take up
12 the stumps. Once the stumps come in, then
13 you get the MPDES permit, and that's through
14 the conservation district.

15 So Birchwood Estates' engineer said
16 that they do have it and he was supposed to
17 copy it to me today. I did not receive it,
18 so I can't answer truthfully if they do or
19 they don't until I receive a copy in the
20 e-mail.

21 MR. FERRETT: I'm a little skeptical
22 on --

23 MR. LOPATKA: The borough should
24 actually get a copy of it, too.

25 MS. BARTOLETTI: Steve and I were

1 talking about it today. I was going to
2 check my e-mail to see if I got it. As of
3 earlier I didn't have it.

4 MR. BIERLYA: The only thing I
5 received from the conservation district was
6 that Mr. Dunbar and Maple Leaf didn't put in
7 his second rain garden. So that was a
8 concern for the conservation district.

9 MR. FERRETT: What about the idea
10 that you see a backhoe over there and
11 they're digging out for a foundation and
12 everything of this nature? Do they have a
13 permit for that?

14 MR. BIERLYA: Technically they don't
15 have a permit only because of the fact that
16 when they came in for the permits last week
17 they asked that it was only going to be for
18 bank purposes, for the bank to release the
19 money.

20 What had happened was I left Friday
21 half a day, but I did tell Ann Marie that
22 they were coming in for the permits. She
23 gave them the permits and then the check was
24 written out, and then after they left she
25 had noticed that the check was written for a

1 October 31st. So technically they don't
2 have a permit until the permit is paid for.
3 If I had known that I would have made a copy
4 of the sheet for the permit to let the bank
5 know that it's here.

6 MR. SEMENZA: Was it a mistake?

7 MS. BARTOLETTI: We're going to find
8 that out tomorrow.

9 MR. BIERYLA: That I can't answer.
10 I was off yesterday, too.

11 MR. SEMENZA: If so, this needs to
12 be done. I don't want any -- we need to
13 stop them.

14 MR. FEBBO: Cease work.

15 MR. SEMENZA: Because you know how
16 it goes.

17 MR. FERRETT: My point only behind
18 all that is the fact that what you're saying
19 and everything like this is there's a
20 company that asked for approval so they can
21 go to the bank and get the money, and now
22 they don't even have enough money to go
23 ahead and pay for a permit. They postdated
24 it for the 31st of October. That's two
25 months later.

1 MR. SEMENZA: We're wondering if it
2 might be a mistake, a typo, that they meant
3 September and they put October by mistake.
4 So they're going to find that out, Marylynn
5 just said.

6 MS. BARTOLETTI: I was out of town.

7 MR. SEMENZA: But if it is October
8 31st my opinion is just stop them from
9 working.

10 MR. LENCESKI: Shut them down.

11 MS. BARTOLETTI: Give them the
12 opportunity to come in with a new check.

13 MR. SEMENZA: Immediately.

14 MR. FEBBO: What about the
15 excavating going on there? Does he need to
16 have an MPDES?

17 MR. BIERYLA: That's the request to
18 Mr. Caldwell, and he told me on the phone
19 I'm surprised you weren't copied on it.

20 MR. SEMENZA: Make sure we get that
21 ASAP, too.

22 MR. BIERYLA: I did. Told him to
23 copy it, and then right before I left today
24 I noticed -- I can go check now to see if he
25 sent me one, but I asked Jude, just to

1 reiterate, I do need a copy of the MPDES
2 permit for Birchwood Estates.

3 MR. LENCESKI: Do they need an HOP?

4 MR. FERRETT: No, they didn't get an
5 HOP.

6 MR. LOPATKA: They can do work.
7 They could have gotten temporary access. I
8 don't know if they did or they didn't. I
9 mean, I can ask Jude, but they were trying
10 to get the permit. I haven't seen a copy of
11 the permit. So either they should have a
12 permit or should have a temporary permit to
13 access.

14 MR. FEBBO: That is required before
15 they do any excavating?

16 MR. LOPATKA: If they're going to be
17 traveling in and out of that particular
18 driveway, yeah.

19 MR. NOTARI: This letter in our
20 packet from the county conservation
21 district, that's what we're talking about.
22 Right?

23 MR. BIERYLA: Well, the one that you
24 got is not Birchwood Estates. The one you
25 got is Maple Leaf. That's for rain gardens.

1 MS. BARTOLETTI: Kind of same type
2 of thing.

3 MR. LOPATKA: That's probably an
4 inspection report.

5 MR. BIERYLA: It's just telling me
6 they didn't put a second rain garden in.

7 MR. SEMENZA: Any other questions
8 for Steve?

9 MR. NOTARI: Steve, over the course
10 of the past several months you've been
11 working on a list of rental properties and
12 you said it worked to a certain letter. Can
13 we get that partial list? Can I get a copy?
14 I don't know if the rest of council wants it
15 but I'd like to see even the partial list.

16 MR. BIERYLA: Well, the partial list
17 Mr. Rinaldi had asked me, and the whole
18 list, intact, to where we're at, Amanda's
19 been putting it together for me, and then
20 we've been sending out the letters every two
21 weeks. She has the exact list from A to
22 where she's at.

23 MR. NOTARI: Can you get us a copy
24 for the work session?

25 MR. BIERYLA: I can tell her. She's

1 been doing a great job. In all due respect,
2 there's been a lot of people that have
3 called that have vacant properties that they
4 did not know that they could file a vacancy
5 with the sewer agency, or it's a how do I
6 fill this out because my family's in it. So
7 it's both because one is it's your family
8 but you're showing you're the owner,
9 somebody else is your tenant. Well, your
10 family is your tenant. So just put down who
11 is in the house. That's all we're asking.
12 Not on the lease, but who's in the house,
13 how many dogs, how many pets. That's it.

14 MR. RUSSELL RINALDI: If they're
15 saying that they're vacant are we checking
16 them?

17 MR. BIERYLA: Lucille asks me --
18 when they do come in Lucille will ask me to
19 do an inspection report for her, then I
20 write her a report for the vacancies.

21 MR. RUSSEL RINALDI: Because they'll
22 be filing vacancies with the sewer
23 department. Correct?

24 MR. BIERYLA: Yes.

25 MR. RUSSEL RINALDI: Because I filed

1 one for my property, and I know you have to
2 provide the bills. Every quarter you have
3 to provide the water was shut off or the
4 electric was shut off.

5 MR. BIERYLA: Minimal use on that,
6 and then she asked me to go do an
7 inspection, she asked the landlord to let me
8 in.

9 MR. RUSSELL RINALDI: Just so we
10 double-check that to make sure because not
11 everyone's trustworthy.

12 MR. SEMENZA: Anybody have any other
13 questions for Steve?

14 MR. RUSSELL RINALDI: It's actually
15 a little bit for you to inform me because
16 I'm not caught up to it. Roof permits.
17 Commercial permits and residential permits
18 for roofs, are they different?

19 MR. BIERYLA: Different.

20 MR. RUSSELL RINALDI: Price wise
21 or --

22 MR. BIERYLA: Immensely because
23 commercial roof comes underneath the
24 international building code, as it stands,
25 and I do believe that what is contracted

1 with the borough is -- don't hold me to
2 this, but I do believe it's 2.5 percent of
3 the total cost of the roof plus the
4 administration fee, plus the UCC fee that
5 they have. So if you're doing a commercial
6 job that falls underneath the state
7 regulations, and it comes underneath the
8 contracted price that the borough has gone
9 over with our third-party inspection agency.
10 I do believe it's 2.5 percent of the total
11 cost plus administration fee, plus every
12 permit is a \$4 UCC fee when it comes through
13 the state for filing purposes.

14 MR. RUSSELL RINALDI: How about for
15 residential roof? Is it a set fee or --

16 MR. BIERYLA: Residential roofing
17 through the borough is \$25. The way that
18 changes is if you are actually going to rip
19 the roof off and do a structure change. If
20 you're doing a roof layover, if you're doing
21 a tear off and putting a new roof on you're
22 actually replacing the structure that was
23 there. If you take and you rip that entire
24 structure off and you're going to put a
25 whole new roof on you need a permit for the

1 fact that your contractor might be putting
2 two by sixes and the span is two short. He
3 might need two by tens, he might need two by
4 eights. Then that falls underneath the
5 structural change. Then that's in the
6 international residential code with BIU for
7 them to go out and make the decision if your
8 contractor is putting the 40 pounds person
9 square load that needs on the roof.

10 MR. RUSSEL RINALDI: But anything
11 commercial you have to go by the
12 commercial --

13 MR. BIERYLA: Anything commercial
14 you go through BIU underneath the
15 international building code. Anything,
16 anywhere.

17 MR. RUSSELL RINALDI: Okay. So the
18 important part of my question was out of
19 that money that the school paid for that
20 permit, that 35-odd thousand, how much did
21 we receive of that?

22 MR. BIERYLA: The school didn't pay
23 a dime. The contractor took it upon himself
24 and he wrote the check.

25 MR. RUSSELL RINALDI: How much of

1 that did we receive?

2 MS. BARTOLETTI: If you look on the
3 unpaid bills under BIU, Building Inspection
4 Underwriters, their invoice for the month of
5 September, where that would fall in, is
6 \$20,696.06. So that's where you would see
7 us paying out the fee that we took in.

8 MR. NOTARI: Basically, we get
9 13,000 of the --

10 MS. BARTOLETTI: Well, I'm sure
11 there were some other ones involved in that,
12 but if you want to come tomorrow I can give
13 you an exact --

14 MR. RUSSELL RINALDI: No, I was just
15 curious out of that.

16 MR. SEMENZA: I think we're roughly
17 only getting 20 percent of the permit fees.

18 MS. BARTOLETTI: It's not big.

19 MR. BIERYLA: Whatever was
20 contracted between the borough and BIU at
21 the time. I think you're right. I think
22 it's 20 percent.

23 MS. BARTOLETTI: If you take the
24 amount of permits that Steve gave out and
25 the cost of them from his report, where you

1 see the one for the school's roof and then
2 you compare this figure. Kind of both of
3 those and both of those. I could let you
4 know tomorrow exactly what we paid BIU on
5 that one. What we took in as compared to
6 what we paid out.

7 MR. RUSSEL RINALDI: If I wanted to
8 look at roof permits that contractors or
9 residents came to the borough to get,
10 whether commercial or residential, do you do
11 them in a file by roof permits or by job
12 sites?

13 MR. BIERYLA: Numbers, meaning --

14 MR. RUSSEL RINALDI: So it would be
15 really easy to find a roof permit if
16 we wanted to see one?

17 MR. BIERYLA: The first permit of
18 the year is number one Old Forge Borough,
19 number one BIU. Second one is number two
20 BIU, number two OFB. So on our end we're
21 with fences, roofs, sidewalks, occupancies.
22 You'll see different numbers by how many we
23 get.

24 In turn, BIU is one through until
25 the end of the year. It might be 100, it

1 might be 60, it might be 90. So for me to
2 find out which permit it would be if you had
3 a specific one in mind, I mean, we'd either
4 have to look underneath the homeowner's name
5 who pulled it or we would have to look
6 underneath the contractor's name because
7 they're all on file. Then you'd be able to
8 see -- I can pull the file out and you can
9 physically see BIU. Ours is just write the
10 paper out because \$25 or \$50.

11 MR. RUSSELL RINALDI: But ours would
12 only be residential?

13 MR. BIERYLA: Yes.

14 MR. RUSSELL RINALDI: I have a
15 couple I was curious about. That's all I
16 have.

17 MR. SEMENZA: Anybody have any other
18 questions for Steve?

19 MR. LENCESKI: George Parker,
20 representing Villa, Incorporated was given a
21 30-day extension on the Mountain Road
22 project. Why?

23 MR. BIERYLA: Bill, would you like
24 to answer that?

25 ATTY. RINALDI: Because he came to

1 planning with two options, which option
2 planning wanted to take. That's the long
3 and short of it. It was either take this
4 much road or I'll give you this much road.

5 MR. LOPATKA: Actually neither
6 option. We told him to kind of come up with
7 a better option, which is -- I'll talk about
8 that.

9 MR. SEMENZA: I wasn't there at the
10 meeting, but from what I understand he
11 didn't come to the meeting with anything
12 that he was asked to come in with. Correct?

13 MR. LOPATKA: He came in with
14 basically a plan instead of putting a whole
15 plan set together, and then the planning
16 commission was saying no. He came in with a
17 plan to discuss with them to make sure that
18 when he comes in with a set of plans it's
19 what they're looking for.

20 MR. NOTARI: They gave him a
21 deadline. Right?

22 MR. LOPATKA: It was not a set of
23 documents like a regular submittal.

24 MR. SEMENZA: So they don't know
25 what they have to do, is what went on,

1 coming to this point?

2 MR. LOPATKA: I could talk about it
3 after Steve is done.

4 ATTY. RINALDI: The one time they
5 came in it was too much land. Planning
6 didn't want all that land. They shortened
7 it down again. I don't think he wanted to
8 rework it for a third time until he knew
9 exactly --

10 MR. LOPATKA: I just met with him
11 again last week and I think we have what we
12 should have coming in.

13 MR. BIERYLA: The biggest problem on
14 his plans was he was leaving little pie
15 shapes of land that had to have identities.

16 MR. SEMENZA: We knew about this for
17 six months, maybe longer. I don't know
18 how -- how long was this coming back? Too
19 long. They're dragging their feet and it's
20 the same old game that he's been playing for
21 the past ten years. It's getting old fast.
22 I don't know how we can stop it go ahead and
23 make it happen.

24 Dave, I know you're new here over
25 the last year, but this has been going on

1 forever.

2 MR. BIERYLA: The unfortunate part
3 with a preliminary plan, you can give him
4 extensions up to one year. After that it's
5 done.

6 MR. SEMENZA: I'm just saying.

7 MR. BIERYLA: The biggest issue is
8 council has a signed set of preliminary
9 plans in there, and when he comes in his
10 plan is not the same as what planning agreed
11 to and what council signed that's sitting in
12 the office. So he's got planning in a
13 predicament, he's got council in a
14 predicament because he's not showing a
15 signed set of plans. If he wants to do
16 something else he has to get another set of
17 plans through planning and through council,
18 signed, and so far he hasn't.

19 MR. NOTARI: Well, he's the one in a
20 predicament, not us. Correct?

21 MR. BIERYLA: What I'm saying is it
22 continues because he's not coming in and
23 telling planning this is what we need, but
24 unfortunately they can give him the
25 extension up to one year.

1 MR. NOTARI: Correct me if I'm
2 wrong. There was judge's orders before
3 concerning this. Right?

4 MR. SEMENZA: It really wasn't an
5 order, it was a recommendation, basically.
6 Right?

7 MR. LENCESKI: An agreement between
8 us and him.

9 ATTY. RINALDI: Settlement
10 stipulation.

11 MR. NOTARI: If it was a stipulation
12 don't they have to be held to it? Is that
13 something we should -- I hate to say involve
14 the court but --

15 ATTY. RINALDI: Nobody surveyed what
16 parcels the borough was getting. We knew we
17 just wanted Mountain Road and received over
18 to the borough, 60 feet wide. We were
19 taking a larger piece and then council
20 didn't want that 60 feet so we moved it
21 over.

22 MR. LOPATKA: Right now what I
23 talked to him about is offsetting it. It's
24 actually going to be a little bit more than
25 that because we want to incorporate the

1 swales that run parallel to that ditch
2 inside the right-of-way. So that's kind of
3 what I told him we want to see at this point
4 so that the borough had the swales.
5 Typically you want to make sure that you can
6 maintain those.

7 MR. SEMENZA: Before we get too deep
8 into this I'm going to ask if anybody has
9 anything else for Steve? Okay. Thanks,
10 Steve. Go to Lucille.

11 MS. YEAGER: I have nothing to add.

12 MR. SEMENZA: Everybody has
13 Lucille's report. I just want to touch on
14 this Hutchinson's claim. There was damage
15 done to the house when the sewage backed up
16 into the property. They submitted to
17 borough -- what was the total, 15,000 --
18 wait.

19 MS. YEAGER: It was \$15,199.96.

20 MR. SEMENZA: What they did when
21 they repaired it was they put a backflow
22 gate or check valve, a flood gate on so the
23 problem wouldn't happen again. The
24 borough's not responsible for anybody's
25 lateral or doing work on their lateral.

1 Correct by saying that?

2 ATTY. RINALDI: You're not
3 responsible for their laterals.

4 MR. SEMENZA: So we're taking that
5 off. It takes the bill down to \$13,299.96,
6 which our insurance company is going to pay
7 \$1,500 of it, and that will take the balance
8 down to \$11,799.96. But the quotes they
9 submitted, some of the pricing seems a
10 little bit high, so Bill is going to contact
11 Hutchinson's attorney.

12 ATTY. RINALDI: Yes.

13 MR. SEMENZA: And we're going to go
14 from there. I just wanted to update council
15 on all that. Anybody have any questions for
16 Lucille? Thanks, Lucille. Dave, engineer's
17 report?

18 MR. LOPATKA: Good evening. The
19 engineer's report for -- it's supposed to
20 say September instead of May. Sorry for the
21 typo. First, just an update on the paving
22 program. Basically all the roads that were
23 on the list have been completed at this
24 point. Myself and Paul drove each of the
25 roads and put a punch list together which I

1 have forwarded on to Pennsy. I believe at
2 this point we started addressing some of the
3 items on that list. Mostly there was some
4 areas where they hadn't sealed the pave,
5 some areas where they needed to add some
6 curb. There were some areas a lot of the
7 inlets had material in them. They needed to
8 be cleaned out. I think they started that
9 process. They haven't finished it. Steve
10 just kind of gave me a list of some of the
11 things they haven't completed at this point.
12 I will give them a call and see when that's
13 going to be done.

14 There was a change order put in
15 place to remove certain streets, Connell and
16 Pagnotti Park road. There's also a few
17 alleys added as well as Von Bergen Street.
18 The other section on Von Bergen Street. We
19 had one originally in the original bid. We
20 added another block of Von Bergen which
21 hasn't been completed yet. Pennsy was
22 asking me if that's the last street we're
23 going to add. If it is, then I can have
24 them go ahead and finish that. They kind of
25 wanted to know so they don't have to

1 mobilize multiple times. That's the paving
2 project, if anybody has any questions.

3 MR. RUSSELL RINALDI: The problem
4 that we had behind Moosic -- running
5 parallel with Moosic Road, the guy was
6 getting water --

7 MR. LOPATKA: That's been corrected.

8 MR. RUSSEL RINALDI: You put the
9 curb you were telling us you were going to
10 do?

11 MR. LOPATKA: Right.

12 MR. RUSSELL RINALDI: Has that guy
13 contacted us and said it's fixed or --

14 MR. PAPI: Gary Pucket. He's
15 thrilled.

16 MR. FEBBO: Dave, what about the
17 runoff behind the stadium? We addressed
18 that --

19 MR. LOPATKA: Yeah, I will send a
20 detail. I don't know who would want it from
21 the borough. Send it to Paul.

22 MS. BARTOLETTI: Send it to me.

23 MR. LOPATKA: I'll e-mail it to you.
24 Anything else on paving? Rosemount and
25 Mountain Road, I talked with the owner's

1 engineer regarding a storm water issue on
2 Stone Hill Drive. During rain events water
3 flows along the curb. When it gets to 9
4 Stone Hill Drive it flows down the driveway
5 and towards a wall on the adjacent property
6 on Oakwood. Engineer provided a solution to
7 the issue in which Reuther & Bowen concurs
8 with. Work still hasn't been completed. I
9 did send him an e-mail asking him when the
10 work was going to be done. I think it's a
11 pretty simple fix where they just need to
12 add a rolled curb in front of his concrete
13 driveway. At this point it hasn't been
14 done, so I'll try to get -- and I don't know
15 how to make him do it other than telling him
16 we agree with what he showed us. So I sent
17 him an e-mail asking him when it may be
18 done. I haven't gotten a response yet. So
19 I'm not sure when that will get done.

20 I do get calls and e-mails from the
21 owner on Oakwood. I feel bad. I'm telling
22 him there is a solution but Ciuccio has to
23 put --

24 MR. FERRETT: Will that work, what
25 he's talking about?