

1 OLD FORGE BOROUGH COUNCIL

2 OLD FORGE, PENNSYLVANIA

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4
5 IN RE: REGULAR MEETING OF COUNCIL

6
7
8
9 SEPTEMBER 26, 2017

10 7:00 P.M.

11 OLD FORGE MUNICIPAL BUILDING

12 314 SOUTH MAIN STREET

13 OLD FORGE, PENNSYLVANIA

14
15
16
17 COUNCIL MEMBERS:

18
19 ROBERT SEMENZA, PRESIDENT

JOSEPH LENCESKI, VICE-PRESIDENT

20 RUSSELL RINALDI

DEVON BROWN

21 LOUIS FEBBO

RICK NOTARI

22 WILLIAM RINALDI, ESQUIRE, SOLICITOR

MARYLYNN BARTOLETTI, BOROUGH MANAGER

23
24
25 Mark Wozniak
Official Court Reporter

1 MR. SEMENZA: Good evening, ladies
2 and gentlemen. Welcome to the September
3 26th Old Forge Borough Council meeting.

4 (The Pledge of Allegiance was
5 recited.)

6 MR. SEMENZA: Roll call, please,
7 Marylynn.

8 MS. BARTOLETTI: Councilman Brown is
9 absent. Councilman Notari?

10 MR. NOTARI: Present.

11 MS. BARTOLETTI: Councilman Febbo?

12 MR. FEBBO: Here.

13 MS. BARTOLETTI: Councilman Ferrett
14 is absent. Councilman Rinaldi?

15 MR. RUSSELL RINALDI: Here.

16 MS. BARTOLETTI: Councilman Lenceski
17 is absent. Councilman Semenza?

18 MR. SEMENZA: Here. The purpose of
19 tonight's meeting is to hear from our
20 department heads, go through some
21 housekeeping items. We'll go down the table
22 and see if any council members have anything
23 to address. There's a public sign-in sheet
24 if anyone would like to address council.

25 At this time the chair would

1 entertain a motion to approve the minutes
2 that were in your packet.

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

4 MR. SEMENZA: By Councilman Febbo.
5 Can I have a second?

6 MR. NOTARI: I'll second.

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

10 MS. BARTOLETTI: Councilman Notari?

11 MR. NOTARI: Yes.

12 MS. BARTOLETTI: Councilman Febbo?

13 MR. FEBBO: Yes.

14 MS. BARTOLETTI: Councilman Rinaldi?

15 MR. RUSSELL RINALDI: Yes.

16 MS. BARTOLETTI: Councilman Semenza?

17 MR. SEMENZA: Yes. The next motion
18 is a motion to approve treasurer's reports.
19 Note that this does not include sewer
20 accounts.

21 MR. RUSSELL RINALDI: I'll make that
22 motion.

23 MR. SEMENZA: By Councilman Rinaldi.
24 May I have a second?

25 MR. NOTARI: I'll second.

1 MR. SEMENZA: Seconded by Councilman
2 Notari. On the question? Public input?
3 Roll call, please.

4 MS. BARTOLETTI: Councilman Notari?

5 MR. NOTARI: Yes.

6 MS. BARTOLETTI: Councilman Febbo?

7 MR. FEBBO: Yes.

8 MS. BARTOLETTI: Councilman Rinaldi?

9 MR. RUSSELL RINALDI: Yes.

10 MS. BARTOLETTI: Councilman Semenza?

11 MR. SEMENZA: Yes. The next motion
12 is a motion to approve invoices for payment.
13 Note that this does not include sewer
14 accounts.

15 MR. RUSSEL RINALDI: I'll make that
16 motion.

17 MR. SEMENZA: By Councilman Rinaldi.
18 May I have a second?

19 MR. FEBBO: I'll make that second.

20 MR. SEMENZA: Seconded by Councilman
21 Febbo. On the question?

22 MR. NOTARI: Marylynn, how do we
23 know which bills you pay every month and
24 which -- obviously, we know which carry over
25 by the unpaid bills detail that you give us.

1 MS. BARTOLETTI: Anything that's
2 left on there is considered unpaid. So when
3 you vote tonight, probably by next meeting
4 pretty much everything will be wiped off
5 there except for the payment for the fire
6 company because we have them entered so that
7 you can see what the balances are.
8 Everything else in there will be gone by
9 next month and new ones will take their
10 position.

11 MR. NOTARI: Is there a way in the
12 future, even if we started in January, where
13 you would be able to highlight each month
14 new bills that are added on to there and
15 maybe for one month leave what you paid off
16 the month before?

17 MS. BARTOLETTI: I can probably do a
18 separate report. It wouldn't be that one.
19 But detailing specifically what's open in
20 your accounts --

21 MR. NOTARI: So that way we would
22 know which bills you pay off without going
23 back to our old sheet and comparing them.

24 MS. BARTOLETTI: That would probably
25 be in, like, a pay list, what was paid

1 throughout the month. I can do that.

2 MR. NOTARI: Thank you. I
3 appreciate that.

4 MR. SEMENZA: Public input? Roll
5 call, please.

6 MS. BARTOLETTI: Councilman Notari?

7 MR. NOTARI: Yes.

8 MS. BARTOLETTI: Councilman Febbo?

9 MR. FEBBO: Yes.

10 MS. BARTOLETTI: Councilman Rinaldi?

11 MR. RUSSELL RINALDI: Yes.

12 MS. BARTOLETTI: Councilman Semenza?

13 MR. SEMENZA: Yes. The next motion
14 is a motion to approve sewer department
15 financial reports.

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

17 MR. SEMENZA: By Councilman Notari.
18 Second?

19 MR. RUSSELL RINALDI: I'll second
20 it.

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

24 MS. BARTOLETTI: Councilman Notari?

25 MR. NOTARI: Yes.

1 MS. BARTOLETTI: Councilman Febbo?

2 MR. FEBBO: Yes.

3 MS. BARTOLETTI: Councilman Rinaldi?

4 MR. RUSSELL RINALDI: Yes.

5 MS. BARTOLETTI: Councilman Semenza?

6 MR. SEMENZA: Yes. The next motion

7 is a motion to approve sewer department

8 invoices for payment.

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

11 MR. SEMENZA: By Councilman Rinaldi.
12 Second?

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

14 MR. SEMENZA: Seconded by Councilman
15 Febbo. On the question?

16 MR. NOTARI: Lucille, there's a bill
17 for \$6,800. I think it's for Roto-Rooter.
18 I can't find my sheet. Rossi Rooter or
19 whoever we use.

20 MS. YEAGER: All American Rooter.

21 MR. NOTARI: I didn't get that.

22 MR. SEMENZA: It's in my packet.

23 Public input? Roll call, please.

24 MS. BARTOLETTI: Councilman Notari?

25 MR. NOTARI: Yes.

1 MS. BARTOLETTI: Councilman Febbo?

2 MR. FEBBO: Yes.

3 MS. BARTOLETTI: Councilman Rinaldi?

4 MR. RUSSELL RINALDI: Yes.

5 MS. BARTOLETTI: Councilman Semenza?

6 MR. SEMENZA: Yes. At this time the

7 chair is going to go to our department

8 heads. Paul Papi, DPW, please.

9 (Mr. Papi read his report, which is
10 attached.)

11 MR. SEMENZA: Anybody have any
12 questions for Paul?

13 MR. NOTARI: Paul, Councilman
14 Rinaldi asked last meeting about lights, not
15 all the lights have been changed over to LED
16 in town. I think you referenced Marion
17 Street.

18 MR. RUSSELL RINALDI: Yes.

19 MR. NOTARI: Have they gotten done?
20 I know we don't do them, but have they?

21 MS. BARTOLETTI: A work order was
22 put in for it.

23 MR. NOTARI: We're just waiting for
24 PPL?

25 MS. BARTOLETTI: Yes.

1 MR. PAPI: We just found one on
2 Small Street. The wire was disconnected up
3 at the pole. We called PPL.

4 MR. NOTARI: I mentioned in the back
5 room, Commissioner Cummings has approached
6 me about grant opportunities in order to
7 help us pave the road into the Pagnotti Park
8 parking lot. I seem to remember that
9 before -- we thought PPL was going to pave
10 it for us. I seem to remember before that
11 that you may have been looking into a
12 program. I don't know exactly what it was
13 called. What it is is it's with the
14 Lackawanna County Conservation District.

15 MR. LOPATKA: Dirt and gravel roads.

16 MS. BARTOLETTI: The problem we run
17 into is because it's not a borough road.
18 That's the problem we keep running into with
19 that.

20 MR. NOTARI: So we wouldn't have,
21 necessarily, the right to apply for that
22 grant because we don't own the property.

23 MS. BARTOLETTI: Yes.

24 MR. NOTARI: Do we know who does?

25 MR. SEMENZA: Pagnotti. Bill, was

1 that road involved in the X amount of acres
2 that the little league is getting off of
3 Pagnotti, or no?

4 ATTY. RINALDI: No. We already have
5 an easement for the park.

6 MR. SEMENZA: One time we spoke and
7 you went back and forth with their lawyer
8 about doing something with that road at one
9 point in time.

10 ATTY. RINALDI: They were going to
11 get it paved by PPL because PP&L was
12 supposed to use that as an accessway to get
13 to the mountain, but I think that all fell
14 apart.

15 MS. BARTOLETTI: PPL said no.

16 MR. SEMENZA: Could we go to work
17 and try to maybe see if they would lease it
18 to us or something to incorporate it with
19 the park somehow with us or that acreage
20 that the little league is getting off them
21 so maybe we can pave it?

22 ATTY. RINALDI: Actually, it is part
23 of the league, the access, for a dollar
24 lease.

25 MS. BARTOLETTI: You have to be the

1 actual owner.

2 MR. NOTARI: I'll look more into it,
3 see if we don't own it. That's all.

4 MR. SEMENZA: Anybody else for Paul?
5 Thanks, Paul. Steve, code enforcement,
6 please.

7 (Mr. Bieryla read his report, which
8 is attached.)

9 MR. SEMENZA: Anybody have any
10 questions for Steve?

11 MR. NOTARI: That land violation for
12 junkyard was the property next to the
13 Diamond Club?

14 MR. BIERYLA: Yes. It's actually
15 behind it.

16 MR. NOTARI: That's moving forward?

17 MR. BIERYLA: Yes. The magistrate
18 dates keep getting bumped up.

19 MR. FEBBO: Do you have a date for
20 the next one?

21 MR. BIERYLA: Should be October 4th
22 for the land next to it.

23 MR. NOTARI: Which they're filling
24 now.

25 MR. BIERYLA: Right, and the date

1 for the one behind it would have been
2 October 18th. That may get pushed up to
3 November 8th because I know the magistrate's
4 work load is pretty heavy on the 18th. So
5 it's an either/or date.

6 MR. NOTARI: That property next to
7 it, we haven't gotten any permits for
8 buildings yet on that land, have we?

9 MR. BIERLYA: No.

10 MR. NOTARI: There's a rumor going
11 around there's some office buildings going
12 there.

13 MR. BIERLYA: I heard them rumors,
14 but I don't think you're going to see
15 anything for a couple years.

16 MR. SEMENZA: Anybody have anything
17 else for Steve?

18 MR. RUSSELL RINALDI: On the permit
19 sheet, two in-ground pools. One's almost
20 double compared to the other. Size of the
21 pool?

22 MR. BIERLYA: Give me the addresses
23 and I'll tell you.

24 MR. RUSSELL RINALDI: 128 Seneca,
25 796; and 115 Apache, 431.

1 MR. BIERYLA: It's not the size of
2 the pool but what they're -- like, say it's
3 a 16x32. That's a regular pool, but let's
4 say the cost that it's going to be installed
5 because there might be more -- actually
6 there's a residential percentage, but what
7 happens is if you have a fenced-in yard and
8 you're going to put a pool in the cost of
9 that fence goes way. It depends how much
10 concrete you're going to put in. If you
11 only want a little perimeter, then that goes
12 away. It all depends.

13 MR. SEMENZA: More bells and
14 whistles you have. Anybody have anything
15 else for Steve?

16 MR. NOTARI: Steve, in our packets
17 we got a letter from Lackawanna County
18 Conservation District regarding Stanton
19 Avoca 16KB rebuild project in Old Forge and
20 Moosic. Do you have any idea what that is?

21 MR. BIERYLA: Yeah. That's their
22 transmission lines. Anything higher than
23 11,000 is their transmission lines. Your
24 PPL highest line is 11,000.

25 MR. LOPATKA: That's probably a

1 permit or something. MPDES permit. They do
2 an inspection on site.

3 MR. SEMENZA: Anybody have anything
4 for Steve? Thanks, Steve. Dave, you're up.

5 MR. BIERYLA: One more thing. I
6 have a permit in the office as we speak
7 that's going to be given to Scartelli.
8 Chelland's is coming down.

9 MR. NOTARI: Very good.

10 MR. LOPATKA: Good evening. I'll go
11 over the paving project. For the most part
12 it's completed. There's a couple little
13 things they need to come back and do a fix
14 on.

15 MR. NOTARI: Do we have a report
16 from Dave?

17 MR. LOPATKA: No, you don't.

18 MS. BARTOLETTI: They change too
19 much.

20 MR. LOPATKA: Normally I'm kind of
21 updating almost to the day with reports.
22 I'll provide one next month. Most of this
23 month was our paving project and getting the
24 bids in for the project behind Burger King
25 and Sussex Street.

1 The paving project is basically
2 completed at this point. I just have to
3 actually go back and drive the roads one
4 more time. Couple items I know my guy said
5 needed to be cleaned up a little bit. But
6 for the most part they're finished at this
7 point and they actually pulled out of Old
8 Forge. They're going to come back to fix a
9 couple items.

10 Kind of piggyback on that, the
11 housing authority, I'm not sure exactly
12 where that's at with regards to paving those
13 couple streets. That was kind of going to
14 get put onto --

15 MS. BARTOLETTI: It's all been
16 approved.

17 MR. LOPATKA: So you have
18 everything?

19 ATTY. RINALDI: They have
20 everything.

21 MR. LOPATKA: The only thing I don't
22 know -- I know they didn't contact Pennsy.
23 Somebody needs to let me know what I need to
24 do to get Pennsy back on board with doing
25 the paving over there. I understand the

1 housing authority is going to pay for that.
2 I'll call them. I was going back and forth,
3 giving them information on our bid. He
4 needed some other information. I think they
5 needed the actual bid.

6 MS. BARTOLETTI: We had a special
7 meeting last week in order to let them agree
8 to this.

9 MR. LOPATKA: That was signed. At
10 the time I talk to him he hadn't received
11 that yet. So I haven't heard from him
12 since. That's the only reason I'm asking.
13 I will call him tomorrow. I did talk to
14 Pennsy. Their numbers and everything are
15 what we had given them prior. They said
16 they will get it done this year year. Now
17 they're in Scranton. They'll get back over
18 here and definitely get it done this year.
19 They will have it finished.

20 MR. NOTARI: While we're on that
21 topic, attorney Rinaldi, in your report,
22 which we will get to later on, but since
23 we're on the housing authority road, you
24 have deeds of dedication for housing
25 authority roads. Agreement reached and

1 memorandum signed to have the LCHA repair
2 the base of the road and the borough will
3 pay the top coat. However, that is not the
4 memorandum of understanding that we passed
5 on Monday.

6 ATTY. RINALDI: Maybe they're going
7 to pay for the whole thing.

8 MR. NOTARI: That was the memorandum
9 of understanding. Correct?

10 MS. BARTOLETTI: Yes.

11 MR. FEBBO: That's what we signed.

12 MR. NOTARI: I'm just saying, I want
13 to make sure that we're clear.

14 ATTY. RINALDI: But the project
15 wasn't defined. They were in such a hurry
16 to get it to HUD --

17 MR. LOPATKA: They were saying so
18 HUD can approve the way it was bid under our
19 contract. If they signed that, apparently
20 they were --

21 ATTY. RINALDI: It's tough getting
22 anything out of them.

23 MR. NOTARI: I realize it's tough
24 getting anything out of them, but what we
25 approved at our special meeting on Monday

1 was a memorandum of understanding that the
2 borough would not pay for anything in terms
3 of paving the roads. Paving Eisenhower,
4 paving Apollo. We also did not talk about
5 taking over deeds of dedication for those
6 roads as part of that memorandum.

7 ATTY. RINALDI: That's because the
8 deeds of dedication would just be delivered
9 to us and accepted at a meeting. The whole
10 point of it is so we get the roads and
11 they're done up to spec.

12 MR. NOTARI: But they're not to
13 spec. They're up to 1972 standards.

14 ATTY. RINALDI: That's the spec
15 they're supposed to be up to on the approved
16 subdivision plan, which was done prior to
17 our subdivision ordinance.

18 MS. BARTOLETTI: They are --

19 ATTY. RINALDI: They're not doing a
20 new development, they're just paving roads.

21 MS. BARTOLETTI: But they are
22 planning on dedicating them to the borough
23 now?

24 ATTY. RINALDI: Yeah.

25 MR. NOTARI: That wasn't in the

1 memorandum.

2 ATTY. RINALDI: This memorandum is
3 for the sole purposes so that HUD would
4 allow them to use their money without having
5 to go through a full year and a half bid
6 process. So this was to take advantage of
7 our paver on site, get it done in a hurry at
8 a very minimal cost. That's what the
9 understanding was.

10 MR. NOTARI: Okay.

11 ATTY. RINALDI: So we're cooperating
12 with them so we can get it done, finally,
13 and be able to be in a position to take them
14 over.

15 MR. RUSSELL RINALDI: I understand
16 that, too, but what Councilman Notari is
17 saying -- and I hope I'm understanding it
18 correct, too. What we voted on had nothing
19 to do with us paying anything. Are we
20 paying?

21 MR. FEBBO: No, not according to the
22 memorandum we signed.

23 MR. RUSSELL RINALDI: Right. The
24 memorandum that was voted on didn't read
25 that.

1 ATTY. RINALDI: I'm just telling you
2 what the original agreement was. There was
3 two numbers that were discussed. They would
4 do the base coat. I forget what that number
5 was. We would do the top coat.

6 MR. FEBBO: That changed?

7 ATTY. RINALDI: I don't know because
8 you can never get a straight answer out of
9 certain people.

10 MR. NOTARI: What we passed Monday
11 night changed.

12 ATTY. RINALDI: The memorandum is
13 not binding. It just says we're going to
14 cooperate for the purposes of HUD so they
15 don't have to go through the bidding
16 requirement. They need something to allow
17 them to use our bids. So as I told you, the
18 first agreement after we met, that was the
19 agreement we came to. They needed that
20 memorandum to give to HUD so they can use
21 their money and not have to put in a new
22 capital budget request for a year and a half
23 from now. That's what the purpose of that
24 is.

25 MR. RUSSELL RINALDI: So according

1 to it they're not using all their money now.
2 They're going to be looking to us for
3 something.

4 MR. FEBBO: No, they're not

5 ATTY. RINALDI: I don't know what
6 they're doing until they contact --

7 MR. NOTARI: "HALC shall be
8 responsible for the paving of those specific
9 roads" --

10 ATTY. RINALDI: I'm not going to
11 argue with you. That's what it says. But
12 the project isn't totally laid out.

13 MR. NOTARI: Well, when it gets laid
14 out we will not pay anything.

15 ATTY. RINALDI: But we agreed to
16 because the direction of council needed to
17 go get it done. So how they wrote it up,
18 I'm not going to really change the agreement
19 that we all made.

20 MR. FEBBO: Then we need clarity on
21 that.

22 ATTY. RINALDI: The clarity is
23 they're doing all the base work.

24 MR. FEBBO: No, they're doing
25 everything, according to that memorandum we

1 signed.

2 ATTY. RINALDI: I can only tell you
3 how the discussion with the chairman and the
4 solicitor went. How that trickled down I
5 don't know.

6 MR. LOPATKA: All I know is we gave
7 them a price to redo the full depth of the
8 roads. Basically, dig them up and put them
9 back. Like \$46 a square yard is the number
10 we gave them. As far as I know, other than
11 feeding documents to them from our bid
12 process --

13 ATTY. RINALDI: I don't have a
14 problem with that.

15 MR. LOPATKA: I'll call and find out
16 what their plan of attack is. I'll pass it
17 on.

18 MR. RINALDI: Again, according to
19 the memorandum their plan of attack was
20 they're paying for everything.

21 MR. LOPATKA: I haven't seen it.

22 ATTY. RINALDI: Maybe they decided
23 they are going to now. Nobody ever
24 communicated that to me.

25 MR. RUSSELL RINALDI: We voted on it

1 at the special meeting.

2 MR. FEBBO: You couldn't make the
3 meeting.

4 ATTY. RINALDI: Right.

5 MR. NOTARI: It was an opportunity
6 for them to sign.

7 MR. LOPATKA: I'm assuming it was
8 signed by both parties.

9 ATTY. RINALDI: This is strictly so
10 HUD could let them use their money. This is
11 between them and HUD more than us.

12 MR. RUSSELL RINALDI: But if we have
13 to pay for a top coat it becomes part of us.

14 MR. FEBBO: No, we're not paying for
15 anything.

16 MR. RUSSELL RINALDI: I don't want
17 to pay for nothing.

18 ATTY. RINALDI: Then we'll cross
19 that bridge when we come to it. But the
20 original deal was everybody agreed we do the
21 top coat, they would do the base coat.

22 MR. FEBBO: Do you have a copy of
23 the memorandum? Take a look at it, follow
24 up on it.

25 MR. LOPATKA: Moving on, Sussex

1 Street, going back and forth, we ended up
2 having to get three bids. We got three bids
3 and Earthworks was the lowest bidder at
4 14-5.

5 MR. FEBBO: I want to comment on
6 that. I want to compliment Dave and
7 Marylynn for pulling it all together.
8 Originally we were looking 44 to 65
9 thousand. When they were finally able to go
10 out and met with everybody, including
11 Marylynn, they went out and got the three
12 bids and got everything signed and ready to
13 go. When do the materials come in?

14 MS. BARTOLETTI: As of Wednesday
15 Burger King was notified they can start
16 immediately. Mr. Backus had to order some
17 of the stuff.

18 MR. LOPATKA: Inlets and stuff.

19 MR. FEBBO: Jim Backus called me
20 today to tell all council and yourself and
21 Marylynn thank you very much for getting
22 that done and moving forward with it.

23 MR. LOPATKA: I know he ordered
24 everything. It's just a matter of waiting
25 for the manholes.

1 MR. FEBBO: We went from 44 and 55
2 to 14.

3 MR. LOPATKA: Actually it's 9-5.
4 That at some point shortly will be getting
5 done. I have everything back survey-wise
6 for East Grace, the separation project we
7 talked about doing there. I should have
8 that ready shortly without the bid.

9 MR. FEBBO: Can we make that a
10 priority?

11 MR. LOPATKA: I'm working on it.
12 That's the next one. That should be within
13 the next two weeks to have that done.

14 MR. FEBBO: What about those
15 easements?

16 MR. LOPATKA: We need to talk about
17 how you want to do this. We're going to
18 need easements for the line, I guess,
19 through all the properties.

20 MR. FEBBO: We need easements for
21 every property the line is going through?
22 So Arcaro & Genell's, Cusumano's,
23 Stacchiotti, Aulisio's, Revello's. Russell,
24 I don't know if that includes your property.
25 Will you give us an easement?

1 MR. RUSSELL RINALDI: Of course.

2 MR. SEMENZA: Is that going to hit
3 Galetti's property also?

4 MR. PAPI: Yes, goes right through
5 Galetti's property. Both Galettis.

6 MR. FEBBO: So we need an easement
7 for all on Grace and up as far as Russ'.

8 MR. PAPI: LLVSA said they might be
9 able to help us with the cost.

10 MR. SEMENZA: I was actually down
11 that manhole the other day. Contact LLVSA,
12 Frank Pero. We'll try and get some help
13 from LLVSA for that.

14 MR. NOTARI: In terms of easements,
15 what do we do, send letters to the property
16 owners?

17 ATTY. RINALDI: First you have to
18 get the plan designed.

19 MR. LOPATKA: The design we can do.
20 We're going to need a survey to actually
21 create easements because we need to shoot
22 property corners to verify the properties so
23 we can write a meets and bounds description
24 for the easements.

25 MR. FEBBO: That's your

1 responsibility.

2 MR. LOPATKA: Yes.

3 MR. SEMENZA: I would like that done
4 quickly.

5 MR. LOPATKA: That part might take a
6 little longer. The design we need to get
7 done pretty quick. You can probably bid it
8 during the process of getting the easements
9 from people. We can bid it and then follow
10 up with the easements.

11 MR. FEBBO: We're going to be
12 battling the weather.

13 MR. LOPATKA: The majority of it's
14 behind properties. Not a lot of work with
15 pavement.

16 MR. FEBBO: You're going to do that.
17 Bill, you're coming up with the easements?

18 ATTY. RINALDI: He has to do a
19 survey.

20 MR. FEBBO: When you get the people
21 to sign them I have no problem -- you guys
22 don't mind, I'll chase everybody down to get
23 signatures.

24 ATTY. RINALDI: You have to get them
25 notarized. It's like tendering a deed.

1 It's not here, sign it.

2 MR. LOPATKA: It's going to actually
3 be part of their deed. It will be attached.
4 I'll get that stuff going, shoot the
5 corners. Topo-wise, we have enough
6 information on that. The easements I need
7 to get additional information.

8 MR. FEBBO: What about the DPW
9 garage, Chet?

10 MR. LOPATKA: I'll get somebody over
11 there ASAP to shoot that, we'll get a deed
12 put together.

13 MR. FEBBO: Earthworks took a look
14 at that already.

15 MR. LOPATKA: You still need to
16 finalize some easement through there. Did
17 they put a line in there yet?

18 MR. PAPI: No. Just so everybody
19 knows, I was up on Kohler Avenue. The
20 county's got a project on the Kohler Avenue
21 side. They're replacing all the sidewalks
22 and curbs that are bad. I thought you
23 should know.

24 MR. SEMENZA: Spot fixes.

25 MR. LOPATKA: They're not part of

1 the CDBG project.

2 MR. FEBBO: Who's doing the work?

3 MR. PAPI: I don't know.

4 MR. LOPATKA: It's outside the
5 right-of-way. It's on their property. That
6 wasn't part of the project. The project,
7 from what I understand, is getting pushed
8 back to next year, Kohler Avenue.

9 MS. BARTOLETTI: They did say the
10 sidewalks would be done before the paving
11 would be done.

12 MR. FEBBO: I talked to the
13 contractor, Mark Soden. He said that that's
14 off until next year, but my thought on that
15 would be if they're digging everything up on
16 there, we're always looking for material
17 that we need to do Fred Street. Can we not
18 use that material they're digging up and
19 dump it down Fred Street?

20 MR. LOPATKA: Yeah. That project
21 was supposed to be replacement. The
22 material you can use for fill over on Fred
23 Street.

24 MR. NOTARI: Why is that project
25 being delayed?

1 MR. FEBBO: The county didn't sign
2 the one pay form.

3 MR. LOPATKA: Somebody had to sign
4 it and they never got it signed. Now I
5 think the contractor kind of went back to
6 them and said it's kind of late for us to
7 rip up this whole road and get it paved this
8 year.

9 MR. FEBBO: He said it's too late in
10 the year.

11 MR. NOTARI: What else do they have
12 to do?

13 MR. LOPATKA: Putting in storm
14 inlets in there. I was talking to John
15 Petrini. He told me it was pushed off.

16 ATTY. RINALDI: We pulled the
17 trigger on that in May.

18 MR. LOPATKA: You did. It was bid.
19 Bids were approved probably in June sometime
20 by OECD.

21 ATTY. RINALDI: County's going on
22 for three months.

23 MR. FEBBO: Every month we sit down
24 here we talk about the same things. Dunn
25 Avenue. That's another one.

1 MR. LOPATKA: That will be bid and
2 built in the springtime. There's actually
3 three forms that I'll be dropping off that
4 you guys are going to have to sign. Three
5 PennDOT forms that were requested by them on
6 Dunn Avenue. I think one says that you'll
7 hire them as inspectors. Just typical
8 cookie cutter forms we need to get signed.

9 MS. BARTOLETTI: Bobby, Kohler
10 Avenue, I'm really not sure why, but why
11 hasn't the county contacted us? I mean, I'm
12 the contact person for the borough and I
13 have heard nothing. Now, Lou was saying
14 about him speaking to the contractor and
15 everything. I've heard nothing on it. Why
16 are they not calling here saying listen,
17 this is your project, we're not going to be
18 doing it? I'm just not sure what's going on
19 here.

20 MR. FEBBO: I didn't call him with
21 regard to the project. I was more or less
22 thinking if he was doing it, that if we can
23 get the materials for Fred Street. So I was
24 talking about what they're going to do with
25 the material. That's where he gave me the

1 information. I said when are you doing it,
2 and he said not until the spring because
3 it's too late. He met with the county this
4 past week and he told them he can't get it
5 done this year.

6 MS. BARTOLETTI: I'm coming in here
7 as borough manager assuming that we're still
8 waiting for them to start the project this
9 year because there's no communication.

10 MR. FEBBO: They should contact you.

11 MS. BARTOLETTI: I'm hoping they
12 aren't assuming that because you spoke to
13 the contractor --

14 MR. NOTARI: I think they are. That
15 is the reason. For the record, July 18th we
16 accepted the contract for Kohler Avenue, not
17 May. July 18th.

18 MR. FEBBO: The county's holding
19 that up. I didn't speak with anybody at the
20 county.

21 MR. SEMENZA: Mare, could you
22 contact the county tomorrow and get it
23 straightened out? Every councilman from
24 this point on, I want forwarded a letter in
25 everybody's mailbox, Marylynn handles day to

1 day business. If they can't get in touch
2 with Marylynn, myself, Bill and all
3 department heads, everybody follows
4 Marylynn's lead. You have a question, call
5 Marylynn first before we call a contractor
6 or anything like that.

7 MR. FEBBO: Everything that I've
8 been involved with has gone through
9 Marylynn.

10 MR. SEMENZA: We're getting too much
11 disturbed now. Things are getting a little
12 too messed up.

13 MR. LOPATKA: Corcoran Street,
14 talking with Mr. Hoover. The water
15 company's done with their project there.
16 And I don't know if you guys want to move
17 forward with --

18 MR. SEMENZA: They're paying for the
19 sewer line, too?

20 MR. HOOVER: Doesn't say that.

21 MR. NOTARI: We did send a letter.
22 Did we get anything back?

23 MR. HOOVER: I talked to Bill the
24 other day. I'd like to come to a work
25 session and discuss it with you. We have a

1 problem over on Bridge Street, too. These
2 water mains were put by Spring Brook Water.
3 We're the third owner. Corcoran Street, too
4 much to break rock. I don't know how you
5 can blame us because it was just a raw
6 trench. Same way up there. I'm going to do
7 that up there. I'll put it in my budget for
8 next year.

9 As far as millings, if we mill
10 Corcoran Street you can have all the
11 millings you want. I hope this year. If
12 not, I'll do a temporary restoration on the
13 trench and pave over until next year.

14 MR. FEBBO: We can use millings for
15 fill?

16 MR. LOPATKA: Sure.

17 MR. SEMENZA: Do we have an idea how
18 much fill we need there?

19 MR. LOPATKA: I think we had a
20 number. I'll get it for you. I know we
21 kind of did a profile there and got an idea
22 of what we need. I'll get you the number.

23 MR. FEBBO: That could be a good
24 base, build up from the bottom.

25 MR. HOOVER: The water company put

1 fill in there --

2 MR. LOPATKA: You would want to
3 clear it before you start filling.

4 MR. SEMENZA: So clear the
5 vegetation. Could we do that in-house?

6 MR. PAPI: We went down pretty far.
7 We will do our best.

8 MR. SEMENZA: I don't know how bad
9 it is. Do we need to get --

10 MR. PAPI: If it's just the roadway
11 we have to clean out --

12 ATTY. RINALDI: That's it.

13 MR. FEBBO: You have to build it up.

14 MR. SEMENZA: Before we start
15 dumping the fill we have to clean the
16 vegetation out.

17 MR. LOPATKA: I'll get the plan.

18 MR. PAPI: Another spot is the
19 soccer field. Somebody called about not
20 having enough room there. The borough owns
21 all the land. If you cut those trees right
22 back --

23 MR. FEBBO: Is there a wetland?

24 MR. SEMENZA: We can't have a
25 permanent structure.

1 MR. PAPI: No, that's a flood zone.

2 MR. SEMENZA: We're not going to put
3 no more millings there.

4 MR. PAPI: Just get a bulldozer and
5 chain saw.

6 MR. LOPATKA: Are you in a flood
7 zone?

8 MS. BARTOLETTI: The borough
9 received that property based on a FEMA
10 buyout because of flooding. You can put
11 parking there. You can't put any permanent
12 structure.

13 MR. LOPATKA: You'll have to see if
14 you can put fill in there.

15 MR. SEMENZA: Where the soccer field
16 is is the same thing.

17 MR. PAPI: Just to make a parking
18 lot.

19 MS. BARTOLETTI: I think that's a
20 good idea.

21 MR. SEMENZA: We talked about that
22 in the past.

23 MR. NOTARI: We do need to improve
24 parking down there. Do we own land across
25 Sibley?

1 MS. BARTOLETTI: Yes.

2 MR. NOTARI: Could we clear some of
3 that out for parking?

4 MS. BARTOLETTI: The concern was in
5 the past about having people cross that
6 road. It's kind of a blind entrance. Maybe
7 we can add parking across the street and
8 then add some type of a blinking light to
9 protect --

10 MR. NOTARI: I understand traffic
11 wise, but people are starting to park across
12 the street.

13 MR. PAPI: If you make the parking
14 lot bigger that would solve that.

15 MR. SEMENZA: Anything else?

16 MR. LOPATKA: No. I think we
17 covered everything.

18 MR. SEMENZA: Any questions for
19 Dave?

20 MR. NOTARI: We talked about
21 Corcoran Street. Do we have a plan to
22 replace the sewer?

23 MR. LOPATKA: We have it surveyed.
24 We didn't do the plan because we were
25 waiting to get the go ahead once the water

1 company moved their line.

2 MR. NOTARI: Do we need to put up a
3 plan with bid specs? We're fighting with
4 Jimmy. He's going to fight that he doesn't
5 want to pay for it.

6 MR. HOOVER: I'll take care of the
7 restoration. I won't pay for the sewer.
8 You have to bid that out.

9 MR. NOTARI: You might as well do
10 bid specs for us.

11 MR. LOPATKA: We will put a plan
12 together, take it out and replace.

13 MR. SEMENZA: Any way you can have
14 that plan by Tuesday?

15 MR. LOPATKA: You're asking a lot.
16 I have the plan. It's getting to the whole
17 front end and getting dates. I'll work on
18 it.

19 MR. SEMENZA: Anything else?

20 MR. NOTARI: Dunn Avenue.

21 MR. LOPATKA: Dunn Avenue, we're
22 going to bid and build it in the spring,
23 basically.

24 MR. SEMENZA: About a five week
25 project and they didn't want to run into

1 weather.

2 MR. LOPATKA: Our plans are done.
3 You need those couple forms signed. I think
4 a couple other little things we need to go
5 back and forth with PennDOT on and actually
6 put it out to bid. That's about ready to be
7 bid. That will be springtime.

8 MR. SEMENZA: Anybody have anything
9 for Dave? Thanks, Dave. Lucille?

10 MS. YEAGER: Nothing to add.

11 MR. SEMENZA: Anybody have anything
12 for Lucille? Thanks, Lucille. Chief?

13 CHIEF DUBERNAS: Good evening. A
14 few things. First, we got another grant for
15 \$1,200 for car seats. We have two
16 technicians. Officer Terhune is going
17 October 24th to the 27th to be a car seat
18 tech. That will give us another chance to
19 get another grant. Right now it's \$1,200,
20 running until Saturday. We have traffic
21 enforcement around the schools or daycares
22 and coincide with car seats.

23 On Saturday Officer Kimbal and Kim,
24 they were at Walmart. They did a code one
25 car seat installation. Walmart sponsored

1 it. Officer Bell is a technician out of
2 Taylor. They did it at Walmart. Either
3 late October or early November they're going
4 to do another one. They have to match the
5 hours to keep getting grant money. It's
6 probably going to be at CVS. So we'll have
7 four technicians.

8 MR. NOTARI: Do we advertise that?

9 CHIEF DUBERNAS: Yeah. It will be
10 on our Facebook. I think the heat got a lot
11 of people. They're going to try to do it
12 either October or early November, before it
13 gets too cold.

14 Another enforcement detail on
15 September 16th. We had saturation control
16 here in the lower valley between Dickson
17 City to Duryea. We had over a hundred
18 contacts with 84 arrests, seven wanted
19 fugitives, and probably 200 citations were
20 issued.

21 Also, I'd like to have a meeting
22 with you guys after for a brief personnel
23 meeting.

24 Also, if you saw our car down the
25 back, it's gone now. It was smashed. It

1 got sideswiped on Oak Street on a call.
2 Gone back. Hats off to Marylynn for taking
3 care of it. She really got on it. She took
4 care of it before she left. It's gone.
5 Hopefully Friday it will be back or early
6 next week. It's six months old. I want
7 brand new parts on that car.

8 MR. NOTARI: The person who hit the
9 car, did we catch them?

10 CHIEF DUBERNAS: Yeah, she stopped.
11 I think she was rubbernecking. Hit the
12 driver door and the front fender.

13 MR. NOTARI: Where?

14 CHIEF DUBERNAS: 600 block.

15 MR. SEMENZA: Anybody have any
16 questions for the chief? Thanks, Chief.
17 Bill, solicitor's report, please.

18 ATTY. RINALDI: You already got the
19 PA American Water report. I got a call from
20 Jim the next day after he got the letter.

21 Saint Lawrence's Church, Ed Carlon
22 had a revision to the agreement, and that
23 was sent to Father Riccardi about two weeks
24 ago. I haven't received anything back.

25 Take a moment for the hearing on the

1 17th and 18th. Everybody should be there.

2 We can have a brief executive
3 session on the police contract matter
4 tonight.

5 I have for the agenda tonight the
6 deed of dedication for the easements. They
7 made a change. We requested to add
8 pedestrians, so that it now reads emergency
9 vehicles, personnel and pedestrians to the
10 park. So that will be one of the items on
11 the agenda.

12 Another item on the agenda is the
13 findings of fact and decision of council for
14 the Perrone property on 23 Orchard Street so
15 that we can notify him to either tear it
16 down or repair it in accordance with the
17 code. That's the one that we had the
18 hearing on on August 15th. This is the
19 first meeting we had an opportunity to vote
20 on it. That's all I have.

21 MR. SEMENZA: Anybody have any
22 questions for Bill?

23 CHIEF DUBERNAS: Thursday is the
24 final process for the civil service test.

25 MR. SEMENZA: Once that's done --

1 CHIEF DUBERNAS: The final list will
2 be given out.

3 MR. SEMENZA: When does the clock
4 start?

5 CHIEF DUBERNAS: Once the final list
6 has been certified by the civil service
7 commission. Get an extension every year.

8 MR. NOTARI: Conducting final
9 interviews Thursday?

10 CHIEF DUBERNAS: Yes. Then the
11 final scores will be all tallied and the
12 list will be certified. Then whatever the
13 names are in order that will be the list.
14 It's good for one year.

15 MR. NOTARI: Am I allowed to ask how
16 many people you're interviewing?

17 CHIEF DUBERNAS: There's six finals.
18 The list is hanging and the board has to be
19 posted. That's the scores for the written
20 part. That only counts for 70 percent of
21 their grade. The oral is 30 percent.

22 MR. SEMENZA: Marylynn, borough
23 manager's report?

24 MS. BARTOLETTI: The first two items
25 that are on our agenda for new business are

1 minimum municipal obligation. These are for
2 the pensions that the borough has. So the
3 first one that I'm going to tell you about
4 is for the police, so it has to be part of
5 tonight's record that the 2018 minimum
6 municipal obligation for the police pension
7 will be zero. The borough will have to pay
8 zero into it because it is completely funded
9 by the state.

10 The next one is 2018 minimum
11 municipal obligation which is for the
12 borough non-uniform administrative pension.
13 The minimum obligation for the borough is
14 \$10,9115. So we will be obligated to pay
15 that, and then the borough will be
16 reimbursed by the state for this one as
17 well. We need that as part of tonight's
18 record.

19 MR. NOTARI: What was the first
20 number?

21 MR. SEMENZA: Zero.

22 MS. BARTOLETTI: Zero. The next
23 thing I want to just discuss with you is the
24 balance sheet. If everybody wants to look
25 at the balance sheet, profit and loss. I'd

1 like to know if there's anything that I can
2 clarify, if anyone needs any information.
3 Our finances are right where they should be
4 at this time of the year.

5 MR. NOTARI: I have two questions.
6 My monthly question, have we received a
7 budget from the fire departments?

8 MS. BARTOLETTI: Two are good, one
9 is not. That's why if you look on your
10 unpaid bills list --

11 MR. NOTARI: Some are paid, some
12 aren't. Are you willing to share those two
13 that we received with council?

14 MS. BARTOLETTI: Yeah. You've
15 received Lawrence and you received
16 Eagle-McLure.

17 MR. NOTARI: Can I look at the
18 actual budget?

19 MS. BARTOLETTI: Yes. I have them.

20 MR. NOTARI: Can you e-mail it to
21 me? I'd like to see them. We received
22 Eagle-McLure and Lawrence but we haven't
23 received the Old Forge. Have they yet to
24 start complaining they haven't received any
25 money?

1 MR. SEMENZA: Have we received any
2 portion of anything from them?

3 MS. BARTOLETTI: No. Eagle-McLure,
4 their finances, the way they handle
5 everything, they're right on top of exactly
6 where they should be. Lawrence struggles a
7 little bit because they didn't realize there
8 were a couple of reports they had to file
9 with the IRS, things like that. But they
10 hired an accountant, got everything where
11 it's supposed to be.

12 The other I've heard nothing. At
13 one time I was approached by one of the
14 members who said the people from ten years
15 ago or six years ago didn't do what they
16 were supposed to do, but I said you need to
17 do it. This is now. You need to do
18 something now, and they said they'd be in
19 touch. They haven't done anything.
20 Therefore, they haven't been receiving any
21 funding from the borough yet.

22 MR. NOTARI: Very good. At least
23 two of our departments are acting the way
24 they're supposed to.

25 Second question is -- and I think

1 this is probably two budgets in a row, but
2 we're over budget with the engineering. So
3 I would ask the finance committee, then --
4 and just a suggestion for next year to
5 either bump the budget up or --

6 MS. BARTOLETTI: I've already
7 started working on the budget. It was
8 always a figure that we tried to keep low
9 but we always go over it anyway, so it's
10 silly to keep it that way. No offense to
11 Dave. We're constantly moving with projects
12 and everything and it different now. But
13 that's one of my first changes on the
14 budget. Does anyone else have any questions
15 on the balance sheet?

16 Now if you want to take a look at
17 the profit and loss, let me know if you have
18 anything you would like explained or
19 anything else. That's all I have.

20 MR. SEMENZA: Anybody have any
21 questions for Marylynn? Thank's, Marylynn.
22 At this time the chair will go down the
23 table, see if any council members have
24 anything to report. Councilman Brown?

25 MR. BROWN: I just have a quick

1 question in regards to -- maybe Steve can
2 help me out or Paul. I just got some
3 complaints on West Oak Street. Residents
4 are complaining that grass is being washed
5 down onto the road and blocking the storm
6 drain. I was wondering if we would be able
7 to send a letter to a resident just
8 reminding that we have grass recycling bins
9 here, or is there anything we can do to
10 prevent that grass being washed down onto
11 the road and clogging up the storm drain.

12 MR. PAPI: I never heard of that
13 before. No one ever called me to complain
14 about that. The cemetery is right up above
15 that.

16 MR. BROWN: It's going to be down a
17 little bit. It's going to start right after
18 the Gilchrist Trucking.

19 MR. SEMENZA: Councilman Brown, if
20 they contact you again have them contact the
21 borough and speak with Steve about that
22 issue.

23 MR. PAPI: They're putting in the
24 new water line there?

25 CHIEF DUBERNAS: In the area of

1 Scoda's Plumbing.

2 MR. BROWN: Maybe the solicitor can
3 help me. Do we have anything in regards to
4 grass clippings? I know there's no
5 ordinance saying you have to recycle them,
6 but is there, like, a letter --

7 ATTY. RINALDI: We do have an
8 ordinance.

9 MR. BIERYLA: That was so we can get
10 in our grant for the truck.

11 MR. PAPI: There's two catch basins
12 on Oak Street that I clean more than any in
13 town. Every time she calls me I run up and
14 clean them.

15 MR. SEMENZA: Is that the same
16 vicinity?

17 MR. PAPI: Yes.

18 MR. SEMENZA: Have them contact
19 Steve. Anything else?

20 MR. BROWN: No.

21 MR. NOTARI: Has the rec board met
22 recently?

23 MR. SEMENZA: No, the rec board has
24 not met recently.

25 MR. NOTARI: Do we need a rec board?

1 MR. SEMENZA: Obviously we don't.
2 We might have to look into reorganization
3 there.

4 MR. NOTARI: I guess my biggest
5 concern is I feel like we have organizations
6 in town, a couple different ones, that
7 believe that our parks are theirs. I'm in
8 no interest of limiting the use of those
9 parks and fields to any organization in
10 town, but I feel that there is a chain of
11 command that needs to be followed when using
12 those parks, whether it is the borough
13 manager or whether it is us as council or
14 the rec board. I think somebody needs to be
15 put in place.

16 MS. BARTOLETTI: I don't even have a
17 schedule. Nothing.

18 MR. SEMENZA: To be honest with you,
19 I don't believe they've re-elected a new
20 chairperson for the board yet. I don't
21 think they have met.

22 MS. BARTOLETTI: Rick, you asked the
23 question do we need a rec board, because I
24 don't know. We have council members who are
25 just involved in recreation. We have people