

1 OLD FORGE BOROUGH COUNCIL

2 OLD FORGE, PENNSYLVANIA

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4  
5 IN RE: COUNCIL WORK SESSION

6  
7  
8  
9 JANUARY 16, 2018

10 7:00 P.M.

11 OLD FORGE MUNICIPAL BUILDING

12 314 SOUTH MAIN STREET

13 OLD FORGE, PENNSYLVANIA

14  
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16  
17  
18 COUNCIL MEMBERS:

19  
20 ROBERT SEMENZA, PRESIDENT

JOSEPH FERRETT

21 RUSSELL RINALDI

LOUIS FEBBO

22 RICK NOTARI

JAMES HOOVER

23 WILLIAM RINALDI, ESQUIRE, SOLICITOR

MARYLYNN BARTOLETTI, BOROUGH MANAGER

24  
25 Mark Wozniak  
Official Court Reporter

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

5 (The Pledge of Allegiance was  
6 recited.)

7 MR. SEMENZA: Welcome to the January  
8 16th council meeting for the Old Forge  
9 Borough Council. Roll call, please,  
10 Marylynn.

11 MS. BARTOLETTI: Councilman Febbo?

12 MR. FEBBO: Here.

13 MS. BARTOLETTI: Councilman Notari?

14 MR. NOTARI: Present.

15 MS. BARTOLETTI: Councilman Rinaldi?

16 MR. RUSSELL RINALDI: Here.

17 MS. BARTOLETTI: Councilman Hoover?

18 MR. HOOVER: Here.

19 MS. BARTOLETTI: Councilman Ferrett?

20 MR. FERRETT: Here.

21 MS. BARTOLETTI: Councilman Semenza?

22 MR. SEMENZA: Here.

23 MS. BARTOLETTI: Councilman Lenceski  
24 is absent.

25 MR. SEMENZA: There's a public

1 sign-in sheet, if anybody wants to address  
2 council. We'll hear from our department  
3 heads, go down the table, see if council has  
4 anything to address.

5 At this time the chair would  
6 entertain a motion to approve the minutes.  
7 Let the record show that on the December  
8 19th minutes, page 70, line 21 there's a  
9 mistake. It's not Mrs. Bartoletti making  
10 the motion, it's Councilman Lenceski. Other  
11 than that, can I have a motion to approve  
12 the minutes?

13 MR. RUSSELL RINALDI: I'll make that  
14 motion.

15 MR. SEMENZA: By Councilman Rinaldi.  
16 Many I have a second?

17 MR. HOOVER: I'll second it.

18 MR. SEMENZA: Seconded by Councilman  
19 Hoover. On the question? Public input?  
20 Roll call, please.

21 MS. BARTOLETTI: Councilman Febbo?

22 MR. FEBBO: Yes.

23 MS. BARTOLETTI: Councilman Ferrett?

24 MR. FERRETT: Yes.

25 MS. BARTOLETTI: Councilman Hoover?

1 MR. HOOVER: Yes.

2 MS. BARTOLETTI: Councilman Notari?

3 MR. NOTARI: Yes.

4 MS. BARTOLETTI: Councilman Rinaldi?

5 MR. RUSSELL RINALDI: Yes.

6 MS. BARTOLETTI: Councilman Semenza?

7 MR. SEMENZA: Yes. Next motion is a  
8 motion to approve treasurer's reports. Note  
9 that this does not include sewer accounts.

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

12 MR. SEMENZA: By Councilman Rinaldi.  
13 May I have a second?

14 MR. FERRETT: I'll second that  
15 motion.

16 MR. SEMENZA: Seconded by Councilman  
17 Ferrett. On the question? Public input?  
18 Roll call, please.

19 MS. BARTOLETTI: Councilman Febbo?

20 MR. FEBBO: Yes.

21 MS. BARTOLETTI: Councilman Ferrett?

22 MR. FERRETT: Yes.

23 MS. BARTOLETTI: Councilman Hoover?

24 MR. HOOVER: Yes.

25 MS. BARTOLETTI: Councilman Notari?

1 MR. NOTARI: Yes.

2 MS. BARTOLETTI: Councilman Rinaldi?

3 MR. RUSSELL RINALDI: Yes.

4 MS. BARTOLETTI: Councilman Semenza?

5 MR. SEMENZA: Yes. Next motion is a

6 motion to approve invoices for payment.

7 Note that this does not include sewer

8 accounts.

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

11 MR. SEMENZA: By Councilman Rinaldi.  
12 May I have a second?

13 MR. FERRETT: I'll second that.

14 MR. SEMENZA: Seconded by Councilman  
15 Ferrett. On the question? Public input?  
16 Roll call, please.

17 MS. BARTOLETTI: Councilman Febbo?

18 MR. FEBBO: Yes.

19 MS. BARTOLETTI: Councilman Ferrett?

20 MR. FERRETT: Yes.

21 MS. BARTOLETTI: Councilman Hoover?

22 MR. HOOVER: Yes.

23 MS. BARTOLETTI: Councilman Notari?

24 MR. NOTARI: Yes.

25 MS. BARTOLETTI: Councilman Rinaldi?

1 MR. RUSSELL RINALDI: Yes.

2 MS. BARTOLETTI: Councilman Semenza?

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

6 MR. RUSSELL RINALDI: I'll make that  
7 motion.

8 MR. SEMENZA: By Councilman Rinaldi.  
9 May I have a second?

10 MR. HOOVER: I'll second it.

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

14 MS. BARTOLETTI: Councilman Febbo?

15 MR. FEBBO: Yes.

16 MS. BARTOLETTI: Councilman Ferrett?

17 MR. FERRETT: Yes.

18 MS. BARTOLETTI: Councilman Hoover?

19 MR. HOOVER: Yes.

20 MS. BARTOLETTI: Councilman Notari?

21 MR. NOTARI: Yes.

22 MS. BARTOLETTI: Councilman Rinaldi?

23 MR. RUSSELL RINALDI: Yes.

24 MS. BARTOLETTI: Councilman Semenza?

25 MR. SEMENZA: Yes. Next motion is a

1 motion to approve sewer department invoices  
2 for payment.

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

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

7 MR. HOOVER: I'll make the motion.

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

10 MR. FERRETT: On the thing for  
11 payment, the Earthworks bill for \$15,000, I  
12 was under the impression that is the work  
13 that's being done on Meade Street for Burger  
14 King. I'm under the impression that the  
15 borough was supposed to pay half and the  
16 sewer authority was supposed to pay half.  
17 Isn't that what --

18 MR. SEMENZA: From what I remember,  
19 I thought it was coming out of the sewer  
20 department because the project was to take  
21 off of the sewer.

22 MR. FERRETT: But if you're putting  
23 a storm line in and the storm line is going  
24 and hooking into your storm system that's  
25 going all the way down, why is it that we're

1 taking the money out of the sewer authority  
2 to pay for this? Because if that's the  
3 case, then whatever projects you do  
4 throughout this town in reference to a storm  
5 line you're going to have the sewer  
6 authority keep paying for this. There's not  
7 going to be no money left in that  
8 department.

9 MR. SEMENZA: Well, Joe, it had to  
10 do with a sewer line.

11 MR. FERRETT: But you're taking the  
12 water off the sewer line, and what you're  
13 doing is you're installing a new line,  
14 you're installing a new storm line, and the  
15 new storm line is connecting into your storm  
16 system that's going all the way down. Why  
17 should the money come out of the sewer  
18 authority? It's not a sanitary problem.  
19 That's my version, what I say.

20 MS. BARTOLETTI: But that storm line  
21 was from Burger King or a sewer line? The  
22 Burger King problem. The problem that  
23 happened under Burger King, was that a storm  
24 line or a sewer line?

25 MR. FERRETT: That was only one line



1                   that was put in 70, 80 years ago.

2                   MR. LOPATKA: It was both.

3                   MS. BARTOLETTI: So what did we have  
4 to run out into the alley and then out?

5                   MR. LOPATKA: Both.

6                   MS. BARTOLETTI: So both lines. I  
7 know in the minutes, because I checked back  
8 in the minutes, it had specifically said it  
9 was coming from the sewer agency, so I  
10 wanted to ask.

11                  MR. FERRETT: My impression is since  
12 I ever started on council I was always told  
13 whenever you have a sanitary problem with a  
14 sanitary line, the sewer authority pays for  
15 this. But when you have a storm water  
16 problem that's not a sanitary problem.

17                  If the sewer authority's going to  
18 have to pay for this I'll tell you  
19 something, you better get a lot of money  
20 because you ain't going to have enough money  
21 to start doing this throughout the whole  
22 town.

23                  ATTY. RINALDI: Weren't you  
24 separating the storm and sewer there?

25                  MR. SEMENZA: Yes.

1           ATTY. RINALDI: If you're doing a  
2 separation, then you got to pay for it  
3 somehow. You can use sewer money to  
4 separate a system. I thought you separated  
5 it over there. You want to make a rule that  
6 you're not going to pay for separation out  
7 of the sewer fund, that's fine. You have to  
8 come up out of the general fund for it all  
9 the time.

10           MR. FERRETT: So, in other words,  
11 what you're telling me is that when we go  
12 through this whole town -- because we know  
13 that everything is old and everything is all  
14 hooked into the sanitary line. Because,  
15 unfortunately, no town, not even our town,  
16 has enough money to go ahead and put the  
17 separation in.

18           So what you're saying is that, in  
19 spite the fact that you're putting in a  
20 storm line -- not a sanitary line, you're  
21 putting in a storm line, and that storm line  
22 is hooked into your storm system which you  
23 have down the Main Street, which is four  
24 feet above --

25           ATTY. RINALDI: I agree with you.

1 MR. FERRETT: Why should the sewer  
2 authority have to pay for a line that's not  
3 a sanitary line? You can't keep taking  
4 money out of the sanitary --

5 ATTY. RINALDI: All the storm sewers  
6 are paid out of your general fund, but when  
7 you have separated you have used sewer money  
8 to separate. I just know that in the past  
9 you have, because we wouldn't have been able  
10 to do some of the projects we did.

11 MR. FERRETT: I don't agree with  
12 you, Bill, simply because of the fact if it  
13 was one line or something -- you're talking  
14 about you're installing a new line. Just  
15 because you're taking the water out of the  
16 sanitary line -- because that's the law --  
17 and you're putting in a new line connecting  
18 into your storm system, not into your  
19 sanitary sytem --

20 ATTY. RINALDI: You took a combined  
21 line and you split it. Correct?

22 MR. SEMENZA: Yes.

23 MR. FERRETT: Right.

24 ATTY. RINALDI: So if you don't want  
25 to pay for it out of the sewer, then pay for

1           it out of the general fund. But you can use  
2           the sewer money to separate. That's all I'm  
3           saying. You can. You can't do a  
4           stand-alone storm system.

5                   MR. SEMENZA: I thought we all  
6           agreed on that.

7                   MR. FERRETT: I never did. I never  
8           agreed on it, because you know why, Bob?  
9           It's all right when you say you have one  
10          project and somebody overlooks something  
11          once in a while, but once you open up a can  
12          of worms and once you set a precedence the  
13          rest of the time, when it comes that you're  
14          going to start separating all over town  
15          where is this money going to come from? Out  
16          of the sewer thing? You're not going to  
17          have enough money in the sewer thing to go  
18          ahead and do any work. You know yourself.  
19          One, two big projects in town and you're  
20          wiped out.

21                   MR. SEMENZA: I understand what  
22          you're saying, Joe. I'm not disagreeing  
23          with what you're saying. I'm just saying  
24          when we decided on this I thought it was  
25          unanimous and everybody decided that we'd

1 take it out of the sewer department.

2 MR. FERRETT: I never -- maybe you  
3 did, but I never agreed to it. That was my  
4 opinion. That's the reason why I'm asking  
5 this question. If you guys feel that  
6 this --

7 MR. SEMENZA: I don't remember if  
8 you were here or not --

9 MR. FERRETT: If you guys feel that  
10 this is the way you want to go and  
11 everything, go ahead, but I'm just telling  
12 you you're opening up a can of worms and  
13 down the line you're going to be sorry.

14 ATTY. RINALDI: I don't think you  
15 even separated. Doesn't that go out to Main  
16 Street anyway into the sewer?

17 MR. SEMENZA: It does. It's  
18 separated in the street.

19 MR. LOPATKA: Main street. But if  
20 you get a heavy storm it's still going to  
21 overflow. It's still a combined system.

22 MR. FERRETT: You have the storm  
23 line going down Sussex Street, don't you?

24 MR. LOPATKA: Yeah.

25 MR. FERRETT: Four feet above your

1 sanitary line. So if you're hooking this  
2 line into your regular storm line why is it  
3 a sanitary problem?

4 ATTY. RINALDI: I thought there was  
5 no storm water back there? You only have  
6 pits. That was the whole thing you changed.

7 MR. LOPATKA: The idea behind  
8 them -- I think everybody was here and  
9 discussed it -- was that you wanted to try  
10 to separate it to a point so in the future  
11 you have the ability to separate storm and  
12 sanitary. Right now you're separated to a  
13 point but it still goes into a combined  
14 system, one way or the other, until you  
15 actually have a dedicated line. So I think  
16 it was looking to the future, and I think  
17 that was what was discussed and agreed upon.

18 MR. SEMENZA: Joe, going forward I  
19 understand what you're saying and we can  
20 talk about doing it that way. I mean, I do  
21 understand what you're saying, that we will  
22 drain the sewer account funds right down if  
23 we do some big projects. Do you have any  
24 more questions?

25 MR. FERRETT: No that's the only

1 thing.

2 MR. NOTARI: The bill from  
3 Earthworks, that's not for the total  
4 project. Correct?

5 MS. YEAGER: "Pay PA-1 call, saw  
6 cut, install manhole at interaction of alley  
7 to accept existing sewer main that runs in  
8 the rear of Dooley's. Excavate and install  
9 eight-inch plastic sewer main from new  
10 manhole to existing manhole on Sussex  
11 Street. Disconnect sewer laterals that tie  
12 into old line and tie in to access sewer  
13 main. Abandon that section, backfill with  
14 2A subbase and compact." That has to be the  
15 whole thing. Correct?

16 MR. LOPATKA: Yes. That's their  
17 bid.

18 MR. NOTARI: We didn't pay them  
19 \$10,000 last month?

20 MR. LOPATKA: I don't know that, but  
21 I know that --

22 MR. NOTARI: We paid them \$16,000?

23 MS. YEAGER: It was \$16,000.

24 MR. NOTARI: And what was that for?

25 MS. YEAGER: I'd have to go get it.

1 MR. NOTARI: That was probably for  
2 the Burger King part.

3 MS. YEAGER: Whoever was here --  
4 I'll go get it.

5 MR. PAPI: One was probably the  
6 storm and one was probably the sewer. We  
7 used manholes for both.

8 MR. NOTARI: The project went from,  
9 roughly, I think we were told, less than  
10 \$14,000. Right? That was the bid. Right?

11 MR. LOPATKA: That was the bid.

12 MS. YEAGER: They ran into extra  
13 problems.

14 ATTY. RINALDI: Did they come back  
15 with a change order?

16 MS. YEAGER: No.

17 MR. LOPATKA: I haven't seen any  
18 invoices for anything from anybody.

19 MR. NOTARI: What was Burger King  
20 going to pay, half of the project? Refresh  
21 my memory -- or just the materials?

22 MR. LOPATKA: I thought they were  
23 paying for all the materials. The actual  
24 inlets, pipe, manholes. They ordered  
25 everything, supposedly, through their



1 contractor.

2 MR. NOTARI: So did that include the  
3 materials going across Sussex Street once we  
4 found out there was a problem?

5 MR. LOPATKA: No, but there should  
6 have been a change order. I've never seen  
7 anything.

8 MR. PAPI: All that work behind CVS  
9 we didn't know we had to do. That had to be  
10 cameraed and put two manholes in. That was  
11 all unforeseen work.

12 MR. NOTARI: I'm not saying it  
13 didn't need to be done, but if we didn't  
14 change the Burger King plans, the original  
15 plans, that would have never came up.  
16 Right?

17 MR. PAPI: Right.

18 MR. NOTARI: We would have never --

19 MR. PAPI: We would have never known  
20 we even had that line there until it  
21 blocked. We would have no way to clean it.  
22 Now we do.

23 MR. NOTARI: So this project went  
24 from costing us zero dollars to costing us  
25 roughly \$31,000.

1 MR. PAPI: No, it was going to cost  
2 us whatever it cost us to move the sewer  
3 line.

4 MR. NOTARI: Right, to move the  
5 sewer line, but the original plan as  
6 approved by the planning commission it  
7 wasn't supposed to move at all.

8 MR. PAPI: Right.

9 MR. LOPATKA: It actually originally  
10 talked about providing easements as opposed  
11 to relocating.

12 MR. RUSSELL RINALDI: Wasn't there  
13 an emergency meeting that happened right on  
14 Sussex Street?

15 MR. LOPATKA: There was a meeting  
16 that happened on Sussex Street.

17 MR. RUSSELL RINALDI: Not an  
18 emergency meeting but, like, a midway  
19 meeting.

20 MR. LOPATKA: It was a meeting to  
21 discuss --

22 MR. RUSSELL RINALDI: Who was there  
23 when that took place?

24 MR. LOPATKA: Paul.

25 MR. FEBBO: I was there. That was

1 after the fact.

2 MR. LOPATKA: Joe was there.

3 MR. FERRETT: I walked away. I  
4 wasn't there.

5 MR. LOPATKA: This guy from Burger  
6 King was there.

7 MR. RUSSELL RINALDI: That's when  
8 the extra work came in.

9 MR. LOPATKA: No, this was when we  
10 were still trying to figure out how we  
11 wanted to go about this.

12 MR. NOTARI: I'm not looking to  
13 place blame on anybody, but I just think we  
14 need to realize that when we come up with  
15 these ideas for projects we have to take  
16 into consideration the unknown factors that  
17 can happen. Obviously, this is a very  
18 expensive unknown factor. This doubled the  
19 cost of this project. Even though there was  
20 extra work done, it still doubled the  
21 cost -- it really more than doubled because  
22 what the planning commission approved was  
23 zero dollars. It wasn't going to cost us a  
24 cent, and instead it cost us \$28,500.

25 MR. FEBBO: We're not going to go on

1 Burger King's property and go down to Meade  
2 Street. That's where we had the problem.

3 MR. PAPI: What if the line  
4 collapsed underneath Burger King. That's  
5 what we avoided.

6 MR. NOTARI: I'm just saying, in the  
7 future we need to take into consideration  
8 things out of the ordinary could happen with  
9 the sewer system we have and how old it  
10 seems to be right now. Just so we're aware.  
11 Obviously I'm aware now of things like this  
12 could happen. We have a bill for more money  
13 than what we originally --

14 ATTY. RINALDI: I'm just wondering,  
15 there's a contract. Where's the bill for  
16 the contract part of it? Then where is the  
17 bill for the change order?

18 MS. YEAGER: I don't have a change  
19 order.

20 ATTY. RINALDI: Do you have the  
21 contract? Do you know how much it was?

22 MS. YEAGER: No.

23 MR. NOTARI: I don't think there was  
24 a contract, Bill. I think they came up with  
25 a number under the \$14,000 threshold.

1                   ATTY. RINALDI: There was a contract  
2 when we had it out for bid. That's how it  
3 started.

4                   MR. LOPATKA: We put the plan out.  
5 We gave it to three people.

6                   ATTY. RINALDI: It went out for bid.  
7 That was the contract. Should be that  
8 contract signed, here's what it cost. Okay,  
9 now what's the issue? What was the change  
10 order so everybody knows what the extra is  
11 for. Is there a change bill in here  
12 anywhere or is this it here, the \$15,000?

13                  MS. YEAGER: That's it. I don't  
14 have any change orders. They ran into  
15 problems. They found two buried manholes.

16                  MR. LOPATKA: They should have  
17 provided a change order for it. At least  
18 their invoice should have stated what the  
19 extra work was. Maybe it does.

20                  ATTY. RINALDI: Is there an invoice  
21 for the actual job that was bid?

22                  MS. BARTOLETTI: That was the first  
23 one, \$13,500, then they added this on, extra  
24 involved.

25                  ATTY. RINALDI: So this is for extra

1 for opening lines found during excavation --

2 MS. BARTOLETTI: There were old  
3 lines under there.

4 MR. SEMENZA: They found an unknown  
5 line in the road when they dug. They found  
6 a line running from the CVS into the line  
7 that they were going to do, so they had to  
8 take that off and move that line from CVS  
9 over into the manhole.

10 MR. FERRETT: That's not the  
11 question. The question was only the  
12 separation. There's no question about the  
13 other bills. There's no question about this  
14 or that. The only question is that when the  
15 bill came in that there was a separation,  
16 and all I merely said was that if there's a  
17 separate line that's being put in that's a  
18 water line why should the sanitary have to  
19 pay for it. That's all I said.

20 I think what Mr. Notari's trying to  
21 say -- first of all, you have to understand  
22 one thing. What I think seems to be the big  
23 problem, you had the planning commission  
24 make the recommendation. Doesn't  
25 necessarily mean the planning commission is

1           always right. Why isn't it that nobody else  
2           caught this problem? There's a man over  
3           there put all the sewers in Old Forge. Ask  
4           him. Would you go on private property to  
5           put the sewer line or would you go down the  
6           main road to put the sewer line?

7           MR. SEMENZA: On the main road.

8           MR. FERRETT: So that was the reason  
9           why I brought this up, and the planning  
10          commission says we didn't know nothing.  
11          This is what the engineer recommended to us.  
12          This is what we done. So don't blame the  
13          planning commission. You people are  
14          supposed to be looking at these problems and  
15          coming up with the right solutions.

16          MR. SEMENZA: I'm not blaming  
17          anybody.

18          MR. NOTARI: I'm done.

19          MR. SEMENZA: Joe, I understand what  
20          you're saying.

21          MR. NOTARI: Joe, I'm not blaming  
22          anybody either, but it went from costing us  
23          zero dollars to costing us \$28,500.

24          MR. HOOVER: After they did the  
25          initial work and they ran across the problem

1 the change order should have be sent. Like  
2 Billy said, they should have had a meeting.  
3 They shouldn't have kept going with the  
4 project until they gave us another price,  
5 here's what it's going to cost, another  
6 \$12,000. It needed a change order, do we  
7 all agree on it. Nobody here is not going  
8 to agree on it because the work has to be  
9 done, but then everybody up front would know  
10 it's going to cost a little bit more.

11 I dig in the streets every day.  
12 Nobody knows what's in the ground wherever  
13 we are. But the change order has to happen.

14 MR. NOTARI: I was made aware of the  
15 problem. Bobby called me and told me what  
16 was going on. I told him hey, do the work.

17 MS. BARTOLETTI: At that point when  
18 Bobby ran into a problem didn't you guys  
19 discuss it and say we have no choice, go  
20 forward?

21 MS. YEAGER: It was an emergency.

22 MR. NOTARI: To be honest with you,  
23 I didn't know it was going to be a \$15,000  
24 project.

25 MR. HOOVER: Did they submit a price



1 of what it was going to be. That's what  
2 they didn't do. So you're paying a  
3 contractor almost, like, time and material.  
4 Finish the job, we'll pay the bill when  
5 you're done. It shouldn't be like that. He  
6 should have said it's going to cost me  
7 \$12,000 to do this. We're going to say it  
8 has to be done. But at least everyone would  
9 know it's going to be another \$12,000. If  
10 you don't document it, like Billy said, you  
11 have this issue. Change orders are a must.  
12 They happen all the time.

13 It's nobody's fault that they  
14 happen. These sewers were put in -- Sam put  
15 these sewers in. They're ancient. Nobody  
16 knows what's underground. I'll be the first  
17 to tell you. I dig the ground every day.  
18 We don't know where half the water mains  
19 are.

20 But that's what you have to do. You  
21 have to stop the job, and the contractor's  
22 going to have to wait for a day or 24 hours  
23 or 48 hours before he starts again, until  
24 the change order is signed by the president  
25 of council or borough manager that everybody

1 agrees to the price. That's the only way  
2 this is going to be rectified. Then you  
3 won't have these problem. You know it has  
4 to be done. Then we can figure out where  
5 the money's going to be taken out of. Have  
6 to cross our Tees when it comes to that.  
7 All construction jobs are like that. Every  
8 contractor knows that. They know that they  
9 have to keep working, but they have to stop  
10 work until the change order is approved.

11 MR. SEMENZA: Public input? Roll  
12 call, please.

13 MS. BARTOLETTI: Councilman Febbo?

14 MR. FEBBO: Yes.

15 MS. BARTOLETTI: Councilman Ferrett?

16 MR. FERRETT: No.

17 MS. BARTOLETTI: Councilman Hoover?

18 MR. HOOVER: Yes.

19 MS. BARTOLETTI: Councilman Notari?

20 MR. NOTARI: Yes.

21 MS. BARTOLETTI: Councilman Rinaldi?

22 MR. RUSSELL RINALDI: Yes.

23 MS. BARTOLETTI: Councilman Semenza?

24 MR. SEMENZA: Yes. Everybody has  
25 Paul's report. I'm not going to get into

1 reading reports. We're going to try to save  
2 some time and some money. If anybody has  
3 any question on Paul's report or if you have  
4 anything that you want him to --

5 MR. NOTARI: I have one question.

6 MR. SEMENZA: Paul, do you have  
7 anything you need to add or you want to talk  
8 about?

9 MR. PAPI: I just wanted to let you  
10 guys know we have five plow trucks ready to  
11 go for 4 a.m.

12 MR. NOTARI: Paul, what was our  
13 thought -- and let me just say I'm sure  
14 we've all received calls or complaints  
15 regarding the roads or seen calls or  
16 complaints regarding the roads. Obviously  
17 the ice did not help. I understand the salt  
18 only works at certain temperatures. Is  
19 there anything to do preventatively so that  
20 ice doesn't build up to prevent the trucks  
21 from really doing their job?

22 MR. PAPI: I think there was a  
23 window of opportunity that night, but the  
24 temperature dropped so quickly from 60 to  
25 three in one day, and I think if you were

1           able to get salt down and plow them before  
2           that happened. By the time my guys went  
3           out -- and they went out at four or five in  
4           the morning. They said Paul, we can't even  
5           touch this stuff.

6                   MR. RUSSELL RINALDI: By 4:00 it was  
7           a mess.

8                   MR. PAPI: Today was the first day  
9           that the temperature rose, and everywhere  
10          where people were calling me, telling me  
11          they didn't do a thing, they were all  
12          melting and turning black because the salt  
13          was in that ice. As soon as the cars  
14          started driving over and crushing it, it  
15          opened it right up.

16                   I had one guy today for three and  
17          half hours just plowing slush off the roads.  
18          Things like that only happen very rarely.

19                   MR. NOTARI: I appreciate all the  
20          hard work the guys do in that department.

21                   MR. PAPI: I have to say they're a  
22          good bunch of guys.

23                   MR. SEMENZA: Anybody else have any  
24          questions for Paul? Thanks, Paul.  
25          Everybody has Steve's report. Steve, do you

1 have anything you want to address council  
2 with?

3 MR. BIERYLA: The only thing I'd  
4 like to say, if you look in there about  
5 Verrastro removing the barrier. I have an  
6 e-mail from attorney Fred Rinaldi. Once the  
7 weather breaks they will replace that wall  
8 of dirt that they put down with planted  
9 trees to create that barrier.

10 MR. NOTARI: Why did they take the  
11 wall of dirt down?

12 MR. BIERYLA: Parking for trailers.  
13 He wasn't aware that that mound of dirt was  
14 a barrier between the zone, because at that  
15 time that mound wasn't that high, and when  
16 they redid the parking lot the scuff they  
17 picked up from the parking lot is where they  
18 pushed it over towards between Taroli  
19 Street, and I can't think of the other  
20 street down off Morton Street. That created  
21 the barrier for the sound and whatnot from  
22 their facility.

23 Once they took that away, now if  
24 they close the door you hear it right in  
25 your house through the window. So there's

1 nothing there to absorb the sound. Once the  
2 weather breaks they plan on doing a arbor  
3 vitaes right around the perimeter there.

4 MR. SEMENZA: Steve, "stopped  
5 contractors from working at Triboro  
6 Christian Academy." That's the sidewalks,  
7 obviously. What's going on with that?

8 MR. BIERYLA: I received a letter  
9 from them stating that he wanted to talk to  
10 me. I tried to contact him several times.  
11 I sent him a letter last week that said  
12 Monday, which was yesterday, was the last  
13 day to appeal it to the zoning hearing  
14 board. I haven't heard from him. Didn't  
15 hear from him today, so there's not going to  
16 be any appeal. When the weather breaks he's  
17 going to have to remove it the same way  
18 Romar did. A letter will be going out this  
19 week saying there will be no appeal.

20 MR. SEMENZA: Are we going to give  
21 him a date to have them removed by?

22 MR. BIERYLA: Once the weather  
23 breaks.

24 MR. SEMENZA: Because I had somebody  
25 ask me about that recently, after the one I

1           talked to you about, and they had said I  
2           came to the borough building and I wanted to  
3           get sidewalks and I wanted to put blacktop  
4           sidewalks on. Take out what I have here and  
5           put them back. They would not let me. Why  
6           does the church get to.

7           MR. BIERYLA: They snuck it in. I  
8           wasn't up that way. Came about five to  
9           seven at night. Then the next day he was  
10          finishing up the sidewalks, I stopped him.

11          At this point I have to send a  
12          letter to him and we have to come up with a  
13          date that's feasible, when the weather  
14          breaks, that he can get a contractor lined  
15          up, get a permit and change it.

16          MR. NOTARI: They're not macadam  
17          sidewalks in front of that building, is it?

18          MR. BIERYLA: Yes. From the barber  
19          shop -- they were macadam sidewalks. If he  
20          has just resurfaced it with some kind of  
21          seal and just filled in some of the cracks  
22          he was fine. Once they took -- didn't  
23          really take it out. They just kind of went  
24          over everything with another inch and a half  
25          or two inches and then made a sidewalk out

1 onto the state road and then went down the  
2 side of the building, then that was the end  
3 of the ordinance. If he just resealed it he  
4 would have been fine. I said look across  
5 the street. There's sidewalks, not macadam,  
6 so you have to stop. If you noticed,  
7 there's, like, 25 or 30 feet that's not done  
8 yet that he was -- that's exactly where I  
9 stopped him at.

10 MR. NOTARI: Do you have a total of  
11 the permits that you've done for the year  
12 for 2017? Do you have spread sheets that  
13 you can give us just the total amount and  
14 the number of permits?

15 MR. BIERLYA: I have it over there  
16 in the book. I think it's maybe 111 for Old  
17 Forge Borough and maybe 70 for BIU. I'm  
18 close. That may not be the exact number.

19 MR. NOTARI: I don't need it for  
20 right now, but for our work session can you  
21 give me the total amount and money, too?

22 MR. BIERLYA: Yes.

23 MR. SEMENZA: Anybody else have  
24 anything for Steve? Thank you, Steve.  
25 Everybody has Dave's report. Anybody have



1 any questions for Dave? Dave, anything you  
2 want to address?

3 MR. LOPATKA: What I did give you  
4 guys tonight is basically a recommendation  
5 for each of the projects. Projects were  
6 bid. I took the bid, reviewed the bids. I  
7 actually made a phone call to a guy who bid  
8 on Corcoran and asked him to make sure he  
9 had all the numbers in there. His number  
10 was kind of low. He's comfortable with his  
11 numbers.

12 Basically what you have there are  
13 two recommendations to award contracts for  
14 each project. I returned all the bids to  
15 Marylynn. At this point, for the most part  
16 I guess Marylynn can send the bid bonds back  
17 other than I would keep the top two for now  
18 until they make a decision.

19 MR. NOTARI: Why is there such a  
20 broad range of numbers?

21 MR. LOPATKA: Well, I honestly have  
22 no idea. That's why I called the guy. Our  
23 cost estimate was quite a bit higher than  
24 that on Corcoran Street.

25 MR. SEMENZA: I want to know if

1 Corcoran Street -- is that a mistake you  
2 have highlighted?

3 MR. LOPATKA: No, that's the low  
4 bid.

5 MR. SEMENZA: How can there be that  
6 big of a difference?

7 MR. LOPATKA: I called them, I said  
8 are you sure you have everything covered?  
9 And I went over it with him, itemized, and  
10 he said he's comfortable with his numbers.

11 MR. SEMENZA: Do you have any doubt  
12 in your mind that that company can do that  
13 project if we were to hire that company?

14 MR. LOPATKA: I don't, really. It's  
15 not an overly difficult project. It's an  
16 existing trench. That's why I called the  
17 guy. I normally wouldn't call the guy.

18 MR. NOTARI: Did you call Diggit and  
19 ask them what they were bidding on,  
20 \$359,000?

21 MR. LOPATKA: I couldn't figure out  
22 what they were looking at. It's 500 feet.  
23 Then their other bid was, like, 140, which I  
24 actually thought was worth more money, the  
25 other project. I don't have an issue with

1 him. I just told him this is your number.  
2 You have to be able to do it for this  
3 number.

4 MR. HOOVER: This includes the rock,  
5 digging the rock out?

6 MR. LOPATKA: He's in an existing  
7 trench. He's digging the same location  
8 where the old pipe was.

9 MR. HOOVER: And restoration?

10 MR. LOPATKA: Other than the water  
11 company overlaying it.

12 MR. HOOVER: We're going to overlay  
13 the road. He has to do trench restoration.

14 MR. SEMENZA: We talked about change  
15 orders before. Is there a possibility there  
16 could be a big change order come in with  
17 this project, here, with this guy? You see  
18 that big of a difference --

19 MR. LOPATKA: He can ask for one.  
20 That's why I called. I normally wouldn't  
21 call as long as the bids are in the realm.  
22 When I see something that's that skewed I  
23 picked up the phone and I called him, are  
24 you sure you have everything picked up here.  
25 It's not a huge job, but I think, value

1           wise, I don't know if he's going to make  
2           money. Can he do it? He probably can do it  
3           for that but he's not going to make any  
4           money on it.

5                   MR. FERRETT: You have to understand  
6           that when a bid is put out and everything,  
7           whatever kind of writing is inside that bid  
8           may sometimes determine when a change order  
9           may come in because they may run into -- he  
10          may have it listed in there if they run into  
11          rock there would come a change order.

12                   MR. LOPATKA: I said do you have  
13          laterals and everything picked up, and he  
14          said yeah, we're putting lines in for  
15          laterals. I mean, from my perspective, to  
16          cover the borough, that's the reason I  
17          called him, because the number was low.

18                   MR. HOOVER: I haven't seen this bid  
19          before, but TSE did the water line. That's  
20          why he's so cheap, 74. But I just don't  
21          understand 48.

22                   MR. SEMENZA: He's \$10,000 cheaper.  
23          I don't understand how he can be \$24,000  
24          cheaper than the lowest bidder -- or  
25          \$300,000 more.

1 MR. LOPATKA: I don't have anything  
2 to discount the guy. I did call him, I said  
3 good luck. We're not issuing change orders  
4 just because you start running into  
5 something.

6 ATTY. RINALDI: What are you paying  
7 for each project? Corcoran Street is all  
8 sewers. That's easy. Paying out of the  
9 sewer authority?

10 MR. SEMENZA: Yes.

11 ATTY. RINALDI: What about Grace  
12 Street? That's more storm water.

13 MR. LOPATKA: Except for laterals.

14 ATTY. RINALDI: It goes into a storm  
15 line with that lateral. Correct?

16 MR. LOPATKA: No, goes into a  
17 sanitary line. Well, it goes into a storm  
18 line now, but with our discussions with  
19 LLVSA they said if you take that out of  
20 there it's storm water. It goes to a  
21 dedicated storm line other than that one  
22 hook up. That's the reason we're taking  
23 them off.

24 MR. SEMENZA: Are we sure that  
25 that's only storm? We're taking no sewage

1 from up top by --

2 MR. PAPI: They worked there for  
3 three days, nothing came down.

4 MR. FERRETT: That's only storm  
5 water from Main Street going down. That  
6 one, Stacchiotti, that's hooked onto that?

7 MR. SEMENZA: He's the only sewage  
8 that's connected to that line?

9 MR. PAPI: Right.

10 MR. FERRETT: The only thing is  
11 this, that I would like to caution council  
12 because maybe members of council are not  
13 aware of -- correct me if I'm wrong, Lucile,  
14 but don't we have it in the code that storm  
15 lines, any laterals that are going into our  
16 main line are the responsibility of the  
17 property owner, that the borough's only --

18 MS. YEAGER: The property owner's  
19 responsible from his house to the lateral.

20 MR. SEMENZA: We're doing this  
21 project. We're asking him to get --

22 MR. FERRETT: I'm not against it in  
23 any way whatsoever. I'm only just merely  
24 trying to bring it to your attention to make  
25 sure that down the line somebody comes