

1 OLD FORGE BOROUGH COUNCIL  
2 OLD FORGE, PENNSYLVANIA  
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5 IN RE: COUNCIL WORK SESSION  
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9 MAY 1, 2018

10 7:00 P.M.

11 OLD FORGE MUNICIPAL BUILDING

12 314 SOUTH MAIN STREET

13 OLD FORGE, PENNSYLVANIA  
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19 COUNCIL MEMBERS:

20 JOSEPH FERRETT

21 LOUIS FEBBO

JAMES HOOVER

22 WILLIAM RINALDI, ESQUIRE, SOLICITOR

23 MARYLYNN BARTOLETTI, BOROUGH MANAGER  
24  
25

Mark Wozniak  
Official Court Reporter

1 (The Pledge of Allegiance was  
2 recited.)

3 MS. BARTOLETTI: We have the main  
4 work session. We'll start with roll call.  
5 Councilman Febbo?

6 MR. FEBBO: Here.

7 MS. BARTOLETTI: Councilman Ferrett?

8 MR. FERRETT: Here.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Here.

11 MS. BARTOLETTI: Councilman Notari  
12 is absent, Councilman Rinaldi is absent,  
13 Councilman Lenceski is absent, and  
14 Councilman Semenza will be coming late.

15 Why don't we start with Steve.  
16 Anything for the agenda?

17 MR. BIERYLA: Nothing for the  
18 agenda. The only thing I want to remind  
19 council is the planning meeting is this  
20 Thursday. I recommend all council members  
21 come to planning because of the Pride  
22 Mobility land development.

23 MR. HOOVER: Do you expect a lot of  
24 people?

25 MR. BIERYLA: Actually no. We have

1 Joe Granko coming for his lot consolidation,  
2 to the planning meeting, and then he will  
3 come on the agenda for council because that  
4 was approved by Lackawanna County. That  
5 will get approved Thursday night by  
6 planning.

7 MS. BARTOLETTI: What time is  
8 planning?

9 MR. BIERYLA: It's 7:30.

10 MR. FERRETT: What's the purpose of  
11 having all the councilmen?

12 MR. BIERYLA: Well, if you want to  
13 know exactly what's going on with Pride  
14 Mobility and what their plans are for  
15 screening and where the building is going to  
16 be located and their retention pond for  
17 water. There were questions asked the last  
18 planning meeting by the residents up there.  
19 There probably will be at least 15 or 20  
20 residents here wanting to know what they  
21 will do outside of Kennedy and Atherton.  
22 They have sent a right to know in to the  
23 borough because, once again, they've been so  
24 private for so long they just want to make  
25 sure that Pride Mobility does exactly what

1 the code book says, and Pride Mobility is  
2 planning to do above the code for screening  
3 for them. So they had some questions.

4 MR. FERRETT: Is that where they're  
5 building, off Kennedy Avenue?

6 MR. BIERLYA: They're building off  
7 Wood Street and Kennedy and Atherton.  
8 Planning will hear it. If council wants to  
9 know exactly what's going on rather than ask  
10 questions later it would be a good idea to  
11 sit in on Thursday's meeting.

12 MS. BARTOLETTI: Anything else?

13 MR. BIERLYA: That's it.

14 MR. PAPI: I don't have anything.

15 CHIEF DUBERNAS: I just want to meet  
16 with the personnel committee to interview  
17 the two other part-timers, then sit down  
18 with them and go over the civil service  
19 test. I talked to President Minella. He  
20 said we can repost a listing for a full time  
21 spot because of Jake Thomas resigned and  
22 went to the city of Scranton. That's it.

23 MS. BARTOLETTI: Okay.

24 MR. HOOVER: How long is he here?

25 CHIEF DUBERNAS: He was here a

1 little bit over two years. He was only full  
2 time three months.

3 MR. FERRETT: What was the reason we  
4 said that we're hiring part-timers? I think  
5 they were being interviewed and blah, blah,  
6 blah. Why other members of council can't  
7 get their application and see who they are,  
8 where they came from, what --

9 MS. BARTOLETTI: If you'd like to  
10 see them, you can see them in advance if  
11 you'd come in to see Jason. We don't like  
12 them to leave the building. So if you come  
13 in and see Jason or myself you can sit and  
14 look at them and just give them back.  
15 Because there's so much confidential  
16 information on them we don't like them to  
17 leave the building.

18 MR. LOPATKA: Just to add to the  
19 planning on Pride Mobility, I will be  
20 sending out, tomorrow morning, the review  
21 letter. You'll all have the review letter  
22 tomorrow. I'll send it also to the engineer  
23 for Pride. He'll have it before the  
24 meeting.

25 The church survey is just about

1 done. It needs to be -- they need to go  
2 back one more day and set corners, so then  
3 we can put that map together, do the  
4 consolidation plan.

5 DPW, I sent out to two more  
6 contractors. We only got one more number  
7 back, so we have two.

8 MR. FEBBO: Do we have to have  
9 three?

10 MS. BARTOLETTI: Technically, yes.

11 MR. LOPATKA: I think you have to  
12 solicit three quotes. Or do we have to have  
13 three quotes?

14 ATTY. RINALDI: You need three  
15 quotes.

16 MR. LOPATKA: I'll call these guys.  
17 I only got one back. We have two,  
18 Earthworks and now Popple, who is doing the  
19 Corcoran Street. He ended up putting one  
20 in. I'll get one more. So other than that,  
21 if I can get one more we can get that thing  
22 taken care of.

23 Bill was asking me about the housing  
24 authority. I called the KBA and told them  
25 they need to get me a number. It's not our

1 responsibility to come up with the  
2 quantities for the housing authority's  
3 project. KBA was the engineer for the  
4 housing authority. They have to get the  
5 number to us and I haven't gotten a number  
6 yet. Hopefully I'll get a number from them  
7 soon. I'll make a call to them again just  
8 to check. They need to get us a number so  
9 we know what it needs to be.

10 Other than that, I don't believe I  
11 have anything else.

12 MS. BARTOLETTI: How about Kohler?

13 MR. LOPATKA: Kohler, we went over  
14 what's going to happen. I think they're  
15 talking about starting that in June. He  
16 didn't have an exact date. He's supposed to  
17 be getting me a schedule and letting me know  
18 when they're going to start. But he's  
19 looking more towards June to start it.

20 MS. BARTOLETTI: What about the  
21 situation with the swale on the other  
22 property?

23 MR. LOPATKA: It's not on the other  
24 property, it's inside the right-of-way.  
25 It's next to the road. Everything is inside

1 the right-of-way. What they have to do  
2 isn't a problem with regards to that  
3 property.

4 MR. FERRETT: You think that's the  
5 right thing to do, what they're doing,  
6 putting a swale in?

7 MR. LOPATKA: Well, on the one side  
8 of the road, yes, because the way we have it  
9 graded we're cross-sloping it coming down  
10 the hill.

11 MR. FERRETT: What's going to happen  
12 when the developer on the other side sells  
13 those properties and builds on there?  
14 Nowhere possible where anybody's going to  
15 know where the water's going to go.

16 MR. LOPATKA: First of all, they're  
17 going to have to come in with a plan that  
18 tells us where the water's going to go.  
19 Plus, we're putting inlets on that side of  
20 the road. It's not just a swale, we're  
21 bringing it to inlets. So technically when  
22 they develop that they're going to have to  
23 probably tie into those inlets after they do  
24 some kind of storage underground.

25 MR. FERRETT: So you're saying



1           there's inlets on Kohler Avenue and they're  
2           going to collect that water?

3           MR. LOPATKA: There's inlets on both  
4           sides of the street coming up. Not all the  
5           way up. As you come over the hill and  
6           there's a slope going down, where it's real  
7           flat we have inlets there, and we have the  
8           road graded a certain way so that everything  
9           goes to the curb side of the road. But once  
10          you get down further towards Church Street  
11          we have to keep the road crowned. So  
12          instead of cross-sloping it all over to the  
13          inlets we have on the housing authority side  
14          we had to crown it. We have a couple inlets  
15          going up the left side of the road.

16          MR. FEBBO: Does that tap into the  
17          storm system?

18          MR. LOPATKA: It taps into the  
19          existing on Church Street. It's a combined  
20          system.

21          MR. FERRETT: Then, once again,  
22          we're defeating our own purpose, what we've  
23          done up in Austin Heights section, up in  
24          Edgewood Drive, that we didn't do and made  
25          any provisions whatsoever for water runoff.

1 But that swale area, with the water going  
2 into that little swale area, you don't think  
3 the water's going to get underneath that  
4 road and it's not going to do --

5 MR. LOPATKA: It won't get under the  
6 road. The swale is just a real shallow  
7 swale just to get into the inlets. It's  
8 not, like, a two-foot-deep swale. It's just  
9 a shallow swale at grade so that anything  
10 coming off that section of road.

11 MR. FERRETT: I still say, only from  
12 my perspective as I understand it and  
13 everything, whenever you're doing a road  
14 like that, that imitation curb should be put  
15 in to prevent any water whatsoever going  
16 anyplace but down the road and into a drain.

17 MR. LOPATKA: Well, I've done a lot  
18 of roads, we've done a lot of swales, and if  
19 it's built the right way the water shouldn't  
20 go under the road. I mean, there's a means  
21 and methods that you design these things to  
22 and compact it properly. It shouldn't be an  
23 issue with regard to the road because the  
24 road is flat. We are providing storm water.  
25 We're not just letting the water run down

1 the road, we're providing inlets up that  
2 side of the road. There's two inlets up  
3 that side of the road, plus there's three on  
4 the other side of the road. So anything  
5 coming down the road is getting knocked into  
6 an inlet on one side or the other. We are  
7 handling it with storm water. We're not  
8 just letting it run down the edges of the  
9 road.

10 MR. HOOVER: Are you putting in the  
11 whole width or just overlaying it?

12 MR. LOPATKA: It's full depth.  
13 Everything that -- right now all the  
14 subgrade there is compromised because  
15 there's craters in the road. The whole road  
16 has to be rebuilt.

17 MR. HOOVER: Corcoran Street is  
18 going to start when?

19 MR. LOPATKA: Corcoran Street, he's  
20 waiting for -- he submitted his shop  
21 drawings, we approved them, and he's waiting  
22 for the one manhole to be built. Right  
23 after that he's going to send me a note as  
24 to the date he's going to start.

25 MS. BARTOLETTI: Bill?

1                   ATTY. RINALDI: I'm going to prepare  
2 an ordinance to advertise for that one-way  
3 street. The chief gave me the paperwork on  
4 it -- the no parking.

5                   MR. FERRETT: What street is that?

6                   ATTY. RINALDI: Butler.

7                   CHIEF DUBERNAS: Only the first  
8 block.

9                   ATTY. RINALDI: That will be on the  
10 agenda for consideration. The reason we  
11 didn't close on Pagnotti's is I'm getting a  
12 title search on it to make sure you don't  
13 have any issues with that. They did not do  
14 one. Then we can close.

15                   There's a hearing on June 4th at  
16 2:00 with regards to Stockey's property.  
17 We're asking for an injunction that he clean  
18 it up and cease and desist up there. Steve,  
19 we'll round up as many people as we can up  
20 there that are affected by it  
21 residence-wise. That takes care of the one  
22 parcel, which is the one that Stockey owns  
23 under his company.

24                   With regard to the other parcel that  
25 Select Realty -- which I believe if you're

1           facing -- if you're on Keyser and you're  
2           facing the lounge it's on the left side.  
3           That was -- he was sent a notice that he was  
4           in violation of the zoning ordinance and  
5           that it couldn't be used as a junkyard.  
6           There was a hearing. He appealed the  
7           notice, we had a hearing in front of the  
8           zoning hearing board. The zoning hearing  
9           board made a decision, upheld the violation.  
10          They appealed the violation in May of '17.  
11          With the appeal they asked for a stay, that  
12          the borough doesn't take any action on any  
13          fines against them until the appeal is  
14          resolved. That's handled by the zoning  
15          solicitor. I spoke with him this week.  
16          He's going to expedite the appeal. So  
17          that's on the other parcel to the left.

18                 The one parcel remaining is the  
19          Gilchrist parcel, where his trucking company  
20          is, and it's the rear of that. So what  
21          we're going to do is do a notice on that  
22          parcel and start that ball running, which  
23          means he can appeal it. He'll have 30 days.  
24          He can appeal that to the zoning hearing  
25          board. That's going to be against Gilchrist

1           because he's listed as the property owner.  
2           Then depending on what happens at the zoning  
3           hearing board, that will be up to them  
4           whether they want to appeal that as well.

5                     But the main case against  
6           Mr. Stockey, we're going to get a hearing on  
7           June 4th, barring some continuance reasons  
8           by anybody.

9                     MR. HOOVER:   Down here?

10                    ATTY. RINALDI:  No, that's in county  
11           court.  I asked for --

12                    MR. FEBBO:  Bill, can we get DEP  
13           involved?

14                    ATTY. RINALDI:  I'll subpoena them  
15           to come up.  I have copies of all their  
16           orders.  I just mentioned that he has  
17           violations with DEP as well as complaints  
18           with the police department, the residents,  
19           et cetera.  So we want to get an order that  
20           restrains him from using that as a junkyard,  
21           assess damages, cost and expenses of the  
22           borough, provide for contempt if he doesn't  
23           take care of it immediately.

24                    MR. BIERYLA:  I would advise we  
25           subpoena his one worker.

1                   ATTY. RINALDI: We'll get that, too.  
2                   So we'll get all those witnesses lined up  
3                   and we'll go forward with the majority of  
4                   it. That's basically what I have. Then I  
5                   need that DPW easement, Dave.

6                   MS. BARTOLETTI: Okay. Our main  
7                   public meeting falls on the 15th. We're  
8                   going to have to move that because it's  
9                   election day. So does anyone have any  
10                  opinion on when it might be? We can move it  
11                  to the following week or we can just make it  
12                  the next night.

13                 MR. HOOVER: Next night. That's  
14                 what I think.

15                 MR. FEBBO: Fine.

16                 MS. BARTOLETTI: The 16th or the  
17                 22nd.

18                 MR. HOOVER: The 16th.

19                 MR. FEBBO: Let's go with the 16th.

20                 MS. BARTOLETTI: So the meeting will  
21                 be changed to the 16th at 7:00. Mayor,  
22                 anything?

23                 MAYOR LEGG: I just wanted to make  
24                 sure I thanked you and Councilman Febbo for  
25                 all your help on Saturday. I thought it

1                   went pretty good -- and Councilman Rinaldi.  
2                   He's not here. But I want to make sure I  
3                   gave you guys a big thank you.

4                   MS. BARTOLETTI: I think it went  
5                   pretty well.

6                   MAYOR LEGG: They worked pretty  
7                   hard. A pretty good following.

8                   MS. BARTOLETTI: And our DPW guys  
9                   that volunteered their time. I want that to  
10                  be known.

11                  MAYOR LEGG: Mike Ruther and Bobby,  
12                  they were excellent.

13                  MR. FEBBO: Couple questions. The  
14                  long-range planning committee -- myself,  
15                  Russell and Joe Ferrett -- met with the  
16                  parish council finance committee this past  
17                  week and we presented our proposal for the  
18                  \$50,000 bid for the church. I've got to say  
19                  that they were very receptive to it, and  
20                  they said that they are looking forward to  
21                  forwarding a letter to the diocese with  
22                  their correspondence and get back to us.

23                  So as of now we're just waiting for  
24                  word back from them. But I think that looks  
25                  very positive as to where we are with that



1 right now.

2 MAYOR LEGG: How long is it going to  
3 take for a response?

4 MR. RUSSICK: It depends on the  
5 diocese.

6 MR. FEBBO: I talked to Father last  
7 night, and he said that he's got a lot of  
8 funerals and so on but he is on that. He's  
9 waiting for -- I guess he did get something  
10 in to the diocese. He's waiting to hear.  
11 He'll get back with us.

12 At this point we're getting a lot of  
13 complaints from Forge Estates. It's getting  
14 out of hand over there with the noise at  
15 nights, Sunday and so on. 2:00 in the  
16 morning they're moving equipment and banging  
17 around. That's all I have.

18 MS. BARTOLETTI: Councilman Hoover?

19 MR. HOOVER: How is the sewer  
20 authority going? Is she feeling better?

21 MS. BARTOLETTI: She's been coming  
22 in when she feels up to it. When she's not  
23 everyone pitches in to help.

24 MR. HOOVER: How are we doing on the  
25 computerized --

1 MS. BARTOLETTI: We haven't touched  
2 any of that. I'm not doing anything with  
3 that until Lucille is feeling better and you  
4 guys decide what your plan is. This is just  
5 a very temporary scenario.

6 MR. FEBBO: This is more or less  
7 Marylynn and the girls helping Lucille get  
8 through until we as a council decide what  
9 we're going to do with that department.

10 MR. HOOVER: We have a person we can  
11 hire. Right?

12 MR. FEBBO: Well, are we going to  
13 hire a person or are we going to entertain  
14 the idea of having Marylynn or have her and  
15 the girls cover the whole thing? Again,  
16 it's only part time of the year that we need  
17 somebody. So the question is do we really  
18 need somebody in that department, or do we  
19 feel that Marylynn and the girls can oversee  
20 the whole department?

21 MR. HOOVER: I think once we get  
22 everything computerized and then think about  
23 it. This is only \$1,100. He said he'd do  
24 everything for us. I know Rick had this. I  
25 think we should start the process.

1 MS. BARTOLETTI: We're going back to  
2 the situation where council members got that  
3 quotation. I wasn't really involved with  
4 that. That's the software the borough  
5 already has.

6 My plan was to have the sewer agency  
7 connect on to my network, the borough  
8 manager network, where right now Steve is  
9 hooked on, Paul, Sandy and Ann Marie. So it  
10 would be hooking Lucille and the sewer  
11 agency on to that as well and overseeing --  
12 basically myself overseeing the whole thing  
13 the same way I handle all the other bank  
14 accounts and all that. That was what the  
15 plan was. Then it changed back and forth.

16 I think all of this pretty much got  
17 put on hold once Mrs. Yeager got sick. I  
18 think we need to give her a little bit of  
19 time now to get through her treatments and  
20 all that and then pick it up again.

21 But for now, since the bills have  
22 already gone out and they don't go out again  
23 until January, I think what we need to do is  
24 once she starts to feel better you guys can  
25 meet with her.

1           MR. FEBBO: My opinion is you start  
2           crunching numbers, you're talking about  
3           hiring another person, even if it's  
4           part-time, at \$12 an hour, 30 hours a week,  
5           that's \$15,000-plus a year. So if we were  
6           to keep it in-house with Marylynn and the  
7           girls I'm sure it would be less than that  
8           and you do not have another person on board.

9           So the question is do we need  
10          another person in the building when they  
11          feel they can handle everything?

12          MR. HOOVER: It's just that we're  
13          losing a lot of money here. If we don't get  
14          this -- do we know how much everybody's  
15          paying or not paying?

16          MR. FEBBO: Again, I don't see where  
17          money is a factor in that.

18          MS. BARTOLETTI: You mean people not  
19          paying their sewer bills? That's still  
20          Lucille's responsibility to do, and what's  
21          happening is right now, as payments are come  
22          in, if people come from off the street we  
23          either ask them to pay at the bank or we  
24          take the payments here, but they still wait  
25          for Lucille as far as posting them. If she

1 has money to go to the bank Ann Marie  
2 creates a deposit to take so that money is  
3 going in. So in that part the system is  
4 still flowing.

5 Now, once the end of the month  
6 comes, like yesterday, once Lucille gets the  
7 final amounts from the bank that are stamped  
8 April, once she has all those she'll close  
9 out. Then she'll be able to generate  
10 reports for April and let you guys know  
11 what's going on. As far as that's concerned  
12 everything is still moving. She should be  
13 still able to give you the reports, she  
14 should know where everyone is as far as who  
15 owes money, late notices will still go out  
16 as they need to. It will probably be Ann  
17 Marie, Sandy or myself who will send them  
18 out. The system is still running.

19 MR. FEBBO: If they move the system  
20 from Lucille into your department with Sandy  
21 and Ann Marie she can teach them and  
22 yourself, and then you guys could come up  
23 with your own system as to how to go after  
24 delinquent accounts.

25 MS. BARTOLETTI: Absolutely. Once

1 everything is updated and it's more of a  
2 flowing system it will be a lot easier to  
3 track.

4 MAYOR LEGG: How much of the work  
5 are you guys doing now for Lucille?

6 MS. BARTOLETTI: It's really hard to  
7 say. It depends on if she's in or not in.  
8 It depends on how she feels. We're just  
9 trying not to put any pressure on her.

10 MAYOR LEGG: You guys could handle  
11 that if it was thrust upon you?

12 MS. BARTOLETTI: Yes. Here's the  
13 thing. Just a couple years ago our invoices  
14 went out four times a year. Now they go out  
15 once a year. Everything is different. My  
16 concern would be once we have all the  
17 employees and things go smoothly and the  
18 bills go out what happens the rest of the  
19 year when there's really nothing going on  
20 except for the vacancies, things like that.

21 MR. FEBBO: That's something we  
22 should be concerned about. What do we do  
23 with this extra person if there's nothing  
24 for them to do?

25 MAYOR LEGG: Has she given you any

1 type of idea -- and that's a tough question  
2 to ask her.

3 MS. BARTOLETTI: No.

4 MR. RUSSICK: How much money is owed  
5 to the sewer authority on delinquencies? I  
6 know it was a sizable amount at one time.

7 MS. BARTOLETTI: It has definitely  
8 come down. I can't give you an exact figure  
9 right now. I'm very new at being involved  
10 with everything, but it's something that I  
11 could definitely get you. With some pushing  
12 a lot of payments came in.

13 MR. HOOVER: I'm done.

14 MR. FERRETT: No, nothing. I make a  
15 motion we adjourn.

16 MS. BARTOLETTI: All in favor?

17 (Unanimous. Meeting adjourned.)  
18  
19  
20  
21  
22  
23  
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 23 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



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