

OLD FORGE BOROUGH COUNCIL
OLD FORGE, PENNSYLVANIA

IN RE: COUNCIL WORK SESSION

AUGUST 7, 2018

7:00 P.M.

OLD FORGE MUNICIPAL BUILDING

314 SOUTH MAIN STREET

OLD FORGE, PENNSYLVANIA

COUNCIL MEMBERS:

ROBERT SEMENZA, PRESIDENT

RUSSELL RINALDI

LOUIS FEBBO

RICK NOTARI

JAMES HOOVER

WILLIAM RINALDI, ESQUIRE, SOLICITOR

MARYLYNN BARTOLETTI, BOROUGH MANAGER

Mark Wozniak

Official Court Reporter

MR. SEMENZA: Welcome to the Old Forge Borough Council August 7th work session. The purpose of tonight's meeting is to set the agenda for our August 21st council meeting. Roll call, please.

MS. BARTOLETTI: Councilman Febbo?

MR. FEBBO: Present.

MS. BARTOLETTI: Councilman Ferrett is absent. Councilman Hoover?

MR. HOOVER: Yes.

MS. BARTOLETTI: Councilman Notari?

MR. NOTARI: Present.

MS. BARTOLETTI: Councilman Rinaldi?

MR. RUSSELL RINALDI: Yes.

MS. BARTOLETTI: Councilman Semenza?

MR. SEMENZA: Yes. We'll hear from our department heads. Public input, if anybody wants to sign up. I'll go down the table, see if any council members have anything to address. We'll go to our department heads. Paul Papi, DPW? Anything for the agenda?

MR. PAPI: We're in good shape. We're staying above water. We're going to

1 work on that tree Wednesday or Thursday.
2 That should be removed by then. All the
3 signs are up on Grace Street along with the
4 corner, no parking here to corner sign. We
5 have a couple hot patch projects for the
6 next couple days.

7 MR. NOTARI: Which tree?

8 MR. PAPI: The dead one in the
9 middle of the parking lot that looks like
10 it's going to fall any day.

11 MR. NOTARI: Pagnotti?

12 MR. PAPI: Yes.

13 MR. SEMENZA: I spoke to Marylynn
14 and Paul about that tree, and it hasn't had
15 a leaf on it in a couple years. It looks
16 like it got struck by lightening.

17 MR. PAPI: It was on fire. It's all
18 black.

19 MR. SEMENZA: I asked can we do it
20 in-house, you told me you're confident about
21 it and I trust your decision on that, Paul.

22 Anybody have any questions for Paul?
23 I have a couple, Paul. I talked to you
24 about Apache Drive, that cut down there. Is
25 it water company?

1 MR. PAPI: Yes.

2 MR. HOOVER: Tomorrow.

3 MR. PAPI: They have to come back
4 and redo it.

5 MR. SEMENZA: We had a company come
6 in and they were supposed to do compaction
7 testing on every single road cut that we do.
8 Do they do that?

9 MR. PAPI: They get the same e-mails
10 that I get. I think they only do them on
11 borough streets.

12 MS. BARTOLETTI: Geoscience.

13 MR. SEMENZA: Do we get billed or
14 does the contractor?

15 MR. HOOVER: Here's what normally
16 happens at other municipalities.

17 MR. SEMENZA: No, we passed an
18 ordinance. They're supposed to bill the
19 contractor. Correct? Geoscience.

20 MR. HOOVER: The process that we use
21 in Taylor and Moosic -- Geoscience is down
22 in Pittston where they are, sometimes.
23 Especially Taylor and Moosic. When we have
24 a water leak, we usually call them when we
25 have the water leak and tell them we're

1 going to have the water leak fixed in four
2 or five hours. They normally come out when
3 it's time to backfill and they'll do a
4 compaction test.

5 Once they do the compaction testing
6 they send you guys a bill. You guys in turn
7 send a bill to us. We have to pay you guys.
8 We have to pay the municipality. We can't
9 pay Geoscience itself. So once we pay the
10 municipality it's whatever it is, \$200. You
11 can add on your five percent fee or ten
12 percent, whatever it is, and you bill that
13 to us. We gave you a PO, and once it's PO'd
14 you send it in to shared services and we pay
15 the bill. I pay it right on my computer if
16 I get it. Steve usually gets it because
17 he's the area supervisor.

18 So the best thing to do is make sure
19 they call Geoscience. We will call
20 Geoscience whenever there's a water leak.
21 We'll need a phone number of who to call.

22 MR. SEMENZA: I thought in the
23 beginning when we passed that -- that's an
24 ordinance on our books. Right? I thought
25 when we passed all the utility companies

1 that --

2 MR. PAPI: Geoscience was here. The
3 agreement was made here.

4 MR. SEMENZA: This cut here, I mean,
5 it's down like this. Either it's another
6 problem or they didn't --

7 MR. PAPI: I'll tell Steve about it
8 tomorrow.

9 MR. SEMENZA: I just want to know if
10 Geoscience is out there doing the work.

11 MS. BARTOLETTI: It's definitely
12 something because we just received an
13 invoice from Geoscience.

14 MR. SEMENZA: We did, but not too
15 often.

16 MS. BARTOLETTI: That's obviously
17 what the scenario is.

18 MR. SEMENZA: Somebody is dropping
19 the ball.

20 MR. HOOVER: Sometimes a water leak
21 is a big washout, you don't know how big it
22 is.

23 ATTY. RINALDI: All that information
24 comes with the pave cut application, who to
25 send the bill to.

1 MR. PAPI: They just send them an
2 e-mail, he bills them for the pave cut.

3 MR. SEMENZA: I thought every time
4 there was a pave cut Geoscience was notified
5 about it. Per our ordinance, they had to go
6 out on every pave cut. Right? That's why
7 we enacted the ordinance, for them to do it.
8 Were you on council?

9 MR. NOTARI: I don't know if I was,
10 but I remember the ordinance being enacted.
11 If not I was coming to meetings. You're
12 definitely right. But who needs to contact
13 Geoscience, we or --

14 MR. HOOVER: No, the utility does.

15 MR. PAPI: What I remember was that
16 they get an e-mail just like I get, just
17 like Steve gets. There's an emergency 3:00
18 in the morning they get it, too. If they're
19 not up at 3:00 in the morning -- I have to
20 get up and go mark the streets at 3:00.

21 MR. SEMENZA: Then we'll hire
22 another company if they can't.

23 MR. PAPI: I don't remember what the
24 agreement was. It was between you and
25 Geoscience.

1 ATTY. RINALDI: There's a permit.
2 They have to apply for a permit two hours in
3 advance of the excavation. A copy of the
4 permit application has to be signed by the
5 borough representative. It has to have a
6 name, address of the applicant, the nature
7 and purpose of the excavation, the date the
8 work is starting, the effective date it's
9 going to be completed, a plan showing the
10 extent of the work to be done. Public
11 utilities can be billed monthly. "Utility
12 performing work must notify the borough
13 before any backfill or permanent pavement is
14 place so inspector can be dispatched to the
15 site to inspect the work."

16 So they file the permit application.
17 They're supposed to tell Steve when they're
18 doing the work.

19 MR. SEMENZA: The utility company?

20 ATTY. RINALDI: Whoever's cutting
21 the road up. On that they should say when
22 they're going to do the backfill. He would
23 then contact Geoscience and say these guys
24 are doing a pave cut. You guys have to come
25 down and either inspect it or inspect while

1 they're doing it. They send a bill, Steve
2 then forwards the bill.

3 MR. SEMENZA: I thought like you
4 said, it went with the One call.

5 MR. BIERLYA: I'm out of it. The
6 8-1-1 call goes to Paul, his e-mail, for
7 markings, and it goes directly to
8 Geoscience. Then they're supposed to be on
9 site with the 8-1-1 One call.

10 MR. SEMENZA: Coordinate with the
11 utility company when they're going to do it.
12 So what we need to do is contact Geoscience
13 and make sure that they are holding up their
14 end of the deal.

15 MR. HOOVER: I'll find out the
16 process that Steve is using. They don't
17 have to be there when we're digging the
18 water leak because they're going to sit
19 there three, four, five hours. As soon as
20 it's fixed they'll call up on the phone and
21 say look, we're done. Come look at the
22 hole. They'll wait two hours because it
23 usually takes time to go get the modified.
24 If they're not there in two hours we
25 backfill the hole. Then they normally come

1 and check it the next morning.

2 MR. SEMENZA: Marylynn, have the
3 office call Geoscience and touch base with
4 them, let them know when they get a One call
5 they need to keep in contact with the
6 utility companies or whoever is doing the
7 pave cut.

8 MS. BARTOLETTI: That whole thing is
9 based on having a permit in advance and
10 everything. What if it's an emergency?

11 MR. HOOVER: If it's an emergency we
12 call Geoscience ourselves, have them come
13 down.

14 MR. SEMENZA: All right. I believe
15 that's all I have. Thanks, Paul. Steve?

16 MR. BIERYLA: I don't have anything
17 for the agenda, but I'd like to bounce off
18 your question you asked me about 408 Grace.
19 According to -- and I can't find anything
20 other than Prosperity Properties, LLC, which
21 is on Randolph Avenue, Avenel, New Jersey.
22 I sent a certified letter and I sent a snail
23 mail letter to them about the conditions of
24 the building. As you had stated, there was
25 something way back a couple years ago where

1 somebody bought two pieces of property, but
2 Lackawanna County had taken my only form of
3 information on that property so I don't know
4 where it is.

5 MR. SEMENZA: There were three
6 properties that we got letters from tax
7 collector, Ron Koldjeski, to us.

8 MR. RUSSELL RINALDI: I remember
9 them. I don't remember the addresses.

10 MR. SEMENZA: Two of the properties
11 were, I think, separate parcels but they
12 were Preate owned. The one was the little
13 area between -- by Ari's on Main Street and
14 another one was on top of the hill. Them
15 two were bought by Chickey. The other
16 property, which is a Grace Street property,
17 was bought by a gentleman -- the name was
18 hard to pronounce, but I do remember that.
19 We'll have to look in the minutes and see.

20 MR. BIERYLA: I remember that, too.
21 According to the website nothing has
22 changed.

23 MR. SEMENZA: I don't know if it's a
24 mistake on their website. Didn't that go
25 through? Didn't we vote on that and

1 everything? Unless we voted on it and they
2 never went through with the sale.

3 MR. BIERLYA: You guys did vote on
4 it. You agreed to let it go. But according
5 to the website -- that's the only
6 information I have on that property.

7 MR. NOTARI: Steve, you sent a
8 letter. Have you not gotten a response?

9 MR. BIERLYA: Correct. One or two
10 days after Councilman Rinaldi asked me about
11 it I looked it up, wrote them a letter about
12 the dilapidation, I attached the pictures.
13 I went up and took pictures of the site and
14 everything and I sent them out. I have not
15 received anything.

16 MR. NOTARI: Certified letter came
17 back?

18 MR. BIERLYA: Not as of yet.

19 MR. SEMENZA: Bill, where do we go
20 from here with this? This house is ready to
21 fall over onto another house.

22 ATTY. RINALDI: Who owns it? Is it
23 a sheriff's sale house?

24 MR. BIERLYA: Supposedly Prosperity
25 Properties, LLC from Avenel, New Jersey.

1 ATTY. RINALDI: Who says it's
2 falling down.

3 MR. SEMENZA: It's leaning towards
4 the other house.

5 MR. BIERLYA: You only have a space
6 about that far between the buildings.

7 ATTY. RINALDI: Go out and do a
8 dangerous building. You guys have to decide
9 whether you want to tear it down or not or
10 tear it down and lien it.

11 MR. SEMENZA: How long is the
12 process? What if something happens in the
13 meantime and this house does fall into the
14 other house?

15 ATTY. RINALDI: They're liable.
16 It's their property.

17 MR. SEMENZA: I understand that, but
18 if we can't get in touch with them and
19 they're not --

20 MR. FEBBO: Who is they?

21 MR. BIERLYA: This was a property
22 that the borough had cleaned up three years
23 in a row now. This will be the fourth year.
24 We used to get a girl to answer that number.
25 We don't get anything now.

1 MR. FEBBO: Our recourse is to go in
2 there, knock it down. It's a dangerous
3 situation. Lien it.

4 MR. SEMENZA: I guess what we did
5 with Chelland's building.

6 MR. RUSSELL RINALDI: That building
7 is coming down.

8 MR. FEBBO: Before it does fall
9 down. Then we get into legal issues.

10 MR. NOTARI: It looks to me for the
11 last 30 years like it's coming down.

12 MR. RUSSELL RINALDI: It's coming
13 down. It's going to go right into his
14 house.

15 ATTY. RINALDI: Council can send
16 notice to anybody who's got a mortgage on
17 it, owners of record, anybody else and tell
18 them that it's a dangerous structure, has to
19 be repaired. Hold a hearing. I'm sure they
20 won't show. I'll do findings of fact and
21 everything and then order them -- compel
22 them to tear it down. Tell them it can't be
23 repaired, demolish it.

24 MR. SEMENZA: These companies that
25 are -- I don't know, you can't get answers

1 back from them. They're like almost
2 non-existent. Is that basically what it is?

3 MR. BIERYLA: Either that or a bank
4 holds the mortgage, like that property down
5 on Mine Street. Everybody was dead and the
6 estate still had money. Until the money ran
7 out it was a nightmare.

8 ATTY. RINALDI: There's got to be an
9 address on the tax assessor's records.

10 MR. SEMENZA: Do we take ownership
11 of that property at that point in time?

12 ATTY. RINALDI: No.

13 MR. SEMENZA: Who takes ownership of
14 that property?

15 ATTY. RINALDI: Whoever the mortgage
16 lender is.

17 MR. SEMENZA: So we're basically
18 doing them a favor. Can we take legal
19 action against this -- I don't know.

20 MR. BIERYLA: The purchase was back
21 in 2009, according to the tax records.

22 ATTY. RINALDI: This is somebody who
23 bought it in 2009. Nobody's been there
24 since 2009? You haven't seen anybody near
25 the property?

1 MR. SEMENZA: I don't think there
2 was anybody there before that.

3 MR. RUSSELL RINALDI: I don't think
4 anybody's been there since 2000, maybe
5 before that.

6 MR. BIERLYA: It's definitely got to
7 be mold ridden with all the leaks.

8 MR. RUSSELL RINALDI: There's no
9 floor in it. Did you go on the porch? If
10 you look inside there's no floor when you
11 step in that door.

12 MR. SEMENZA: So exactly like
13 Chelland's building.

14 MR. FEBBO: Why don't we get a price
15 on demolishing it.

16 MR. SEMENZA: We keep demolishing
17 these homes and spending borough money and
18 these people are getting away with nothing.

19 ATTY. RINALDI: This guy only paid
20 \$10,000 for it in 2009. He hasn't been
21 around? Nobody's seen hide nor hair of him?

22 MR. BIERLYA: In 2010 I used to get
23 a lady. They used to come and just clean
24 the property up.

25 ATTY. RINALDI: Let me find out what

1 the tax status is.

2 MR. BIERYLA: That went away and all
3 we have is for the last four years now we've
4 had problems.

5 MR. SEMENZA: Bill, can you find
6 out, put that on top of the list, let's get
7 that taken care of, please. Thank you.
8 Anything else, Steve?

9 MR. BIERYLA: No, other than Marie's
10 Diner is going to get knocked down.

11 MR. RUSSELL RINALDI: Did they sell
12 it?

13 MR. BIERYLA: Yes.

14 MR. PAPI: They started on all the
15 corners on Bridge Street, too, where they're
16 going to do the paving.

17 MR. RUSSELL RINALDI: Did they buy
18 all the acreage?

19 MR. BIERYLA: Everything.

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

22 MR. NOTARI: Steve, the Perrone
23 property, have we made any headway?

24 MR. BIERYLA: It went to the
25 magistrate, he gave them -- first notice

1 comes up sometime the beginning of
2 September. That would be one for him to
3 plead guilty or not guilty. Then the second
4 notice would be a court hearing.

5 MR. NOTARI: Winter Street, the
6 Macheska property. Has that ever been
7 resolved?

8 MR. BIERLYA: Not yet. As far as
9 being resolved, I would say the danger of
10 the sidewalk and the wall falling on her
11 property, it's resolved. She could navigate
12 it without any worries.

13 As far as the bank, now it's pretty
14 tight with all the vegetation. It's really
15 up to the property owner next door to put
16 the wall back even though the contractor had
17 a permit to do it.

18 MR. NOTARI: Thank you.

19 MR. SEMENZA: Anybody else? Thanks,
20 Steve. Dave is not here. Chief?

21 CHIEF DUBERNAS: The only thing is
22 what I talked to you about, the parking on
23 the 200 block of West Grace. We found that
24 in the ordinance.

25 MR. SEMENZA: Everybody's aware of

1 this. We talked about it prior. Bill, you
2 looked it over, is it in our best interest
3 to change that ordinances up a little bit?

4 CHIEF DUBERNAS: It should say the
5 south side, not the north side. The whole
6 south side you can't park on.

7 ATTY. RINALDI: There's probably no
8 parking because of the bus stop. They only
9 dropped off on the south side. The
10 ordinance says north side.

11 ATTY. RINALDI: You were trying to
12 keep the congestion from the buses on the
13 one side and people parking on the other
14 side. You said the only time they can park
15 there is during church hours. So it's up to
16 how you guys want to do it.

17 MR. SEMENZA: Should we change it?

18 ATTY. RINALDI: He has to do a
19 traffic study.

20 CHIEF DUBERNAS: Change it so they
21 can park there like it says, for holidays,
22 Saturday and Sunday mass and funerals.

23 MR. HOOVER: We're going to write
24 down in the ordinance when they can park
25 there.

1 ATTY. RINALDI: It's pretty
2 specific.

3 MR. RUSSELL RINALDI: Are we allowed
4 to make specifics like during church events,
5 communions, baptisms, funerals?

6 ATTY. RINALDI: That's why you put
7 here 7 a.m. to noon. This way you have all
8 the funerals covered, all the holidays
9 covered and Saturday and Sunday.

10 MR. RUSSELL RINALDI: What about
11 first holy communion runs at nighttime or
12 penance or confirmation?

13 CHIEF DUBERNAS: That's on Saturdays
14 and Sundays.

15 MR. RUSSELL RINALDI: Thursday, they
16 hold those on.

17 MR. SEMENZA: Weddings are 1:00.

18 ATTY. RINALDI: Saturdays and
19 Sundays it's wide open.

20 MR. NOTARI: So you can't park there
21 Saturdays, Sundays and holidays --

22 CHIEF DUBERNAS: No, you could.

23 MR. NOTARI: At any time or between
24 7 and 12?

25 MR. SEMENZA: "No person shall park

1 a vehicle between the hours specified below
2 of any day except Saturdays, Sundays,
3 holidays." Can't we say church functions?

4 MR. FEBBO: Special religious
5 events.

6 ATTY. RINALDI: It's tough to put on
7 a sign.

8 MR. PAPI: The signs are up. They
9 say no parking this side.

10 CHIEF DUBERNAS: It has to be
11 changed.

12 MR. RUSSELL RINALDI: Could you make
13 the ordinance say any or all church-related
14 events?

15 ATTY. RINALDI: How do we know if
16 they're going to a church-related event?
17 Let him do a traffic study.

18 MR. SEMENZA: Chief, do a traffic
19 study. Try and get it done before next
20 meeting. Anybody have any questions?

21 MR. NOTARI: How are the police
22 cars? ENRADD all in?

23 CHIEF DUBERNAS: Actually they wrote
24 11 citations last night with the ENRADD
25 system. It's a lot different. Half my

1 department is certified. Anybody could use
2 it as long as the operator of it is
3 certified. You don't even need a police car
4 to operate it. I can sit on somebody's
5 porch.

6 MR. SEMENZA: Anything else?

7 MR. NOTARI: That's all.

8 MR. SEMENZA: Anybody else have
9 questions for the chief? Chief, I've got a
10 question. I was made aware there's a speed
11 bump on a road in our town.

12 CHIEF DUBERNAS: I just had the guy
13 here. It's gone. He put it there. I have
14 to do a traffic study there, too. We're
15 going to have to put signs up there pick up
16 and drop off only. Then maybe that alleyway
17 we can make it a do not enter. If we make
18 it one way going up and down, that means
19 we're forcing all the traffic either to
20 Foster Street or Henderson Street. Put a
21 sign, slow, children at play, and put the
22 signage up that's supposed to be there for
23 ABC Kiddie Campus that says drop off and
24 pick up only.

25 MR. SEMENZA: You'll do a traffic

1 study there also? All right.

2 MR. NOTARI: Better get that done
3 before school starts.

4 MR. SEMENZA: That's all. Thanks,
5 Chief. Bill, do you have anything for the
6 agenda?

7 ATTY. RINALDI: I don't have
8 anything for the agenda unless, I guess, the
9 traffic studies. Then I'll put ads in for
10 whatever we need to be done to that. Just a
11 brief executive for one personnel and two
12 real estate items.

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

15 MR. FEBBO: Bill and Steve, I
16 compliment you guys for an excellent job
17 with Stocki in court. A long time to get
18 there, but you guys handled it marvelously.
19 I was very pleased with it, as well as the
20 community who were in attendance.

21 Bill, can you give us an update on
22 the church?

23 ATTY. RINALDI: I was kind of hoping
24 to give you one when Dave was here because I
25 gave him the map with the line on it to show

1 where I need to divide. I'll follow up with
2 him. He'll just have their surveyor put it
3 on a map and bring it to planning.

4 MR. FEBBO: Back to Stocki, could
5 you inform all council as to exactly what
6 the judge came up with?

7 ATTY. RINALDI: I sent a copy of the
8 order to Steve. I can go over the order
9 with everybody here. Basically everything
10 was held in abeyance, and the judge
11 basically said it's a junkyard, scrap
12 junkyard, you can't have it there, what are
13 you going to do to clean it up, how much
14 time do you need, and he said I need six
15 months.

16 We decided if that's the case we're
17 coming back -- he has to cease any and all
18 activity on the property which is the
19 subject of the appeal, including operation
20 of a junkyard business and activities
21 related thereto with the exception of
22 carrying out compliance with the order.
23 Nothing shall preclude him from using the
24 property in compliance with the Old Forge
25 zoning ordinance.

1 He has three months to remove the
2 non-operational equipment, vehicles and
3 machinery from areas encroaching on other
4 property adjacent to the property. That is
5 one thing Steve pointed out.

6 He has six months from the date of
7 the order to remove non-operational
8 equipment, vehicles and machinery from the
9 property which is the subject of the appeal
10 so that the activities are in compliance
11 with the zoning ordinance.

12 Completion of the hearing in this
13 matter, judgment, fines and costs was held
14 in abeyance, and we're meeting every month
15 to make sure he's doing as he's supposed to.
16 The first one I think is September 5th. The
17 next one is September 28th, then we're on
18 October 28th, November 28, December 28th.

19 MR. FEBBO: With that, he cannot cut
20 anything else up or is he not able to import
21 anything?

22 ATTY. RINALDI: He can't bring any
23 more stuff and start scrapping, but if he's
24 got to cut stuff up to carry it out of there
25 that's fine.

1 MR. SEMENZA: I heard there was a
2 big flatbed with big tires being hauled in
3 there. Somebody seen it and mentioned it to
4 me.

5 MR. HOOVER: I know Saturday
6 afternoon for about five or six hours he was
7 cutting something up with a very large
8 torch. You could see it from my house. I
9 walked over with the dog.

10 ATTY. RINALDI: You have to check on
11 him. Removal.

12 MR. HOOVER: He was cutting it up
13 and throwing it in a larger truck.

14 MR. FEBBO: It should be going
15 outward, not coming in. The police pick up
16 anything else.

17 MR. SEMENZA: I was told last night
18 firsthand there's stuff being hauled in.

19 ATTY. RINALDI: You can circulate a
20 copy of the ordinance to the chief and he
21 can have it on the wall for his officers
22 when they come on duty. He can continue to
23 have operational, running equipment. So
24 it's got to be able to run. He's got to be
25 able to start it for sale.

1 MR. BIERLYA: At the very end of the
2 six months the only equipment that's
3 supposedly left on the property is anything
4 that is not disassembled, has four tires and
5 runs. All the other stuff that's on the
6 ground right now has got to go.

7 MR. FEBBO: The responsibility of
8 checking that out every month, would that be
9 Steve?

10 ATTY. RINALDI: Yes, he's our zoning
11 guy. He has to check on it, then he comes
12 to the hearing with me in front of the judge
13 to say listen, he's been doing it or he
14 hasn't been doing it or it's getting worse
15 or not worse. Take pictures to compare. We
16 have the pictures from the date of the
17 hearing. He can compare them every month
18 and say it should be getting smaller,
19 smaller, smaller. That's why I said if it's
20 going to be six months I want to meet every
21 month.

22 MR. FEBBO: Where are we with the
23 DPW easement? Did anything happen with
24 that?

25 ATTY. RINALDI: I think Dave got the

1 originals. I knew I took them here to the
2 meeting. Somebody took them from me, Steve
3 or somebody. Dave does.

4 MS. BARTOLETTI: They have to be
5 signed.

6 ATTY. RINALDI: They have to come
7 down to the borough, sign them and notarize
8 them.

9 MS. BARTOLETTI: Are we allowed to
10 give it to them to have them take it and get
11 it notarized and sign it and bring it back
12 to us?

13 ATTY. RINALDI: Yes, that's fine.
14 Have them meet you at the magistrate, get it
15 done there.

16 MR. NOTARI: I like Bill's idea
17 better. Have them meet Paul at the
18 magistrate's office and do it there. We can
19 hand this paper to somebody and it could be
20 months before we get it back. Even if it's
21 not the same day that they both sign and
22 notarize it. It would be easier for them to
23 come here for us, anyway.

24 MR. PAPI: Or just go right to the
25 magistrate.

1 MS. BARTOLETTI: Maybe tomorrow you
2 can find out.

3 MR. SEMENZA: Anything else?

4 MR. FEBBO: No.

5 MR. SEMENZA: Thanks, Bill.

6 Marylynn, borough manager's report?

7 Anything for the agenda?

8 MS. BARTOLETTI: For the agenda
9 we're going to have a resolution that's from
10 the county in regard to our CDBG fund.
11 There is \$2,894 left from an old project.
12 What I'm having them do is transfer that to
13 our Kohler Avenue project, but you still
14 have to do a resolution.

15 Last week we had a pre-construction
16 meeting here for Kohler Avenue now that the
17 change orders are complete, and they plan on
18 starting that within the next two weeks.
19 The police and Steve, I believe, have
20 already started working on people who have
21 junks on that road. Cars and stuff like
22 that that have to be moved. We don't want
23 that to hold up the project once he's ready
24 to start.

25 On a quick note, the grant for the

1 Main Street revitalization project went in
2 on July 30th and they already called me a
3 couple times with questions, so that's a
4 good sign. I did already speak to Senator
5 Blake and Representative Kavulich for their
6 help.

7 Jason and I finished that school
8 grant. I got it extended until August 1st.
9 He and I got it done, and that went in as
10 well.

11 MR. NOTARI: Thank you, Marylynn.

12 MS. BARTOLETTI: The only thing I'm
13 concerned about is one of the main things
14 they were looking for that we do not have.
15 It's a signed agreement with the school. A
16 signed memorandum of understanding. I know
17 when we were at that last meeting we had,
18 you know, there's some stuff in there that
19 concerns me. I know that was just a draft
20 with our committee meeting, but there are
21 some words in there that do concern me. I
22 did send a copy to Bill so that he can work
23 on it for us.

24 Besides that. One of the other
25 things that was involved in that grant was

1 an insurance rider that we would have to put
2 if we do have an officer at the school and
3 it is funded by that grant. We would have
4 an insurance rider. Maybe Old Forge School
5 District has an alternative. The employees
6 over there, the students. So it's kind of a
7 large insurance rider that we would be
8 required to have as well. If we get that
9 we'll talk about it.

10 MR. NOTARI: So if we needed to do
11 an insurance rider does that mean we should
12 be doing one now or we should have done one
13 in the spring?

14 MS. BARTOLETTI: Well, this is
15 something that the grant calls for. Now, we
16 do have very good insurance. We're covered
17 for everything. But I think once other
18 people's money is involved, this grant
19 money, once that's involved they want
20 themselves covered. In fact, they're the
21 ones who are funding it.

22 Now, the other thing I want to point
23 out with that grant, it says very clearly on
24 the grant that the people who do get funded
25 are the people who have the most issues in

1 the schools. People who have a need for
2 this type of stuff. Stacey and I had to get
3 a report from the school about all of these
4 problems and issues that they had, and
5 besides two items of bullying and one
6 questionable assault case, the rest of the
7 things were really like tardiness. It was
8 very little. So I'm really not expecting to
9 see anything from this, so if we get
10 anything it would be a miracle. But the
11 fact that we don't have anything to say to
12 put an officer in the school because look at
13 all these crimes, look at all the
14 exceptions. That's one of the things on the
15 list, is that someone threw a banana in the
16 cafeteria. Things they'll compare to what
17 they're getting in other cases. We'll see
18 what happens.

19 MR. FEBBO: Should we be working on
20 a plan B?

21 MS. BARTOLETTI: I do think you do
22 have a meeting set up.

23 MR. NOTARI: No, we were waiting to
24 see what our schedule is and what stuff --

25 MS. BARTOLETTI: I do think that --

1 I mean, school is going to be starting in a
2 couple weeks. Based on what that grant is
3 asking for, you guys really need to get
4 memorandums together that both council and
5 the school board sign and agree to because I
6 really wouldn't go further with this whole
7 endeavor until you have that signed.

8 MR. SEMENZA: Bill, did you look at
9 that memorandum?

10 ATTY. RINALDI: Yeah. That's kind
11 of why I want to have the executive session.

12 MR. FEBBO: That's the next step.
13 Right?

14 MS. BARTOLETTI: Yes.

15 MAYOR LEGG: I've sat in on some of
16 those meetings, and it appears to me that
17 the school wants us to do a lot of legwork
18 for them and it's really their problem.
19 Now, that situation that Marylynn is talking
20 about, they spent a lot of time -- and I
21 reamed the chief out because it wasn't done
22 on time, and I would have punched me if I
23 was him. I apologized to him afterwards.

24 He's absolutely correct. They come
25 to the meeting and they seem like they

1 dictate to us what they want council to do,
2 and I have a problem with that. Brian, it
3 seems like he wants Marylynn to write
4 grants, and she spends a lot of time, as did
5 Jason, for something that we're not going to
6 get.

7 It is a school problem. I spent
8 half my life there. I'm for putting an
9 officer there. They want to tell us what
10 kind of officer they want, they want to tell
11 us what the officer can and cannot do. The
12 last time they just said okay, it's going to
13 cost this much. We sent a part-timer over
14 there, a couple full timers part of the day.
15 It seems to me like they're doing a lot of
16 dictating to this council for something
17 that's their problem. I don't think it's
18 right.

19 Maybe I'm all wrong, but she has
20 enough work to do and I know the chief does,
21 too. They did a lot of work and nothing is
22 going to come of it. It just seems to me
23 like they want us to do this, they gave us a
24 handout, you got to know this, make sure you
25 familiarize yourself with that. Wait a

1 minute, that's the school, this is the
2 council. They seem like they're coming and
3 doing a lot of dictating here. That's the
4 impression I get. She's got enough to do
5 and so does the chief with borough problems.
6 Now we're doing stuff the school should be
7 doing.

8 Part of that stuff that the chief
9 had to do had to do with the department of
10 education. He knows nothing about that.
11 That had nothing to do with us. Like I say,
12 we do want to help them, but we don't want
13 to do all their work applying for grants and
14 what have you. Like I say, she's got enough
15 work.

16 We already hear grumblings about a
17 potential grievance over an officer in the
18 school and nothing has even been settled
19 yet. This has been a big can of worms
20 opened up. It was easy last time when they
21 said we'd like to have an officer over there
22 and this is how much money we have.

23 Something else is bothering me and
24 I'm going to let it out. There was \$30,000
25 appropriated for a resource officer over

1 there who is no longer working. Don't they
2 have that \$30,000 in the budget? Whatever
3 happened to that \$30,000? We never get an
4 answer on that.

5 MR. SEMENZA: I don't know, Mayor.

6 MAYOR LEGG: I don't like that group
7 coming in here more or less dictating to
8 this council. I don't think that's right.
9 I think we helped them enough, I think we're
10 going to help them, but do your own work.

11 MR. NOTARI: Mayor, I don't disagree
12 with you at all, but I'd like to have that
13 information, that it's not our problem,
14 before we go into those meetings. So that
15 way we know -- I shouldn't say not our
16 problem, but not our work. That's something
17 that Jason shouldn't have to work on or
18 Marylynn shouldn't have to work on. If we
19 know, the council knows that going into
20 those committee meetings, then we don't have
21 to sit here and act like they can dictate to
22 us.

23 We can then respond to them and say
24 whoa, time out. This is not our
25 responsibility. This is your

1 responsibility.

2 So I think if our lines of
3 communication are better or more open and we
4 all talk to each other and let each other
5 know our feelings -- and I've had a
6 discussion already with Marylynn about
7 this -- then it's easier for us not to be
8 dictated to.

9 I agree with you. I think they've
10 come to two meetings and dictated to us, and
11 I think because us on council want to see
12 that school as safe as possible I think
13 we're doing as much as we can to accommodate
14 them.

15 MAYOR LEGG: We're bending over
16 backwards.

17 MR. NOTARI: I'm sure Bobby and
18 Russell can tell you my first question when
19 this came to us -- and they both have sons
20 in the school and they were adamant about
21 getting a police officer there -- was who's
22 going to pay for it. That's what I was
23 worried about. Hey, I want the school to be
24 safe, but it comes to a point where, yeah,
25 who's responsibility is it. And we sat down

1 and we talked about it and it's our
2 responsibility. We're all taxpayers. It's
3 all the same tax base. So that's why we
4 kind of have bent over backwards, I think, a
5 little bit.

6 MR. HOOVER: Don't you think they
7 should have their reasons they need a police
8 officer there? I know what the reasons are,
9 but they'd have a better chance of getting a
10 grant than we would. They're the school
11 district.

12 MS. BARTOLETTI: I'll clarify that a
13 little bit. Apparently this grant is from
14 the department of education, and the reason
15 why we had some confusion to begin with is
16 because we figured that we can just go on
17 one of our Pennsylvania log-ins and be able
18 to handle this the way we handle a lot of
19 the other grants, but you can't. And
20 because we are not an educational entity we
21 can't even get a log-in to the department of
22 education. So anything we did had to be by
23 phone with the person from the department of
24 education e-mailing everything back to us.
25 And we couldn't even apply online. We had

1 to mail our hard copy in and that's it.

2 But what they said is the school
3 could apply for either portion. One portion
4 being to pay for the actual officer, the
5 other portion being money to pay for
6 training and equipment. So the school said
7 they were doing the portion for the training
8 and equipment and we were supposed to be
9 doing the part to pay for the officer
10 itself.

11 So once we really started to get
12 into this I found there's really not
13 anything on there -- like me, I'm used to
14 doing everything that's financial. Funding,
15 all that type of stuff. I can't tell you
16 about what's the goal and the objective for
17 this officer in the school, what is the
18 school going to do with this officer, who is
19 the officer going to report to. So many of
20 the questions on there were very intricate
21 for school people, not for myself and not
22 for Jason.

23 The other problem was two of the
24 main things they did ask for to be sent in
25 with this grant were two reports that the

1 school eventually told us that they do not
2 participate in. One being a student climate
3 survey and I forget what the other was. But
4 they were two of the main things they're
5 supposed to send in with the application and
6 we couldn't because the school couldn't give
7 that to us because they said they don't
8 participate. So I don't know how you send
9 in a grant asking for them to give us
10 money --

11 MAYOR LEGG: You spent a lot of time
12 doing something you know wasn't going
13 anywhere because we didn't have the violent
14 problems that qualify us to receive that
15 grant.

16 MS. BARTOLETTI: I think it clearly
17 says on there if you are not in a school
18 that can prove that there's discipline
19 problems, violence problems, the type that
20 you need an officer for, not the type you
21 just need a vice-principal or principal for,
22 you're not getting it.

23 Quite frankly, I would think to
24 myself I would feel kind of weird taking
25 money for violence when you don't have any

1 violence and there are so many places that
2 truly need that. Inner city schools or
3 whatever. They're probably the ones who do
4 benefit from that because they have such
5 problems.

6 MR. SEMENZA: You don't know what,
7 tomorrow, can happen. I have mixed emotions
8 on this, and we keep talking about us and
9 them. It's not us and them. We might be a
10 board here and they may be a board there,
11 but in all reality the children in that
12 school are our children. The teachers in
13 that school are taxpayers of the borough. I
14 understand what everybody's saying about
15 dictating. They might come in here and
16 think they're dictating to us, but I'm not
17 making decisions based on them telling me
18 what to do by no means.

19 MR. NOTARI: By no means.

20 MR. FEBBO: Why don't we get
21 together, our committee, with Marylynn, sit
22 down and take a look at perhaps we feel we
23 may be able to get to help them out.

24 MR. SEMENZA: Right. You talk about
25 the money, the earmarked money they had for

1 their constable and whatever it was, SRO
2 officer. I'm sure that money is earmarked
3 there. I can't say for sure it's still
4 there, but I believe it's been talked about,
5 actually, what they had. Correct?

6 MR. NOTARI: Yes, it had been talked
7 about.

8 MR. SEMENZA: I'm sure we can come
9 to an agreement if we have to pull out of
10 pocket and pay. I don't think the school
11 is -- okay, you've got to pay a police
12 officer on their own.

13 MAYOR LEGG: Like last time when
14 they came in they said there's 90 days left
15 or whatever and this is what it's going to
16 cost us so we went half. It was cut and
17 dry. Great. But again, applying for grants
18 and a dance around the mulberry bush for
19 things we're not going to get is a big waste
20 of time.

21 MR. FEBBO: Let's not waste our time
22 looking for something we're not going to
23 get. Let's deal with reality.

24 MR. SEMENZA: You never know. They
25 said the state's going to give out much more

1 money with all these shootings and suff.

2 MR. NOTARI: I don't disagree with
3 you, Mayor. I understand we're going by
4 what the grant process is. But I look at
5 other school districts in other boroughs in
6 our county that are receiving this grant,
7 and I dont -- maybe I'm naive. I don't see
8 any difference in terms of crime in the
9 school comparable to what we have, which we
10 said pretty much is zero.

11 MS. BARTOLETTI: I would hope we get
12 it. I mean, not to make myself sound great,
13 but we put together a fantastic grant. I
14 would think that if that counts, then all
15 the information that they read, I would hope
16 they would fund something. Maybe they won't
17 fund the whole amount that we put in for.
18 We did put in or -- I believe it was
19 \$54,000, but they may give us 20, they may
20 give us ten, they may give us five. Who
21 knows. I would take anything and I would be
22 proud of the fact that I was responsible and
23 Jason was responsible to bring that in.

24 But my main concern right now is
25 that we put a big effort into coming up with

1 that memorandum so that something is on the
2 books.

3 MR. NOTARI: Obviously that's in
4 Bill's hands right now.

5 MS. BARTOLETTI: They may come back
6 here and say okay, you're in the running for
7 whatever, but where is it? I didn't clearly
8 say that it is in the process right now and
9 it should be agreed upon by both entities
10 very soon. I would hope that they will call
11 me and say is it done, because if it is, you
12 know, we're going on to the next step. I
13 wouldn't waste time on that.

14 MR. NOTARI: If we don't get
15 anything, as Mr. Febbo said, we need a plan
16 B. Can we discuss that in executive
17 session?

18 MR. SEMENZA: Would that be
19 considered personnel?

20 ATTY. RINALDI: That's a personnel
21 matter.

22 MR. NOTARI: What we could go back
23 to them with. Thank you.

24 MS. BARTOLETTI: The only other
25 thing is that now I'm going to really put a

1 lot of effort into the grant to remodel this
2 building because that grant is due the end
3 of September. So we'll probably be having a
4 lot of meetings to try to finalize some sort
5 of design for this. I'm going to rely on
6 you guys to really put your two cents in and
7 help me out with it so we can come up with a
8 plan that we're all comfortable with.

9 MR. SEMENZA: The other day when
10 they had that preconstruction meeting, when
11 I left was there any more talk about the
12 ramp in front?

13 MS. BARTOLETTI: She's working on it
14 for us. We did discuss it more, and the
15 only way that CDBG will allow us to use
16 their money for some other form of handicap
17 accessibility to this building is if the
18 ramp on the front is gone and then we
19 attempt to possibly put an elevator or
20 something like that in the back of the
21 building.

22 MR. SEMENZA: We have to revise the
23 plans with no ramp out front. Anything
24 else?

25 MS. BARTOLETTI: No.

1 MR. SEMENZA: Anybody have any
2 questions for Marylynn? Thank you,
3 Marylynn. At this time I'll go down the
4 table. Mayor?

5 MAYOR LEGG: The Hometown Hero
6 Committee has asked me to inform you people
7 that on August 29th at Arcaro's they're
8 going to have a get together, a party,
9 whatever. Council is invited, Marylynn has
10 been invited, Paul and your crew, Jason.
11 Steve can come, too. Counselor, you're
12 invited also. I think Judge Munley.
13 They're going to give pins to veterans who
14 served from '55 to '75. They're going to
15 put a wreath at the flags and what have you.
16 It should be a nice affair. It's 5:00,
17 August 29th, which is a Wednesday.

18 MR. FEBBO: Mayor, you did a great
19 job with the flags, you and the veterans.
20 I'm good.

21 MR. NOTARI: I had a question for
22 Dave but Dave's not here, so I'm going to
23 turn to Mr. Hoover. Corcoran Street, do you
24 know if all the work is done?

25 MR. HOOVER: My work is all done on

1 Corcoran Street. They had to put 25 feet of
2 sewer in to the manhole. I don't know if
3 that's done yet.

4 MS. BARTOLETTI: Corcoran is done
5 because they sent the last payment request,
6 and I spoke to the GP and he asked when our
7 next council meeting is so he'll be able to
8 get paid. I had him send everything to me.
9 That will be in the report for the next
10 meeting so we can pay them.

11 MR. HOOVER: Is the road
12 blacktopped?

13 MR. NOTARI: Last Thursday it
14 wasn't.

15 CHIEF DUBERNAS: The trench they
16 did, they just covered it up.

17 MR. PAPI: The whole road has to be
18 paved.

19 MR. HOOVER: I have to pave the
20 road. I'll put it on the list.

21 MR. RUSSELL RINALDI: The only thing
22 I have is the two gentlemen tonight who
23 applied, number one, congratulations to Mike
24 Lettieri, but also I'd like to commend Mike
25 and Mike, the both of you. I'm surprised we

1 didn't have more applicants here, but I
2 commend you for wanting to throw your hat
3 into the ring and get involved in this.
4 This is a pretty tough job sitting up here,
5 sometimes. You have to make some pretty
6 hard decisions. I just think you both are
7 gung ho about it. It would be nice if we
8 can have both of you sit up here. I would
9 like to have that as well. You're both two
10 great candidates, two great guys in town.

11 Mike, once again, congratulations.
12 That's all.

13 MS. BARTOLETTI: Civil service, the
14 ad to see if there's anyone interested
15 filling that position, and that will close
16 in time for me to discuss it at the next
17 meeting if you want, if there's any
18 applications, and go from there.

19 MR. HOOVER: I'd like to echo what
20 Russell had to say. It was a very tough
21 decision because you're both involved in the
22 town so much. You're well liked and you'd
23 both be an asset here. Like he said, I wish
24 there were two seats. Then we wouldn't have
25 a prolem.

1 But congratulations, Mike, and I'll
2 see you soon.

3 I have a couple questions for Dave,
4 who isn't here. Where do we stand with the
5 Grace Street project? Do we know?

6 MR. SEMENZA: It's working. I've
7 had so many people call me and say thank you
8 so much.

9 MR. PAPI: I've never seen water
10 there since they did it.

11 MR. RUSSEL RINALDI: Hasn't been one
12 drop, he said.

13 MR. HOOVER: That's all.

14 MR. SEMENZA: I have nothing. I
15 congratulate Mike. Thank you, Mike.

16 We'll go into public comment. Mike?

17 MR. MOKAY: Mike Mokay from Sussex
18 Street. Lately there's been a lot of
19 traffic going to the end of Sussex Street
20 and then they don't know where they're at.
21 About 30 years ago there was a sign on Bluff
22 and Sussex that said dead end, do not enter.

23 MR. RUSSELL RINALDI: Where was that
24 sign?

25 MR. MOKAY: It's on the corner of

1 Bluff and Sussex Street.

2 MR. RUSSELL RINALDI: Is Bluff the
3 last road?

4 MR. MOKAY: Bluff is the last road.
5 There used to be about 30 years ago and it's
6 not there. I'd like to ask council to put a
7 sign that says do not enter or dead end or
8 something to stop the traffic.

9 MR. HOOVER: No outlet.

10 MR. MOKAY: There's five, six cars a
11 day go down and where do I go, and then they
12 try to turn around and leave.

13 MR. SEMENZA: I don't think you have
14 to go to the table.

15 MR. MOKAY: Thank you.

16 MR. SEMENZA: Thank you, Mike. I
17 don't think anybody has anything else. At
18 this time the chair would entertain a motion
19 to adjourn.

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

21 MR. SEMENZA: By Councilman Febbo.
22 All in favor?

23 (Unanimous. Meeting adjourned.)
24
25

C E R T I F I C A T E

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 50 pages, is a true and correct copy, done to the best of my ability, of same and the whole thereof.

Mark Wozniak
Official Court Reporter

\$	8	ABC [1] - 22:23	agree [2] - 33:5, 37:9	25:13, 25:14, 25:23,
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