

1 OLD FORGE BOROUGH COUNCIL  
2 OLD FORGE, PENNSYLVANIA  
3  
4

5 IN RE: REGULAR MEETING OF COUNCIL  
6  
7  
8

9 DECEMBER 19, 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  
20 JOSEPH LENCESKI, VICE-PRESIDENT  
21 JOSEPH FERRETT  
22 RUSSELL RINALDI  
23 LOUIS FEBBO  
24 RICK NOTARI  
25 WILLIAM RINALDI, ESQUIRE, SOLICITOR  
MARYLYNN BARTOLETTI, BOROUGH MANAGER

Mark Wozniak  
Official Court Reporter

1 MR. SEMENZA: Good evening, ladies  
2 and gentlemen. Welcome to the December 19th  
3 Old Forge Borough Council meeting. I'd like  
4 to start the meeting with the Pledge of  
5 Allegiance.

6 (The Pledge of Allegiance was  
7 recited.)

8 MR. SEMENZA: Good evening. Roll  
9 call, please.

10 ATTY. RINALDI: Mr. Brown is absent.  
11 Mr. Notari?

12 MR. NOTARI: Present.

13 ATTY. RINALDI: Mr. Febbo?

14 MR. FEBBO: Here.

15 ATTY. RINALDI: Mr. Ferrett?

16 MR. FERRETT: Here.

17 ATTY. RINALDI: Mr. Rinaldi?

18 MR. RUSSELL RINALDI: Here.

19 ATTY. RINALDI: Mr. Lenceski?

20 MR. LENCESKI: Here.

21 ATTY. RINALDI: Mr. Semenza?

22 MR. SEMENZA: Here. The purpose of  
23 tonight's meeting, we'll hear from our  
24 department heads, we'll go through some  
25 housekeeping items, we'll go down the table

1 and see if council has anything to address.  
2 There's a public sign-in sheet if anybody  
3 would like to address council.

4 I'd like to start the meeting. The  
5 first motion is a motion to approve the  
6 minutes.

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

8 MR. SEMENZA: By Councilman Febbo.  
9 Second?

10 MR. NOTARI: I'll second.

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

14 ATTY. RINALDI: Mr. Notari?

15 MR. NOTARI: Yes.

16 ATTY. RINALDI: Mr. Febbo?

17 MR. FEBBO: Yes.

18 ATTY. RINALDI: Mr. Ferrett?

19 MR. FERRETT: Yes.

20 ATTY. RINALDI: Mr. Rinaldi?

21 MR. RUSSELL RINALDI: Yes.

22 ATTY. RINALDI: Mr. Lenceski?

23 MR. LENCESKI: Yes.

24 ATTY. RINALDI: Mr. Semenza?

25 MR. SEMENZA: Yes. The next motion

1 is a motion to approve treasurer's reports.  
2 Note that this does not include sewer  
3 accounts.

4 MR. RUSSELL RINALDI: I'll make that  
5 motion.

6 MR. SEMENZA: By Councilman Rinaldi.  
7 May I have a second?

8 MR. LENCESKI: I'll second that.

9 MR. SEMENZA: Seconded by Councilman  
10 Lenceski. On the question? Public input?  
11 Roll call, please.

12 ATTY. RINALDI: Mr. Notari?

13 MR. NOTARI: Yes.

14 ATTY. RINALDI: Mr. Febbo?

15 MR. FEBBO: Yes.

16 ATTY. RINALDI: Mr. Ferrett?

17 MR. FERRETT: Yes.

18 ATTY. RINALDI: Mr. Rinaldi?

19 MR. RUSSELL RINALDI: Yes.

20 ATTY. RINALDI: Mr. Lenceski?

21 MR. LENCESKI: Yes.

22 ATTY. RINALDI: Mr. Semenza?

23 MR. SEMENZA: Yes. The next motion  
24 is a motion to approve invoices for payment.  
25 Note that this does not include sewer

1 accounts.

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

4 MR. SEMENZA: By Councilman  
5 Lenceski. Second?

6 MR. RUSSELL RINALDI: I'll second  
7 it.

8 MR. SEMENZA: Seconded by Councilman  
9 Rinaldi. On the question?

10 MR. FERRETT: Lucille, I didn't get  
11 a chance to see you or anything, but in  
12 reference to the Earthwork bills for  
13 \$16,000, correct me if I'm wrong --

14 MR. SEMENZA: This does not include  
15 sewer accounts, Joe. Public input? Roll  
16 call, please.

17 ATTY. RINALDI: Mr. Notari?

18 MR. NOTARI: Yes.

19 ATTY. RINALDI: Mr. Febbo?

20 MR. FEBBO: Yes.

21 ATTY. RINALDI: Mr. Ferrett?

22 MR. FERRETT: Yes.

23 ATTY. RINALDI: Mr. Rinaldi?

24 MR. RUSSELL RINALDI: Yes.

25 ATTY. RINALDI: Mr. Lenceski?

1 MR. LENCESKI: Yes.

2 ATTY. RINALDI: Mr. Semenza?

3 MR. SEMENZA: Yes. The next motion  
4 is a motion to approve sewer department  
5 financial reports.

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

7 MR. SEMENZA: By Councilman Febbo.  
8 Second?

9 MR. RUSSELL RINALDI: I'll second  
10 it.

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

14 ATTY. RINALDI: Mr. Notari?

15 MR. NOTARI: Yes.

16 ATTY. RINALDI: Mr. Febbo?

17 MR. FEBBO: Yes.

18 ATTY. RINALDI: Mr. Ferrett?

19 MR. FEBBO: Yes.

20 ATTY. RINALDI: Mr. Rinaldi?

21 MR. RUSSELL RINALDI: Yes.

22 ATTY. RINALDI: Mr. Lenceski?

23 MR. LENCESKI: Yes.

24 ATTY. RINALDI: Mr. Semenza?

25 MR. SEMENZA: Yes. The next motion

1 is a motion to approve sewer department  
2 invoices for payment.

3 MR. RUSSELL RINALDI: I'll make that  
4 motion.

5 MR. SEMENZA: By Councilman Rinaldi.  
6 Second?

7 MR. NOTARI: I'll second it.

8 MR. SEMENZA: Seconded by Councilman  
9 Notari. On the question?

10 MR. FERRETT: I don't want to see  
11 the bills or nothing. The bill that you  
12 have listed there for Earthworks, correct me  
13 if I'm wrong, that \$16,000, wasn't the  
14 understanding that the bid came in that was  
15 only supposed to be for \$14,000 instead of  
16 16?

17 MS. YEAGER: They ran into extra  
18 work, extras involved for \$2,500. They  
19 charged \$13,500, and with the extra of  
20 \$2,500 --

21 MR. FERRETT: What were the extras?

22 MR. SEMENZA: Joe, I approved that  
23 on site because they had to make a decision  
24 that day, at that time that they had to  
25 either do something there. That's the extra

1 manhole. Correct?

2 MS. YEAGER: Yes, excavation and  
3 line found --

4 MR. SEMENZA: It's where the line  
5 came out. I believe you were over there  
6 right after that, weren't you?

7 MR. FERRETT: You're talking about  
8 that manhole you're talking about removing?

9 MR. SEMENZA: No, they had to put  
10 another chamber on the other side because  
11 the line zigzags or something or turned,  
12 came across. I forget exactly what it was,  
13 but they were there with -- were you on  
14 site, Lou?

15 MR. FEBBO: Yes. They hit another  
16 line coming down the alley.

17 MR. SEMENZA: Mike Ford was there  
18 with the camera.

19 MR. FEBBO: Another line. It wasn't  
20 marked anywhere. Before they got into that  
21 they had to tap into that line, which was  
22 all blocked up.

23 MR. FERRETT: I just wanted to know.  
24 I knew I heard the \$14,000 was the figure,  
25 then all the sudden I see \$16,000 and there



1                   was no explanation.

2                   MR. LENCESKI: Than ran towards  
3                   Dooley's.

4                   MR. FERRETT: Wait a while, you're  
5                   talking about the line that goes up towards  
6                   Dooley's?

7                   MR. SEMENZA: That line is coming  
8                   down, it goes into that line, Joe. That  
9                   line comes down, comes across, CVS taps into  
10                  it on Sussex Street, drops into the pipe.  
11                  That line goes into the line that we're  
12                  switching right now. Therefor, we had to  
13                  put a chamber in there --

14                  MR. FERRETT: What you're saying is  
15                  that \$2,500 expense is not for the labor  
16                  part from Sussex Street to Dooley's?

17                  MR. SEMENZA: No, it's for the  
18                  manhole we had to put across the street.

19                  MR. FEBBO: The pipe was in the way,  
20                  the one we're talking about behind Dooley's.  
21                  They had to address that first to continue  
22                  along --

23                  MR. SEMENZA: Continue what they  
24                  were doing. Do you understand what I'm  
25                  saying?

1                   MR. FERRETT: I think I'm a little  
2 off but I'll check it out. I'll find out.

3                   MR. SEMENZA: Matty or Lou could  
4 probably clarify it more. Dave, were you  
5 there?

6                   MR. LOPATKA: Well, from what I  
7 gather there was a line coming out of the  
8 CVS, a separate line coming down, and then  
9 there was another line coming down the  
10 alley. Those two lines, there was -- they  
11 kind of didn't tie into the same spot. The  
12 one didn't tie into the other, so we had to  
13 add a manhole in there so to they both could  
14 tie back into the main line.

15                  MR. FERRETT: The only manhole  
16 that's in there is the manhole that's coming  
17 out of the alleyway coming down Meade  
18 Street. The rest is all dug with the pipe  
19 being put down. So where is the manhole? I  
20 don't see another manhole.

21                  MR. SEMENZA: There's one there,  
22 then we had to put one across the street,  
23 too.

24                  MR. FERRETT: Across what street?

25                  MR. SEMENZA: The alley coming down

1 Meade.

2 MR. FERRETT: The one going out to  
3 Meade Street at the corner by Dooley's? The  
4 one where the line goes to your left up the  
5 alleyway? There's two or three people that  
6 service there. They got a manhole on the  
7 right hand side come all the way down.  
8 That's the only manhole there and it goes  
9 all the way to Sussex Street.

10 MR. SEMENZA: Yes. Four or five  
11 places, it services. Now, there could be  
12 another problem on the top of that street.  
13 Were you there when they cameraed that?

14 MR. FERRETT: No.

15 MR. FEBBO: No.

16 MR. SEMENZA: It makes a 90 degree  
17 bend and it might be an issue. At least we  
18 know where it is now.

19 MR. FERRETT: See, this is my point  
20 what I'm trying to say, exactly what Mr.  
21 Notari, I think, was saying before. There's  
22 no information given to everybody. And it's  
23 not that I want to be a smart guy, it's just  
24 the idea that it doesn't seem to make sense  
25 because I know quite a bit about sewer lines

1           and what's going on in this town, but the  
2           information is only certain people knows  
3           these things. Not everybody knows. Then  
4           when it comes to paying the bill everybody's  
5           got to vote on the bill. That's why the  
6           subject always comes up that everything's on  
7           the back burner and nobody know's nothing  
8           about it. We have committees and nobody  
9           knows anything.

10                   I'll get information after all this  
11           and I'll find out. I'm not saying that it's  
12           wrong. Probably right. But once you bid on  
13           a job, once you put a thing -- all right.  
14           I'm sorry, go ahead. Whatever.

15                   MR. RUSSELL RINALDI: Joe, let me  
16           interject. There's plenty of times people  
17           bid on jobs before and we had a change order  
18           come in. We have change orders come in all  
19           the time. That's an old street with an old  
20           sewer. Once you rip it up --

21                   MR. FERRETT: Russell, I have no  
22           problem with any change orders or anything  
23           coming in. I have a problem that not  
24           everybody knows what's going on, and then  
25           you come here saying you got to vote on it.

1 I don't know what I'm voting on.

2 MR. RUSSELL RINALDI: It just  
3 happened seven days ago. It's just  
4 something that happened because they did the  
5 one side of the street --

6 MR. FERRETT: It didn't happen seven  
7 days ago. That problem was there for a  
8 couple weeks because I've been eyeing  
9 everything up. I've been there watching  
10 everything was going on and all.

11 MR. RUSSELL RINALDI: They just  
12 opened that road up behind CVS not even  
13 eight days ago. Right, Marylynn? Bob?

14 MS. BARTOLETTI: It was all the  
15 trucks, all the equipment was all there.  
16 They had to stop the job.

17 MR. RUSSELL RINALDI: Joe, all I'm  
18 saying is that change orders come in. You  
19 know that.

20 MR. FERRETT: Right.

21 MR. RUSSELL RINALDI: Yes?

22 MR. FERRETT: Yeah, whatever.

23 MR. NOTARI: I have a question on  
24 something different. Lucille, the  
25 reimbursement for pave cut, what exactly is

1                   that?

2                   MS. YEAGER: When people get a pave  
3 cut and they don't need it -- in other  
4 words, if you get a sewer permit, \$500. You  
5 get a pave cut you pay more. Once your pave  
6 cut is finished and Steve inspects it and  
7 it's done properly you get your money back.  
8 Just for the pave cut, not for the permit.  
9 That's standard procedure.

10                  MR. NOTARI: So that money was given  
11 to us and now we're just giving it back?

12                  MS. YEAGER: It's a wash.

13                  MR. PAPI: Five hundred dollars.

14                  MS. YEAGER: It shows it coming in  
15 and it shows it going out.

16                  MR. BIERYLA: One \$500 is for your  
17 hookup and your service charge, then the  
18 other \$500 is so that the blacktop is  
19 brought back to specs. At that point, then  
20 the \$500 can go back. If not, then the  
21 borough keeps it and does it themselves.

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

24                  ATTY. RINALDI: Mr. Notari?

25                  MR. NOTARI: Yes.

1 ATTY. RINALDI: Mr. Febbo?

2 MR. FEBBO: Yes.

3 ATTY. RINALDI: Mr. Ferrett?

4 MR. FERRETT: Yes.

5 ATTY. RINALDI: Mr. Rinaldi?

6 MR. RUSSELL RINALDI: Yes.

7 ATTY. RINALDI: Mr. Lenceski?

8 MR. LENCESKI: Yes.

9 ATTY. RINALDI: Mr. Semenza?

10 MR. SEMENZA: Yes. At this point

11 I'll go to department heads. Paul Papi,

12 DPW?

13 (Mr. Papi read his report, which is  
14 attached.)

15 MR. SEMENZA: Anybody have any  
16 questions for Paul?

17 MR. FEBBO: Paul, update us on the  
18 leaf truck.

19 MR. PAPI: He's having trouble  
20 finding the belt. He said they're going to  
21 work on it. A couple days it should be  
22 ready.

23 MR. FEBBO: And the truck that was  
24 overheating?

25 MR. PAPI: So far, so good. We have

1 an appointment with that tomorrow at Coccia  
2 Ford, 7:00.

3 MR. SEMENZA: Paul, the sewer lid in  
4 front of Schifano's house, is that Moosic  
5 Road that you were talking about?

6 MR. PAPI: No, that was Main Street,  
7 right in front of his house. That's right  
8 near Michelle Domiano's. One was going  
9 click, click and it was driving him crazy.

10 MR. SEMENZA: Was it a newly  
11 installed lid?

12 MR. PAPI: It's been doing that  
13 for -- I fixed it last summer. It lasted  
14 about nine or ten months before it started  
15 again. So there's only one way that I  
16 know -- somebody told me to try rubber inner  
17 tubes. Sometimes you see those around a  
18 manhole. I called Central Clay. They said  
19 there's really -- they don't know why some  
20 make that noise and some don't. These  
21 always stay loose. They don't know.

22 MR. SEMENZA: Anybody have any more  
23 questions for Paul? Thanks, Paul. Steve,  
24 zoning officer?

25 (Mr. Bieryla read his report, which



1 is attached.)

2 MR. SEMENZA: Steve, one question.  
3 Grease trap, Dooley's, how long do you give  
4 them to get a grease trap installed?

5 MR. BIERLYA: It's in. In fact,  
6 when I went over to talk with the manager  
7 Lameo was there, then they came back two  
8 days later and he put them on. They have  
9 two sewer lines, one going out the front and  
10 one out the back. He put them wherever they  
11 needed to be.

12 MR. SEMENZA: Anybody have any  
13 questions for Steve? Thanks, Steve.  
14 Lucille?

15 MS. YEAGER: I have nothing. Paul  
16 said it all.

17 MR. SEMENZA: Anybody have any  
18 questions for Lucille? Thanks, Lucille.  
19 Dave, engineer's report, please.

20 MR. LOPATKA: Good evening.  
21 Engineer's report for November. The Old  
22 Forge 2017 paving project work is basically  
23 finished for the year. Additional roads and  
24 punch list items that occur will be  
25 completed in the spring once they go back to

1 do those extra roads.

2 The borough building master plan, I  
3 guess they're still waiting for final  
4 verification to meet with Marylynn again and  
5 the architect on that.

6 East Grace Street and Corcoran  
7 Street both are out to bid. I actually have  
8 a list of at least 11 companies so far that  
9 have taken plans up. We should get pretty  
10 good bid numbers back. The prebid is  
11 Thursday, 10 a.m., here. One is at 10:00,  
12 East Grace Street, and the other one is at  
13 10:15 for Corcoran Street.

14 The DPW, I still have to meet with  
15 Paul. Things have been hectic. I haven't  
16 gotten down here yet. I will.

17 I did drop you guys the report for  
18 the rectory. If you guys want to read it  
19 and talk about it at the next meeting. I  
20 kind of just got it put together and  
21 finalized, and I am putting together some  
22 numbers and cost estimates, too, based off  
23 our specs as to what we think some of the  
24 costs might be to fix it.

25 MR. SEMENZA: Anybody have any

1 questions for Dave?

2 MR. FERRETT: Dave, I hope you'll be  
3 very sincere and honest about it and I think  
4 you will be. When the road committee went  
5 out with you -- that's Russell Rinaldi,  
6 Lenceski, myself and yourself -- we looked  
7 at all the roads in Old Forge for you to get  
8 a better idea of what the conditions of the  
9 roads to make a decision and so forth.

10 We also went up to Rosemount.  
11 Correct? We looked at some cracks up in the  
12 area. Mr. Rinaldi got out and he went to  
13 see his friend on the left-hand side. You  
14 and I, we talked about -- I says  
15 Mr. D'Andriole called me and told me about  
16 some of the cracks in the area. You at that  
17 time said that you think they're starting to  
18 open up, that they have to be taken care of.

19 I believe at that time I told you  
20 that the following year we're going to come  
21 up with a maintenance plan, that he would  
22 take care of these and all the roads  
23 throughout the town that we bid on and so  
24 forth. Correct?

25 MR. LOPATKA: Correct.

1                   MR. FERRETT: My understanding is  
2                   they done some crack sealing on Edgewood  
3                   Drive. I went up to take a look at this  
4                   crack sealing because I was concerned about  
5                   it, and it appear to me that every ten yards  
6                   there's a crack sealing right across the  
7                   road. Now, to me it seems like this doesn't  
8                   make sense, a road in there only two years  
9                   and all these crack sealings. So I'm not  
10                  going to dispute anything or say anything  
11                  whatsoever, but if it's true that the cracks  
12                  are there would you agree with me or would  
13                  you not agree with me that the possibility  
14                  that all these things are happening is  
15                  because there are no curbs along these  
16                  roads, that possibly some water might be  
17                  getting under these roads as time goes by  
18                  and could be causing these cracks going all  
19                  the way up like this?

20                 MR. LOPATKA: I would say you're  
21                 correct, and I think we mentioned a long,  
22                 long time ago that all the houses in there,  
23                 all their rain leaders discharge right to  
24                 the road. You know, that's probably the  
25                 worst thing that you can do, is discharge

1           your rain leaders right to the road.  
2           Everybody. I'm talking, like, every person  
3           has at least two, probably. Some of them  
4           have four that I saw up there when we were  
5           doing it.

6                     The best thing to do is to actually  
7           dump them ten feet outside your house, as  
8           long as the grade goes away from your house,  
9           and let most of that infiltrate. You're  
10          taking straight runoff and putting it back  
11          on the roads constantly. Sooner or later  
12          all that water's going to create a problem.  
13          All you have to do is have one small crack  
14          at this time of year, freeze-thaw, you keep  
15          getting water in those cracks you're going  
16          to start seeing more cracks.

17                    MR. FERRETT: So my purpose of  
18          asking the question was only because of the  
19          fact that if it's true, then this council  
20          better do something for the coming year  
21          because it's only going to get worse no  
22          matter how much crack sealing you do.

23                    MR. LOPATKA: The other thing you  
24          have to realize, too, is what was done in  
25          there was done to kind of meet the older

1 ordinance. It wasn't a full paving  
2 structure that was put in there. Now, the  
3 base of it is a ten-inch base because we did  
4 that reclamation, but the top is only an  
5 inch and a half, two inches of top.  
6 Normally you would put probably three inches  
7 of base and then the top even with the  
8 reclamation.

9 But according to the stipulation at  
10 the time he was only required to go back and  
11 meet the requirement of the old ordinance.  
12 The 1972 ordinance. We tried to beef it up  
13 originally, but it was kind of discussed  
14 that we were going above and beyond what was  
15 in the 1972 ordinance. That's how it ended  
16 up.

17 So the roads themselves, I think  
18 base in the road, if you go under the road,  
19 is probably fine. It's probably more the  
20 top where you're going to have the issue.  
21 And all you have to do is get water in  
22 between the two and you're going to start to  
23 get the freeze-thaw and the roads will  
24 crack. I mean, that's my thought on it.  
25 And it was discussed way back when about the

1 rain leaders and everything. I know we  
2 brought it up. I talked to Bill about it.  
3 They were all put back.

4 MR. SEMENZA: Correct me if I'm  
5 wrong. Haven't we sent things out to the  
6 public that you're not supposed to put water  
7 onto the street? Steve? Paul? Bill?

8 MR. PAPI: Actually, our ordinance  
9 says we do convey our water to the street.  
10 Look at Hatala's development. The  
11 contractor was supposed to drill holes  
12 through the curb so they can put their  
13 leaders out onto the street.

14 MR. SEMENZA: I thought we can't  
15 discharge out onto the street.

16 MR. PAPI: No, that's what we have  
17 to do.

18 MR. NOTARI: But there are catch  
19 basins in Shawnee Hills. Right?

20 MR. PAPI: Yes.

21 MR. NOTARI: There are no catch  
22 basins in Rosemount.

23 MR. SEMENZA: Haven't we actually  
24 gone to residents and had them take their  
25 rain leaders of the street and put them into

1                   their yards?

2                   ATTY. RINALDI: No, you never did  
3                   that.

4                   MR. SEMENZA: I know one place we  
5                   absolutely did. I know one place Steven  
6                   went to the homeowner and had him take his  
7                   water and dump it in his yard.

8                   MR. BIERYLA: That was in conflict  
9                   with the other house.

10                  MR. SEMENZA: You made him dump it  
11                  back into his yard.

12                  MR. BIERYLA: Because the other  
13                  house was out to the street and he  
14                  intersected with her and it was backing up  
15                  in her --

16                  MR. SEMENZA: So we can dump onto  
17                  the street?

18                  MR. PAPI: By our ordinance.

19                  MR. NOTARI: If there's a catch  
20                  basin.

21                  MR. PAPI: Well, I don't think it  
22                  says if there's a catch basin.

23                  MR. SEMENZA: They're conflicting  
24                  with LLVSA because you can't put direct  
25                  water into a sewer. When you put water on



1 the street you're directing it to a sewer.

2 MR. NOTARI: I thought we discussed  
3 that once we accepted the roads we were  
4 going to need to alert the residents they  
5 could no longer dump water onto the streets.  
6 I don't think we've gone ahead and done  
7 that, but I thought we discussed that.

8 MR. LOPATKA: There were discussions  
9 about that.

10 MR. FEBBO: We said with the water  
11 running on the streets it's going to  
12 compromise the integrity of the life of the  
13 roads.

14 MR. LOPATKA: If you have grades  
15 going away from their house, which is  
16 typically how you're going to build it, you  
17 discharge it ten feet outside your  
18 foundation the water's going to infiltrate,  
19 for the most part. Ninety percent of the  
20 water will infiltrate prior to getting out  
21 to the street. So all that water that  
22 you're taking right from the roof, you put  
23 it in a pipe and dump it on the street, 90  
24 percent of it would be gone if you dumped it  
25 outside.

1                   MR. NOTARI: So is Paul saying we  
2                   can't enforce that?

3                   ATTY. RINALDI: I thought we had an  
4                   ordinance that you can't run them into the  
5                   street.

6                   MR. SEMENZA: Right. I thought the  
7                   same thing.

8                   MR. FERRETT: I think one of your  
9                   biggest problems is the fact that that area  
10                  up there, they always keep crying they're  
11                  grandfathered in.

12                  MR. SEMENZA: Rosemount Estates?

13                  MR. FERRETT: Right. The thing that  
14                  you have to remember -- and I think you  
15                  would agree with me -- that if there were  
16                  curbstones going all the way down water  
17                  would not be getting underneath those roads.  
18                  You don't think so?

19                  MR. LOPATKA: There's some inlets.  
20                  Is there enough? No. There's a few. I  
21                  mean, if you're going to curb the road you  
22                  really need to have storm water in place,  
23                  inlets in place.

24                  MR. FERRETT: There's no question or  
25                  doubt about it.

1                   MR. LOPATKA: If we curb the whole  
2 road -- there's some areas where the water's  
3 just sheeting off the road. As long as  
4 there's grade off the edge of the  
5 shoulder --

6                   MR. FERRETT: Let's be realistic.  
7 You went to work and you reconstructed the  
8 whole streets. You went down ten inches and  
9 you put concrete and everything. Was there  
10 any plan for storm water? Was there any  
11 plans where the storm water's going to go or  
12 any inlets to put in or anything? We got to  
13 correct this. You can throw a rock right  
14 into the creek from Rosemount.

15                  MR. LOPATKA: That wasn't the  
16 instructions as far as the stipulation, to  
17 provide inlets and --

18                  MR. SEMENZA: Basically what we're  
19 going to have to do is keep maintenance up  
20 on that because I don't know if we can make  
21 the developer put curbs in there or not, but  
22 I don't think we could.

23                  MR. FERRETT: I don't think so.

24                  MR. NOTARI: We do have to come up  
25 with a maintenance plan. Is part of that

1 maintenance plan alerting the residents that  
2 they can no longer dump water onto the  
3 streets?

4 MR. SEMENZA: I agree 100 percent.

5 MR. FEBBO: That's what we talked  
6 about.

7 MR. NOTARI: Someone needs to  
8 compose a letter to the residents of  
9 Rosemount.

10 MR. SEMENZA: It would have to be  
11 the residents of all of Old Forge. You  
12 can't tell the residents of Rosemount you  
13 can't dump water on the roads when -- for  
14 instance, Grace Street. There's probably 40  
15 houses on Grace Street that discharge on the  
16 road.

17 MR. NOTARI: Right, but there are  
18 inlets, catch basins on Grace Street. I  
19 thought that's the main problem, there's no  
20 catch basins in Rosemount.

21 MR. SEMENZA: It's combination  
22 storm/sewer. If you go by LLVSA's rules you  
23 can't put the storm water directed into a  
24 sewer. When you're directing your storm  
25 water onto the street you're directing --

1                   MR. NOTARI: I understand what  
2                   you're saying now.

3                   MR. FERRETT: If you were to go to  
4                   work and have the areas where people have  
5                   rocks to catch the water and everything, if  
6                   that was what you would call pipes and you  
7                   have storm drains every so often that water  
8                   would be caught and it would be going down  
9                   and deliver right into Saint John's Creek.  
10                  We don't have that. Nobody ever thought of  
11                  the idea of doing it before the road was  
12                  reconstructed.

13                  Consequently, you're paying the  
14                  price today because of your road being  
15                  damaged.

16                  MR. LOPATKA: There's a couple  
17                  things that came into play there. I think  
18                  years ago, when it was first developed,  
19                  there weren't supposed to be any curbs in  
20                  there. It's all basically swales, is what  
21                  it was. Over the years people started  
22                  filling in the swales and putting in curbs.  
23                  So it's kind of a hybrid. It's not all one  
24                  fix.

25                  MR. NOTARI: There's some homes that

1           have the rock in front and there's others  
2           that don't.

3                   MR. LOPATKA: There's still some  
4           that have the swales. Not as much. Most of  
5           it got filled in at this point.

6                   MR. SEMENZA: I don't even know --

7                   MR. LOPATKA: On the main drag  
8           there's no curbs. Everything sheets off the  
9           road. On the upside there's a small swale.  
10          It's when you get into where all the houses  
11          are. All that area there, according to the  
12          plans, was swale. It wasn't curbed. It got  
13          filled in and got curbed over time. It's a  
14          long time from when it was built.

15                   ATTY. RINALDI: So the swales are in  
16          our right-of-way, but the residents didn't  
17          want the swales put back because they had  
18          mailboxes --

19                   MR. LOPATKA: If you're going to  
20          reconstruct the road do it -- the way the  
21          stipulation read it was the road was  
22          supposed to get repaved. It wasn't --  
23          honestly, if I was to do it, yeah, I would  
24          put curbs and inlets in, but that wasn't the  
25          way the stipulation reads.

1 MR. SEMENZA: And that's over now.

2 MR. NOTARI: So what's our option at  
3 this point? We're not going to repave the  
4 road in the next couple years.

5 ATTY. RINALDI: You could put the  
6 swales in, but they don't want that.

7 MR. LOPATKA: It would be a major  
8 undertaking.

9 ATTY. RINALDI: So the other  
10 exchange is listen, cut your gutter runs  
11 back, let it run in the grass and just seep  
12 into the ground before it gets to the road.

13 MR. SEMENZA: We're going to have to  
14 send a letter out to all residents in the  
15 borough saying --

16 ATTY. RINALDI: I would. You're not  
17 talking about -- it will save those roads  
18 over the years. You won't have to go up  
19 there and put swales in because they don't  
20 want the swales either. Do you want a swale  
21 or do you want to pull back your rain  
22 gutters a little bit.

23 MR. NOTARI: Who comes up with that  
24 letter? Let's not just let it die here  
25 tonight.

1                   MR. SEMENZA: Bill, will you write  
2                   it?

3                   ATTY. RINALDI: We can do it and  
4                   Paul can deliver it. They're not going to  
5                   do it now, in the winter.

6                   MR. SEMENZA: Draft a letter and  
7                   have it ready for March?

8                   MR. NOTARI: Good enough for me.

9                   MR. SEMENZA: Anybody else have any  
10                  questions for Dave? I've got one. Main  
11                  Street in Old Forge, when you're on a state  
12                  road, if you put a curb in what does it have  
13                  to be? Is there a regulation to that curb?  
14                  Could you just put a monolithic curb in?

15                  MR. LOPATKA: I mean, it's supposed  
16                  to be PennDOT's requirements. You can put  
17                  either a six inch or eight inch curb in, the  
18                  reveal. The depth on it is usually 18 to 20  
19                  inches. That's the total height including  
20                  the reveal.

21                  MR. SEMENZA: I don't know for sure,  
22                  but I was called and asked a question of why  
23                  Burger King got away with not putting a  
24                  legitimate curb in.

25                  MR. FERRETT: They're not finished



1 with that project.

2 MS. BARTOLETTI: It's temporary.  
3 It's getting them through the opening.

4 MR. LOPATKA: Because they're  
5 redoing their whole driveway they had to get  
6 an HOP anyway. I'm sure they'll probably  
7 make them put handicap ramps on both sides  
8 of the driveway.

9 MR. FERRETT: They have to get a  
10 permit to go ahead and do that.

11 MR. LOPATKA: They're in  
12 construction, but their permitted driveway  
13 should have handicap rams on both sides of  
14 any driveway they put in. It's supposed to  
15 go at grade up to a six inch reveal,  
16 minimum, across and then back down.

17 MR. SEMENZA: I don't have nothing  
18 else. Anybody have any questions for Dave?  
19 Thanks, Dave. Chief?

20 CHIEF DUBERNAS: Good evening. I  
21 don't have too much. First thing, I don't  
22 know if you guys noticed. Car 1 is in the  
23 back. It got hit again. Not much damage.  
24 We already notified Kovach. Kovach is the  
25 place where we buy all our cars. They're

1 going to fix it, replace the bumper and the  
2 front fender.

3 The other thing, last few months  
4 we've been talking about the ENRAD system  
5 and everything. I finally was in touch with  
6 Jake. Once the new year comes he's going to  
7 set up a training so all the officers will  
8 be trained on the ENRAD system. Then  
9 they'll be used in any car with the system.  
10 Other than that, I don't have much. You  
11 have my report.

12 MR. SEMENZA: Anybody have any  
13 questions for the chief?

14 MR. NOTARI: Where was the accident?

15 CHIEF DUBERNAS: Sibley and Keyser.

16 MR. SEMENZA: I'm good. Thanks,  
17 Jay. Bill, solicitor's report?

18 ATTY. RINALDI: Attached to my  
19 report you have the resolution adopting the  
20 budget for fiscal year 2018.

21 You have a second resolution, upon  
22 adoption of that budget, setting forth the  
23 tax levies for the borough for the general  
24 fund and the special road tax.

25 The next matter for tonight is the

1 resolution on the casinos. Like I explained  
2 at the last meeting, and I'll give you some  
3 more information, you are opting out, which  
4 you only have one shot at opting out up  
5 until the end of this year. So you're going  
6 to opt out and say you do not want any  
7 casinos within the borough of Old Forge.  
8 Because you're within 25 miles of the  
9 Mohegan Sun Casino, they can put in slots or  
10 a satellite casino within that 25 mile  
11 radius.

12 Just because you opt out, you get  
13 one opportunity after that if you want to  
14 opt back in, but after you opt back in you  
15 can't opt out again. So if you don't opt  
16 out, you can never opt out. So if you opt  
17 out and the casino wanted to approach the  
18 borough about putting a parlor here they  
19 would have to contact you, ask you to opt  
20 back in, which would make you a host  
21 community. You can negotiate what you  
22 wanted to do at that time.

23 So it's better to opt out now  
24 because you only have one shot at opting out  
25 versus trying to go back and opt out.

1                   The next resolution is a resolution  
2                   regarding the MOU with the housing  
3                   authority. I added language as requested by  
4                   council, they agreed. That language says if  
5                   they use the borough to do a change order or  
6                   the work is to be performed by the borough's  
7                   contractor, before that project will be  
8                   green lighted or given any start work order  
9                   the funds will be placed in the borough  
10                  treasurer. So the money will be here prior  
11                  to the work being started. The state  
12                  contractor is directly responsible. That's  
13                  what the concern was of council. They  
14                  agreed to that and they have no problem with  
15                  that.

16                 Request for proposals went out.  
17                 They'll be back on January 12th, to be  
18                 opened at the January 16th meeting.

19                 Saint Lawrence Church, there was an  
20                 inspection done. We have 45 days, which  
21                 would expire on the 12th of January. The  
22                 only issue is just -- you have the  
23                 inspection report. Just make sure  
24                 everybody's familiar with what the cost  
25                 involved is. If it doesn't look like it's

1 too bad to bring it up to code, if you're  
2 going to want to do that. That's the only  
3 issue out there with that building right  
4 now.

5 You also have a resolution  
6 eliminating contributions to the Old Forge  
7 Police pension plan because our police  
8 pension plan is in good shape. Every year,  
9 after we get an actuary report, we eliminate  
10 the employees' responsibility to contribute  
11 to that pension. The state actually puts in  
12 money for them because of the soundness of  
13 the pension. So we're eliminating that  
14 requirement from the police officers for  
15 2017 and 2018, as we've done every year in  
16 the past since the pension plan was  
17 established.

18 Also, there is an Act 44 requirement  
19 that you're going to pass a resolution on.  
20 The Act 44 requirement has to do with the  
21 managers and the actuaries that deal with  
22 the pension plan. It's just to say the  
23 borough, if they ever change their current  
24 pension administrators or actuaries, they  
25 will bid that out by RFP.

1                   Lastly, there is a resolution  
2                   memorializing the memorandum of agreement  
3                   between the Old Forge Borough and the Police  
4                   Officers Association as a result of the last  
5                   round of negotiations that took place two  
6                   weeks ago. This memorandum of agreement was  
7                   voted on. I think they did actually supply  
8                   a signed copy to the borough. Their  
9                   attorney did say they voted on the terms  
10                  that were negotiated at the last meeting,  
11                  you were in agreement.

12                 This memorandum of understanding is  
13                 just a precursor to just making the changes  
14                 on the final agreement. So it basically  
15                 goes through everything that we went through  
16                 the last night of negotiations. Nothing  
17                 changed that wasn't agreed to at that time.  
18                 It is reviewed. I reviewed it, the police  
19                 officers reviewed it and voted in favor of  
20                 it, which is what I had heard from their  
21                 lawyer.

22                 MR. FERRETT: What's the total  
23                 amount of money that they're going to be  
24                 putting up for Apollo Drive?

25                 ATTY. RINALDI: Whatever the change

1 order costs. So I think he has an estimate.

2 MR. LOPATKA: All we gave them at  
3 the time was --

4 ATTY. RINALDI: I think it was  
5 \$130,000, \$120,000.

6 MR. LOPATKA: I just took a quick  
7 cubic yard number. Their engineer was  
8 supposed to get more details. I called  
9 Pennsy Supply and got a number from them for  
10 the full depth replacement, so that's the  
11 number they were using. Basically the  
12 number we used for our base replacement in  
13 our paving project. So all that information  
14 was given to the housing authority's  
15 engineer, who was supposed to put a cost  
16 estimate together for whatever the plan  
17 number was based off of the overall  
18 quantity.

19 MR. FERRETT: But shouldn't that  
20 figure be put into this ordinance that we're  
21 going to be voting on? Or are we just going  
22 to be voting on that they're going to put  
23 the money up and not saying how much money  
24 they're going to put up? If you have a  
25 figure in there which they agree on, they're

1 willing to put up and everything, it should  
2 be in that proposal.

3 ATTY. RINALDI: I don't have it, and  
4 we kind of stopped the whole process with  
5 the change order until you guys figured out  
6 what you want to do. So the agreement says  
7 whatever the change order is, that amount of  
8 money will be placed in the borough's  
9 account to pay. If it's a hundred thousand,  
10 they have to write a check to the borough  
11 for a hundred thousand before we send a  
12 notice to proceed to Pennsy. That's the  
13 agreement. We don't send the notice to  
14 proceed until we have the money if it's on  
15 our change order. Until we got the money  
16 nothing's going to happen.

17 MR. FERRETT: Well, that's the same  
18 thing, then. I just want to make sure that  
19 they say there's no stipulation and what  
20 price, that we can pay it in increments of  
21 this -- I understand what you're saying now.

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

24 MR. NOTARI: I have a few. Bill,  
25 request for proposals for third-party



1 inspectors, have -- and borough engineer,  
2 have we received anything so far?

3 MS. BARTOLETTI: We've had some  
4 inquiries for both, but nothing has been  
5 received here yet. Just some clarification  
6 about what we just did, but we have not  
7 received any actual documents yet.

8 MR. NOTARI: Fred Street project,  
9 have we received bid docs yet?

10 MR. LOPATKA: No.

11 MR. NOTARI: Bill, can you explain  
12 the resolution about the police pension plan  
13 again to me. We're not going to require the  
14 police to contribute for the next two years?

15 ATTY. RINALDI: Right, because --

16 MS. BARTOLETTI: That's '17 and '18.  
17 This year that's already done.

18 ATTY. RINALDI: We get money from  
19 the state, so under our ordinance, which is  
20 10, contributions, "employer agrees to pay  
21 payments made by the state treasurer to the  
22 treasurer of the municipality for monies  
23 received from taxes paid upon premiums by  
24 foreign casualty insurance companies for the  
25 purpose of pension retirement disabilities.

1           Each participant shall contribute five  
2           percent of his monthly compensation. Any  
3           section or mandatory section of this article  
4           dealing with employee contributions shall be  
5           amended providing the member contributions  
6           set as five percent may be reduced or  
7           eliminated on an annual basis by resolution  
8           of council even if the municipality must  
9           contribute to the plan. An actuarial  
10          certification shall not be required to do  
11          so."

12                        So since we don't have to contribute  
13          to the plan, we're not requiring them to  
14          contribute to us to contribute to the plan.  
15          That's the long and the short of it.

16                       MR. NOTARI: So we don't contribute  
17          to the plan?

18                       MS. BARTOLETTI: After the actuarial  
19          studies are one and we get the aid from the  
20          state it's always zero. Remember in  
21          September when we read off the MM0, it's  
22          called, minimum municipal obligation, the  
23          September meeting every year, that tells you  
24          what you're anticipating for the next year.  
25          We already anticipated it's zero for the

1 next year.

2 MR. FERRETT: I would like to say  
3 one word to clarify some of the things that  
4 were said about the pension thing. You have  
5 to remember one thing, that there are  
6 only -- if my memory serves me correctly,  
7 there are only two people that are  
8 collecting on the thing. Being that there's  
9 only two people, that's one of the basic  
10 reasons why the fund is so sound, that we  
11 have so much money. But if you were to have  
12 eight or ten people collecting out of it it  
13 would be a different kind of a story. So  
14 right now we only have two policemen that  
15 are retired, that are collecting out of the  
16 fund, and that's why there's a sufficient  
17 amount of money that we don't have to  
18 contribute.

19 MS. BARTOLETTI: It's based on the  
20 study as well. Just like what Joe said, but  
21 it's also based on the actuarial studies,  
22 documents that I have to send in basically  
23 telling them what we have as far as full  
24 time employees, how many, how many hours  
25 they work, how much they're paid, and that's

1           how the study is done. It's gauging  
2           throughout the future when the current  
3           people will be retiring as well.

4                   MR. SEMENZA: Anybody else have  
5           anything for Bill? Thanks, Bill. Marylynn,  
6           borough manager's report, please.

7                   MS. BARTOLETTI: One thing I'd like  
8           to add to your voting tonight, since we  
9           already missed the approval of the bills,  
10          one that came in a little bit later is for  
11          Ben Marriggi, Marriggi Industries, for doing  
12          the sealing of the cracks, and it's a \$3,850  
13          invoice. So if we can vote on that later  
14          on.

15                   I have an e-mail from Pat Padula  
16          from the county. The county is asking if we  
17          would plow and salt the roads Apollo and  
18          Eisenhower. They are willing to pay for it  
19          until the dedication of the roads is  
20          complete.

21                   So what they're asking is if we can  
22          maintain these roads, they will reimburse us  
23          for whatever the costs are. We'll give them  
24          an estimate or whatever. Then once the  
25          dedication of the roads is complete, then,

1           of course, we'll be responsible. But I just  
2           want input as far as what you guys think.

3           MR. SEMENZA: Is that something that  
4           has to be voted on?

5           ATTY. RINALDI: We'd have to come up  
6           with an agreement and vote on it, yes. It's  
7           not something you're going to do tonight.

8           MS. BARTOLETTI: No, it's just  
9           something I want to put out there so you  
10          know it's being requested.

11          MR. NOTARI: Should we agree upon it  
12          tonight even without the drawn up agreement  
13          so in case we have a snow storm --

14          MR. SEMENZA: It could snow tonight.

15          MS. BARTOLETTI: What I'll come up  
16          with is an hourly rate based on what it will  
17          cost. I'll come up with a figure for you  
18          based on what we pay for salt and our staff.

19          MR. SEMENZA: I think we can use  
20          Marylynn and Paul's judgment on coming up  
21          with a figure.

22          MS. BARTOLETTI: The next thing I  
23          need to talk about, of course, is the  
24          budget. We've been through it several  
25          times, but does anyone have any questions