

OLD FORGE BOROUGH COUNCIL MEETING

Old Forge Borough Building  
314 South Main Street  
Old Forge, Pennsylvania

Tuesday, November 20, 2018

7:00 p.m.

MEMBERS PRESENT:

ROBERT SEMENZA, CHAIRMAN

JOSEPH FERRETT, COUNCIL MEMBER

RUSSELL RINALDI, COUNCIL MEMBER

RICHARD NOTARI, COUNCIL MEMBER

LOU FEBBO, COUNCIL MEMBER

JAMES HOOVER, COUNCIL MEMBER

MICHAEL LETTIERI, COUNCIL MEMBER

ALSO PRESENT:

MARYLYNN BARTOLETTI - BOROUGH MANAGER

WILLIAM RINALDI, ESQ.-SOLICITOR

MAYOR ROBERT LEGG

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## P-R-O-C-E-E-D-I-N-G-S

CHAIRMAN SEMENZA: Good evening, ladies and gentlemen. I'd like to start the meeting with the pledge of allegiance.

(Pledge of Allegiance.)

CHAIRMAN SEMENZA: Welcome to the November 20th Old Forge Council meeting. Roll call, please, Bill.

ATTORNEY RINALDI: Mr. Febbo.

MR. FEBBO: Present.

ATTORNEY RINALDI: Mr. Ferrett.

MR. FERRETT: Here.

ATTORNEY RINALDI: Mr. Hoover.

MR. HOOVER: Here.

ATTORNEY RINALDI: Mr. Lettieri.

MR. LETTIERI: Present.

ATTORNEY RINALDI: Mr. Notari.

MR. NOTARI: Present.

ATTORNEY RINALDI: Mr. Rinaldi.

MR. RUSSELL RINALDI: Here.

ATTORNEY RINALDI: Mr. Semenza.

CHAIRMAN SEMENZA: Here. We're going to switch things up a little bit here. Tonight we have Bruce Davis from UGI. And he wants to go over a resolution proposed for UGI is getting requests for gas

1 service on Sunny Drive. Bruce, do you want to take --

2 MR. DAVIS: Sure. I think everybody can  
3 hear me without a mic. I'm not sure. First of all,  
4 let me thank Council for their time tonight.

5 Busy time of the year, and I appreciate  
6 you allowing us here tonight to discuss a GET Gas  
7 Project that we're proposing for Sunny Drive in Old  
8 Forge.

9 My name is Bruce Davis. I'm the regional  
10 sales manager for UGI. I also have with me tonight  
11 Lucy Sassy, who is our sales representative for this  
12 area, so she would be the one meeting and then  
13 contacting the customers up on Sunny Drive, if we were  
14 going to proceed with this particular project.

15 Before I get into the GET Gas Resolution,  
16 I would like to spend a few minutes talking about how  
17 UGI does extend gas mains, how we've done it in the  
18 past, and how we're doing it now under what we call the  
19 GET Gas Project.

20 The GET Gas Tariff is about five years  
21 old. It was started about five years ago because of  
22 the tremendous demand for natural gas where we didn't  
23 have mains.

24 And under our existing tariff, at that  
25 point, and our tariff we still have today, if you

1 wanted to extend a gas main such as Sunny Drive, the  
2 estimated cost to extend up this street and provide gas  
3 to all 19 homes that are on that street is  
4 approximately \$120,000.00.

5 Under our existing tariff five years ago,  
6 prior to GET, we'd have to get all 19 customers signed  
7 up and then still ask them for about \$40,000.00.

8 So it's very expensive to do this. The  
9 company came up with this new tariff called GET. It  
10 stands for Growth Extension Tariff.

11 Under the GET Tariff, we assume all costs  
12 upfront. So the customer does not have to pay any  
13 amount of money upfront.

14 We assume that we're going to get so many  
15 customers over a 12-year time period. So whenever we  
16 put a main in under GET, that main is under what's  
17 called the GET Tariff for 12 years.

18 And to qualify for GET, you have to have  
19 a project that's at least \$15,000.00, because we don't  
20 want this turning into small projects. This one,  
21 obviously, will be greater than \$15,000.00.

22 We have to assume we're going to get  
23 greater than a 50 percent market share. Here we're  
24 assuming 50 to 60 percent market share. And we can't  
25 spend more than \$10,000.00 per customer that we assume

1 we're going to get in the market share.

2 So we're assuming 10 out of 19 at this  
3 point. That means we can spend \$100,000.00. To get  
4 ten customers, because the number I mentioned before of  
5 is 120,000, that included putting services to all 19.

6 This only included services to ten.  
7 That's going to cost us roughly 85,000. So the 85 is  
8 less than the 100,000 because we can spend 10,000 per  
9 ten customers, that's \$100,000.00. So the project is a  
10 go based on that.

11 But the reason I'm here tonight is to  
12 talk about the GET Gas Resolution that we proposed. As  
13 I mentioned, under this GET Gas project, we are not  
14 going to charge these customers upfront.

15 That means we're going to assume the risk  
16 and get these customers over 12 years. So, under the  
17 GET Project, we need to be able to access our new main  
18 infrastructure for that 12-year time period knowing  
19 that our costs are not going to rise for any particular  
20 reason that, if the road gets paved, we won't have a  
21 moratorium and be locked out and not be able to hook up  
22 customers, because the whole point of this is we know  
23 we're going to get them over a period of time.

24 We would hope that Lucy can sign up all  
25 ten upfront. But, from historical projects, that

1 hasn't been the case, that's because people have to  
2 make a decision when they want to convert from  
3 electricity or oil, it's expensive to do that.

4           They have got to get a contractor in, the  
5 financing for that amount of money. So, it does take  
6 time. So we know that if we put it in immediately, we  
7 may end up getting four or five possibly the first  
8 year, but assume to get the other five or six or  
9 maybe more than that over the next ten to twelve years.

10           So, that's really the reason for the GET  
11 Resolution that I passed out to everyone tonight. And  
12 just take a minute and go over some of the bullet  
13 points here.

14           Basically, what it's saying, and just so  
15 you know, you're not the first borough we asked to do  
16 this.

17           Duryea has agreed to this. Dupont has  
18 agreed to this. Riverside, near Danville, has agreed  
19 to this. East Buffalo Township, Lewisburg, just to  
20 name a few of the municipalities that agree to these  
21 bullet points in this resolution because they  
22 understood that we're making a large investment and we  
23 need to protect ourselves by having this type of  
24 resolution so that we know that our future costs are  
25 not going to increase.

1           So, first bullet on there, no permit fees  
2 for the natural gas main installation. So that's just  
3 the main in the road or off the road. We're going to  
4 try to avoid cutting the pave as much as possible.

5           We will pay a \$50.00 permit fee for every  
6 business or residence that we hook up. So, for every  
7 service that we have to run to a home, we will pay a  
8 \$50.00 permit fee.

9           We will not pay for municipal inspector,  
10 labor for restoration. Main restoration will only  
11 require a one-foot cutback for the trench on both  
12 sides.

13           All rules will apply for a 12-year  
14 period, commencing after the installation of the main.  
15 We have the option to use PennDOT-approved core bore  
16 technology, which basically means, if we can get in  
17 there and just spot something with a round core, a  
18 machine comes in and cuts out an 18-inch core, pulls  
19 the core out. We spot what we need to spot, put the  
20 core back, reseal it.

21           And that is basically core bore  
22 technology that is approved by PennDOT. We do use it  
23 on PennDOT roads also.

24           All service cuts will require -- only  
25 require a one-foot cutback for restoration, if not

1 using the core bore technology.

2 UGI will be allowed to install gas mains  
3 in municipal road right-of-ways outside of the paved  
4 roadway.

5 If the municipality paves the road within  
6 the 12-year-period, there will be no moratorium and the  
7 one-foot cutback would still apply.

8 UGI Utilities will be responsible for  
9 restoration for a five-year-period after completion.  
10 So, once we come in and do a restoration, we're going  
11 to take care of that restoration for five years.

12 Normally, we only do that for one year.  
13 So, because we're asking for these others, we're  
14 saying, okay, we're going to make sure that, for five  
15 years, we're going to take care of this restoration.  
16 If there is any issues, we will take care of them.

17 But because we're going to be responsible  
18 for five years, we're going to make sure that it's done  
19 right the first time.

20 So, and that's basically what we're  
21 looking at.

22 CHAIRMAN SEMENZA: Bruce, as you know, we  
23 spoke on the phone. You know, Old Forge did hire a  
24 third-party inspection, Geo Science, to do compaction  
25 testing for all of the pave cuts for all utility



1 companies that run underground utilities.

2 And, you know, I had Dave alter this a  
3 little bit. I mean, if we do it like that, is that  
4 going to be a problem, if you pay for the third-party  
5 inspections?

6 MR. DAVIS: Yes.

7 CHAIRMAN SEMENZA: Why is that? I just  
8 don't want to get into somebody like American Water or  
9 other utilities saying, whoa, time out. UGI wants to  
10 pass a resolution.

11 Now, all of a sudden, our third-party  
12 inspection that we passed, you know, that we had hired,  
13 is, you know, no more.

14 MR. DAVIS: What we're asking for is a  
15 waiver for the Sunny Drive gas program. So, we're not  
16 asking for any other waiver for any other project  
17 within Old Forge.

18 If we come in and do any type of  
19 emergency repair or have to dig on a leak or anything  
20 like that, this would not apply. All your current  
21 ordinances would apply for that.

22 MR. RUSSELL RINALDI: Not to interrupt  
23 President Semenza, but why don't you want to pay it?

24 MR. DAVIS: Because, if we have to start  
25 building costs for inspections, again, we don't have

1 any inspection costs in our charges right now. That's  
2 going to increase our cost.

3 And we don't know what -- since this is  
4 over 12 years, we don't know, over that 12-year time  
5 period, what that cost could be.

6 And, again, because of the fact that  
7 we're going to guarantee this for five years, we're  
8 going to make sure that it's done right.

9 MR. RUSSELL RINALDI: Are there other  
10 areas in Old Forge that you're looking to install in  
11 the future gas lines, besides Sunny Drive?

12 MR. DAVIS: Sunny Drive is the only one  
13 we're looking at right now in Old Forge.

14 MR. RUSSELL RINALDI: If there's future  
15 ones, if we granted you this one, would you ask again  
16 if you came in to the future to put another line  
17 somewhere else, would you ask for that to also be no  
18 inspection fees?

19 MR. DAVIS: If it's under the GET Gas  
20 Program, yes.

21 MR. RUSSELL RINALDI: So under any GET  
22 Gas Program project, you're not going to want to pay  
23 the fees?

24 MR. DAVIS: That's correct.

25 MR. RUSSELL RINALDI: You do that in

1 other boroughs?

2 MR. DAVIS: Yes.

3 MR. RUSSELL RINALDI: Have they allowed  
4 it?

5 MR. DAVIS: Yes. Duryea, Dupont, that  
6 are close by, those did.

7 CHAIRMAN SEMENZA: But Duryea nor Dupont,  
8 they don't have third-party inspections.

9 MR. DAVIS: I don't know.

10 CHAIRMAN SEMENZA: I do.

11 MR. DAVIS: I can't say for sure whether  
12 they do or not, so.

13 CHAIRMAN SEMENZA: I just feel it's not  
14 fair to our other -- the other utility companies that  
15 we pass a resolution like this or anybody else that  
16 makes pave cuts in the roadway. That's my personal  
17 opinion.

18 And it would have to state what's not  
19 Sunny Drive on the resolution.

20 MR. DAVIS: Well, this is what we were  
21 proposing. We assumed that the solicitor would draft  
22 this into an actual resolution.

23 CHAIRMAN SEMENZA: Bill, this would have  
24 to be posted and everything like that, correct?

25 ATTORNEY RINALDI: You would have to

1 write it up. But, I mean, just a couple questions  
2 here. I don't know what the right-of-way is on Sunny  
3 Drive, if there's enough right-of-way to run it out of  
4 the pavement. A lot of our roads are unpaved.

5 MR. DAVIS: If it is wide enough to go  
6 outside of the right-of-way, that's where we would put  
7 the main.

8 ATTORNEY RINALDI: I guess the question  
9 is, what is Sunny Drive like, Dave? Maybe you can  
10 answer that. I don't know what kind of shape it is out  
11 there.

12 MR. HOOVER: I have a question.

13 ATTORNEY RINALDI: I mean, if there's a  
14 problem, the Borough is going to have to cover it. You  
15 guys are making money off the gas.

16 You got 20 new customers that you're  
17 going to be charging, essentially. Normally, gas lines  
18 go in for nothing, because you're picking up the  
19 customers.

20 MR. DAVIS: No, no, that's not the case,  
21 necessarily. It all depends on the cost of the  
22 project, whether we have to go in the road. If we get  
23 out of the road, sometimes they can go in with no cost.  
24 In this particular case, we can't justify it.

25 MR. HOOVER: I think the customers are --

1 there's no sidewalks up there. I think the customers  
2 own the right to the edge of the road, if I'm not  
3 mistaken.

4 CHAIRMAN SEMENZA: Yeah.

5 MR. HOOVER: So, if you put the gas main  
6 in the street, put a trench up the whole road, putting  
7 service cuts off of that. After 12 years, that road is  
8 going to be a mess.

9 Would you come back and overlay that road  
10 when you're done?

11 MR. DAVIS: No, that's not part of our  
12 expense with this. We would restore it and would be  
13 responsible for that restoration for five years.

14 MR. HOOVER: So you would have a cut,  
15 whatever the length, 800 feet, have a cut going up the  
16 street, four or five feet wide, a service cut off each  
17 one of those, a service cut behind the sidewalk.

18 MR. DAVIS: Our trench is usually 3 feet.

19 MR. HOOVER: With a one-foot cutback,  
20 five feet. You have a five-foot cut going up the road.  
21 After 12 years, going to have a thousand-foot trench  
22 going up the road with service cuts off of that.

23 And then we're going to have to overlay  
24 the road and we didn't do nothing up there. That's  
25 what that, you know --

1 CHAIRMAN SEMENZA: When did we pave  
2 that?

3 MS. BARTOLETTI: I'm really not sure.  
4 Joe, do you remember?

5 CHAIRMAN SEMENZA: Yes. Do you remember  
6 when that was paved, Sunny Drive?

7 MR. FERRETT: I don't know. Way before  
8 my time, before --

9 CHAIRMAN SEMENZA: Before you then.

10 ATTORNEY RINALDI: You're going to be  
11 responsible for five years after completion of what,  
12 installing the main the whole length of Sunny Drive?

13 MR. DAVIS: Correct, and also, if, two  
14 years from now, the customer calls up and says I want  
15 gas and do a service cut, we'd be responsible for five  
16 years after that service cut.

17 MR. HOOVER: Up to twelve years,  
18 whatever you make, you'll be responsible for five years  
19 after that cut is done.

20 MR. DAVIS: Right.

21 MR. HOOVER: After 12 years, that road is  
22 going to be shot.

23 MR. LOPATKA: It's only the trench.  
24 There's no overlay?

25 MR. DAVIS: No, we don't do an overlay.

1 MR. HOOVER: Have a trench for 8 or 900  
2 feet, and cuts off that. 19 cuts off that.

3 CHAIRMAN SEMENZA: If the road hasn't  
4 been paved in 20 years, is going to need to be paved  
5 shortly.

6 And if we pave this road in five years,  
7 say, and they already have pave cuts done and they go  
8 and go to do five more services, we're going to have a  
9 brand-new road that's going to be chopped up. I mean,  
10 I don't know.

11 MR. DAVIS: That's why we bring the  
12 resolution before the Borough, because of that.

13 CHAIRMAN SEMENZA: But I mean --

14 MR. FERRETT: That's going to be contrary  
15 to --

16 CHAIRMAN SEMENZA: We have an ordinance  
17 in the Borough that's five years you can't touch a  
18 roadway.

19 And, you know, we spend a lot of money on  
20 paving in Old Forge, lots, you know, in the past couple  
21 years.

22 MR. HOOVER: There is also an ordinance  
23 in there, if you make three cuts within a hundred feet,  
24 you have to pave the road curb to curb.

25 So, I mean, even if he goes out there and

1 does five in the same block, same area, there's three  
2 cuts within a hundred feet, should have to pave the  
3 road curb to curb.

4 MR. NOTARI: Mr. Davis, why Sunny Drive,  
5 do you have customers already?

6 MR. DAVIS: We've had inquiries from  
7 customers up there. When we look at the estimate and  
8 work under the normal tariff, had to pay too much  
9 money.

10 So we looked at it under GET and it  
11 worked under GET. So, that's what we proposed.  
12 Nothing that we would have to come to the Borough for  
13 the resolution.

14 ATTORNEY RINALDI: Let me ask you this,  
15 the right-of-way might be longer than the pave. There  
16 usually is some room.

17 If you had to run the gas line along one  
18 side of the road, how do you get it to the houses  
19 across the street, use a bullet and push it under or  
20 trench it?

21 MR. DAVIS: Normally try to bullet it  
22 across, depending on what's between us and the other  
23 side of the road.

24 CHAIRMAN SEMENZA: Might be all rock.  
25 The Chief might know that.



1 CHIEF DUBERNAS: All the columns dumps up  
2 there, on both sides.

3 MR. FEBBO: A lot of fill in that road.

4 CHAIRMAN SEMENZA: A lot of fill?  
5 Depending on what kind of fill it is.

6 MR. FEBBO: One side goes through the  
7 people's property.

8 MR. NOTARI: Mr. Chairman, does this  
9 decision have to be made tonight?

10 CHAIRMAN SEMENZA: Well, no. The  
11 resolution has to be drafted up. This is just a rough  
12 draft. Bill has to do a resolution.

13 The best thing I can say, Bill, is --  
14 Bruce, I'm sorry, we can try to come up with something  
15 and draft it and send it back to you guys and see if  
16 you guys are okay with it.

17 MR. DAVIS: That's fine, if that's what  
18 you'd like to do.

19 CHAIRMAN SEMENZA: Nobody up here, I can  
20 speak for everyone, nobody wants to deny anybody for  
21 gas service.

22 We have to make sure, because over the  
23 past couple of years, we have put these ordinances into  
24 place just to make our roadways better. You know what  
25 I mean?

1 MR. DAVIS: Yes, sir.

2 MR. FEBBO: Is that a 30-foot road?

3 CHAIRMAN SEMENZA: Got to be 30 foot.

4 Pretty wide.

5 MR. FEBBO: Off-centered.

6 CHAIRMAN SEMENZA: Pretty wide road. Do  
7 you know, Paul?

8 MR. PAPI: I never measured it. Closer  
9 to 30 than 25.

10 MR. FEBBO: Off-centered. The blacktop  
11 is one side.

12 MR. FERRETT: What happens if -- a moment  
13 ago you said that if someone on the other side of the  
14 road, you had to bullet through, what happens if you  
15 hit rock and everything?

16 MR. DAVIS: We would have to dig it.

17 MR. FERRETT: Then the road gets  
18 disturbed, right?

19 MR. DAVIS: Correct. We'd have to open  
20 the trenches right across the road to put the service  
21 in.

22 MR. FERRETT: Then, in other words,  
23 correct me if I'm wrong, as I understand it, all these  
24 situations that may occur, at the end of 12 years, if  
25 the road is shot, the Borough going to be responsible

1 while the gas company harvests all the money; would  
2 that be correct?

3 MR. DAVIS: At the end of 12 years, the  
4 GET Gas Program is over, correct. But that doesn't  
5 mean customers still can't request service after that.

6 MR. FERRETT: But as you pick up  
7 customers, the road keeps getting deteriorated and the  
8 Borough has that responsibility.

9 MR. DAVIS: The Borough is responsible  
10 for the road. Again, we're going to do restoration of  
11 what we cut and we're going to guarantee it for five  
12 years.

13 MR. FERRETT: I understand that. We also  
14 have a code that after ex-number of footage of road  
15 being cut, whoever does the work has to be responsible  
16 for the road.

17 MR. DAVIS: That's fine if that's what's  
18 in the ordinance. All we're saying is, for this GET  
19 Gas project to go, we can't afford to pay for that.

20 MR. FEBBO: Paul, what kind of shape is  
21 that in? We haven't paved it in how many years. Is  
22 it coming up for a repaved job?

23 CHAIRMAN SEMENZA: Do we know, Joe, what  
24 kind of shape is the road in?

25 ATTORNEY RINALDI: That would make it

1 worse.

2 MR. FERRETT: Not too bad now.

3 MR. FEBBO: I'm saying --

4 CHAIRMAN SEMENZA: Going to have to be  
5 patched after ten, twelve years; right?

6 MR. PAPI: Yeah.

7 MR. FEBBO: Would it qualify for our next  
8 paving job? Let's put it that way, next year or two.

9 MR. LOPATKA: That's the problem. They  
10 may not get all the services. They might end up  
11 cutting to put the service in.

12 ATTORNEY RINALDI: They have 12 years.

13 MR. FEBBO: What is the time factor on  
14 this?

15 MR. DAVIS: 12 years. It's a 12-year  
16 program. We're going to go knock on doors, have  
17 meetings, try and sign up as many customers as we can  
18 immediate.

19 Sometimes it takes a couple years to get  
20 these customers signed up.

21 MR. FEBBO: If you put a sewer, you put a  
22 lateral in, whether there's lot there, you guys don't  
23 put laterals in across the road?

24 MR. DAVIS: We can't do that.

25 MR. FEBBO: Okay.

3 MR. HOOVER: Why don't we see what the  
4 road looks like?

5 CHAIRMAN SEMENZA: Yeah, I'd like to.

6 Dave, could you see if --

7 MR. HOOVER: See if there's a  
8 right-of-way.

9 CHAIRMAN SEMENZA: Could you go up there  
10 and see what's what? Bill, could you figure out what  
11 the right-of-way is on that road?

12 ATTORNEY RINALDI: Going to try to find a  
13 plan. We know what the development is, should say the  
14 what right-of-way is. Should be recorded somewhere.  
15 We can find it that way, if we know the name.

16 MR. PAPI: Shubeck.

17 MR. LOPATKA: Shubeck.

18 CHIEF DUBERNAS: Under the estate of  
19 Michaelyn Andre. I have all the papers, if you need  
20 it.

21 CHAIRMAN SEMENZA: You have all the  
22 paperwork.

23 CHIEF DUBERNAS: Yeah, cause I have two  
24 lots on that road.

25 ATTORNEY RINALDI: Give us a map number

1 and that will help and we can see the width of the  
2 road.

3 CHIEF DUBERNAS: I'll get my wife to get  
4 it.

5 ATTORNEY RINALDI: Just measuring the  
6 pave and see how much room you got.

7 MR. RUSSELL RINALDI: Before we end, and  
8 I think I asked this, I might not have. But I don't  
9 think I got the answer.

10 Why not just come in and do it according  
11 to our codes and our ordinance like everyone else has  
12 to? Are you just trying to save money?

13 MR. DAVIS: In other words, I mentioned  
14 before, all we can spend is -- the most we can spend on  
15 a project is \$10,000.00 per home that we believe we may  
16 acquire.

17 If we started adding in all the paving  
18 costs, it doesn't work.

19 MR. RUSSELL RINALDI: It falls out of  
20 that GET Gas project.

21 CHAIRMAN SEMENZA: They're funding the  
22 cost of the program. So you probably did give me my  
23 answer before, maybe I misunderstood it.

24 I wasn't sure -- I wasn't sure, like,  
25 what the point was. But now I get it, because, you

1 wouldn't be able to go on the GET Gas Program.

2 MR. DAVIS: That's correct. We have to  
3 overlay and start paying inspector fees, it doesn't  
4 work.

5 CHAIRMAN SEMENZA: Anybody else have any  
6 questions.

7 MR. RUSSELL RINALDI: One more. If you  
8 got the funding to do that project, through the GET Gas  
9 Program, right, why can't you use your own money to  
10 overlay it?

11 MR. DAVIS: No. That's what I'm saying,  
12 with the estimate that we have, if we have to add in  
13 the cost of the inspection and overlaying of the road  
14 --

15 MR. RUSSELL RINALDI: Don't add it in.  
16 Just use your own money.

17 MR. DAVIS: It's all our money going in  
18 upfront. We're the ones paying for all the  
19 infrastructure going in all at one time.

20 MR. RUSSELL RINALDI: I understand that.  
21 But if you just do the program the way you're going to  
22 do it, and then 12 years down the road, when the  
23 program is over with, your project is done. You have  
24 your customers. Your gas line is in. Just come back  
25 and pave the road.

1 MR.DAVIS: Again, that would be  
2 additional costs. It would have to be added in to the  
3 overall project cost. If we know we're going to have  
4 to overlay the road, we got to add it in. We can't  
5 assume later on and come up with funds.

6 MR. FEBBO: What you're asking for is to  
7 come in, if you have four houses, you want to hook them  
8 up.

9 And over the course of the next 12 years,  
10 as people filter in and want gas and you want to go up  
11 and dig the road and put the gas in and put a patch on  
12 it and dig the road and --

13 MR. DAVIS: Right. That's right. And if  
14 there's nothing -- we say 12 years because that's the  
15 life of the GET Project.

16 But there's nothing saying that we won't  
17 have all the customers hooked up in three years.

18 MR. RUSSELL RINALDI: You could have them  
19 all hooked in a year.

20 MR. DAVIS: It's very possible. We  
21 haven't seen that in the past.

22 MR. RUSSELL RINALDI: No. I'm just  
23 saying.

24 MR. DAVIS: It could be done in a fewer  
25 years and could be done.



1 MR. FEBBO: The fact that we cannot look  
2 forward to paving that road say four years completely  
3 without you guys coming back to dig it up and hooking  
4 up a house.

5 MR. DAVIS: Unless we hook everybody up.

6 CHAIRMAN SEMENZA: Unless everybody hooks  
7 up or we can't look to it in 12 years.

8 MR. FEBBO: We can't touch this in 12  
9 years.

10 CHAIRMAN SEMENZA: Unless everybody is  
11 hooked up.

12 MR. FERRETT: Jimmy, you with the water  
13 company; right? If the water company tears up the  
14 road, don't they have to service the road.

15 MR. HOOVER: Yes. We put that in our  
16 bid. We're doing Beech Street now in Old Forge. Run  
17 the water main up the street.

18 We're going to transfer all the services.  
19 Geo Sciences is there.

20 MR. FERRETT: Is this going to come back  
21 and bite us later?

22 MR. HOOVER: We overlay the road. That's  
23 in my project to do it. It's different than theirs.

24 MR. DAVIS: Jim is fortunate, water is a  
25 necessity of life. You got to have it. Natural gas is

1 not.

2 MR. FERRETT: Not a one-day deal, because  
3 the gas company will keep on collecting the money,  
4 money, money.

5 MR. FEBBO: We need to discuss this.

6 MR. NOTARI: Yeah, discuss it.

7 CHAIRMAN SEMENZA: Yeah. Let us discuss  
8 this.

9 MR. DAVIS: Wasn't expecting a decision  
10 tonight.

11 CHAIRMAN SEMENZA: Dave, look into what  
12 you got to look into. Bill, the same. And thank you.

13 MR. DAVIS: Thank you for your time. You  
14 got my name and number?

15 CHAIRMAN SEMENZA: I do. Bill, you have  
16 it?

17 At this time, the Chair is going to go  
18 into housekeeping items. I'll entertain a motion to  
19 approve the minutes of the packet.

20 MR. FEBBO: Chairman, I'll make that  
21 motion.

22 CHAIRMAN SEMENZA: Motion on the floor by  
23 Councilman Febbo. May I have a second?

24 MR. LETTIERI: Second.

25 CHAIRMAN SEMENZA: Second by Councilman

1 Lettieri on the question. Public input.

2 MR. NOTARI: I have a question. I don't  
3 know if it's necessarily on the minutes. But I  
4 thought, at our work session, we approved a couple  
5 things to be on the agenda tonight. Did we not? Or am  
6 I imagining things?

7 CHAIRMAN SEMENZA: I don't know.

8 MS. BARTOLETTI: Do you know what they  
9 were?

10 MR. NOTARI: Not off the top of my head.  
11 I'd have to go through. I thought we had a couple  
12 things we needed to vote on tonight.

13 CHAIRMAN SEMENZA: We don't have them  
14 minutes.

15 ATTORNEY RINALDI: No ordinance.

16 MR. NOTARI: Withdraw my question.

17 CHAIRMAN SEMENZA: That's the last  
18 regular meeting.

19 MR. NOTARI: We don't have our work  
20 session minutes yet. Okay.

21 CHAIRMAN SEMENZA: Public input. Roll  
22 call, please.

23 MS. BARTOLETTI: Councilman Febbo.

24 MR. FEBBO: Yes.

25 MS. BARTOLETTI: Councilman Ferrett.

1 MR. FERRETT: Yes.

2 MS. BARTOLETTI: Councilman Hoover.

3 MR. HOOVER: Yes.

4 MS. BARTOLETTI: Councilman Lettieri.

5 MR. LETTIERI: Yes.

6 MS. BARTOLETTI: Councilman Notari.

7 MR. NOTARI: Yes.

8 MS. BARTOLETTI: Councilman Rinaldi.

9 MR. RUSSELL RINALDI: Yes.

10 MS. BARTOLETTI: Councilman Semenza.

11 CHAIRMAN SEMENZA: Yes. Next motion is a  
12 motion to approve the treasurer's report. Does not  
13 include sewer accounts.

14 MR. RUSSELL RINALDI: Mr. Chairman, I'll  
15 make that motion.

16 CHAIRMAN SEMENZA: Motion on the floor by  
17 Councilman Rinaldi. May I have a second?

18 MR. HOOVER: I'll second it.

19 CHAIRMAN SEMENZA: Seconded by Councilman  
20 Hoover on the question. Public input. Roll call.

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 Lettieri.

3 MR. LETTIERI: Yes.

4 MS. BARTOLETTI: Councilman Notari.

5 MR. NOTARI: Yes.

6 MS. BARTOLETTI: Councilman Rinaldi.

7 MR. RUSSELL RINALDI: Yes.

8 MS. BARTOLETTI: Councilman Semenza.

9 CHAIRMAN SEMENZA: Yes.

10 Next motion is a motion to approve  
11 invoices for payment. Note, this does not include  
12 sewer accounts.

13 MR. HOOVER: Make that motion.

14 CHAIRMAN SEMENZA: Motion on the floor by  
15 Councilman Hoover.

16 MR. RUSSELL RINALDI: Second it.

17 CHAIRMAN SEMENZA: Seconded by Councilman  
18 Rinaldi on the question. Public input. Roll call,  
19 please.

20 MS. BARTOLETTI: Councilman Febbo.

21 MR. FEBBO: Yes.

22 MS. BARTOLETTI: Councilman Ferrett.

23 MR. FERRETT: Yes.

24 MS. BARTOLETTI: Councilman Hoover.

25 MR. HOOVER: Yes.

1 MS. BARTOLETTI: Councilman Lettieri.

2 MR. LETTIERI: Yes.

3 MS. BARTOLETTI: Councilman Notari.

4 MR. NOTARI: Yes.

5 MS. BARTOLETTI: Councilman Rinaldi.

6 MR. RUSSELL RINALDI: Yes.

7 MS. BARTOLETTI: Councilman Semenza.

8 CHAIRMAN SEMENZA: Yes.

9 Next motion is a motion to approve sewer  
10 department financial reports.

11 MR. NOTARI: Mr. Chairman, I'll make that  
12 motion.

13 CHAIRMAN SEMENZA: Motion on the floor by  
14 Councilman Notari. Do I have a second?

15 MR. FEBBO: I'll second it.

16 CHAIRMAN SEMENZA: Seconded by Councilman  
17 Febbo on the question. Public input. Roll call,  
18 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 Lettieri.

1 MR. LETTIERI: 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 CHAIRMAN SEMENZA: Yes.

8 Next motion is a motion to approve sewer  
9 department invoices for payment.

10 MR. NOTARI: I'll make that motion, Mr.  
11 Chairman.

12 CHAIRMAN SEMENZA: Motion on the floor by  
13 Councilman Notari. May I have a second?

14 MR. RUSSELL RINALDI: I'll second it.

15 CHAIRMAN SEMENZA: Motion on the floor by  
16 Councilman Rinaldi on the question. Public input.  
17 Roll call.

18 MS. BARTOLETTI: Councilman Febbo.

19 MR. FEBBO: Yes.

20 MS. BARTOLETTI: Councilman Ferrett.

21 MR. FERRETT: Yes.

22 MS. BARTOLETTI: Councilman Hoover.

23 MR. HOOVER: Yes.

24 MS. BARTOLETTI: Councilman Lettieri.

25 MR. LETTIERI: Yes.

1 MS. BARTOLETTI: Councilman Notari.

2 MR. NOTARI: Yes.

3 MS. BARTOLETTI: Councilman Rinaldi.

4 MR. RUSSELL RINALDI: Yes.

5 MS. BARTOLETTI: Councilman Semenza.

6 CHAIRMAN SEMENZA: Yes. That was

7 invoices for payment. That was -- okay.

8 I'll go to our department head.

9 Everybody has Paul Papi's report in their packet. Does  
10 anybody have any questions for Paul.

11 MR. HOOVER: I'd just like to thank Paul  
12 for the snowstorm cleanup the other night. Like  
13 everybody said, Paul did a great job. I think you did.

14 MR. PAPI: Tell all the guys.

15 MR. HOOVER: Tell the guys they did a  
16 great job.

17 CHAIRMAN SEMENZA: Everybody involved did  
18 a great job. thank you.

19 MR. FEBBO: One of the first snowstorms  
20 we had gotten all positive comments from the community,  
21 not one negative one that I know of. Thank you.

22 CHAIRMAN SEMENZA: Anybody have any  
23 questions for Paul? Thanks, Paul. Paul, anything to  
24 add?

25 MR. PAPI: No. I'm good.



1 CHAIRMAN SEMENZA: Everybody have Steve  
2 Bieryla's zoning code enforcement officer's report?  
3 Everybody has the report in their packet. Anybody have  
4 any questions for Steve?

5 MR. LETTIERI: Steve, did you ever find  
6 the ordinance on that parking situation on Butler  
7 Street?

8 MR. BIERYLA: No. Went right out of my  
9 head. I'll look into it.

10 MR. LETTIERI: As soon as you get it, if  
11 you let me know.

12 MR. BIERYLA: Yeah, we recently had a  
13 little fire up on Keyser Avenue and been busy with  
14 that.

15 MR. LETTIERI: Want to give these guys  
16 some closure. You know? Thank you.

17 MR. BIERYLA: Welcome.

18 CHAIRMAN SEMENZA: Any questions for  
19 Steve? Thanks, Steve.

20 Chief, everybody has Chief Dubernas's  
21 report in their packet? Anybody have any questions for  
22 Chief Dubernas? Chief, do you have anything to add?

23 CHIEF DUBERNAS: I gave you my answers on  
24 the report.

25 CHAIRMAN SEMENZA: Thanks, Chief.

1 Dave, what do you got for us?

2 MR. LOPATKA: The only thing we've been  
3 doing is the subdivision plan for Saint Lawrence  
4 Church, which we presented to the Planning, which they  
5 approved.

6 And I guess now we're bringing it to you  
7 guys. There is -- from what Planning approved, the  
8 only modification that I had on it so that we located  
9 the utilities, give me an idea of how the water lines  
10 were run.

11 And then I talked to Paul and figured out  
12 what was going on with the sewer lines. They're on the  
13 map now.

14 So, basically, we would have to get them  
15 re-signed by Planning, as long as you guys approve  
16 them. Did I present it to you guys at any point? I  
17 think I showed it to them. No? We can go over them  
18 quick. I have them there.

19 MR. FEBBO: Are these the plans that  
20 Planning approved the other night?

21 MR. LOPATKA: Other than I added  
22 utilities. Same plan. I only have two. I printed  
23 more. Put one here and move one down.

24 MR. LOPATKA: Basically, what's happening  
25 is, there were nine total lots, as part of what the

1 church owned, the lots that were there were the  
2 double-dash lines, like kind of faint, where the old  
3 lot lines were. And all the names are on them.

4 Basically, what we're doing is what we're  
5 told to do is separate the church from the rectory and  
6 leave the parking lot as part of the church. And we  
7 created an access easement so that the rectory can  
8 utilize the parking in the church parking lot.

9 So, if you're looking at the plan,  
10 there's nine lots that are called out on a table next  
11 to the location map, which shows what comprised the  
12 existing parcels.

13 And then the map itself, you can see the  
14 darker lines, you can see designated the two new lots.  
15 And there's a crosshatch that shows where the easement  
16 is with the access to the driveway, off of Fallon  
17 Street.

18 These are the nine lots. No, not these  
19 ones. The ones inside. One, two, three, four, five,  
20 six, seven, eight, and nine. There were nine total  
21 lots.

22 Now we're making it this lot and this lot  
23 with the easement back access to the parking.

24 MR. HOOVER: What are these up here?

25 MR. LOPATKA: Those are off the property.

1 They're adjoined.

2 CHAIRMAN SEMENZA: Any questions for  
3 Dave?

4 MR. HOOVER: No.

5 MR. FEBBO: Dave, do you have to go back  
6 to Planning to get these signed?

7 MR. LOPATKA: Well, just because of that  
8 change, before we record them, yes, they would have to  
9 be approved by you guys for final approval.

10 Once they're approved by you guys, get  
11 all the signatures and get them recorded.

12 CHAIRMAN SEMENZA: Any questions for Dave?  
13 Dave, anything else?

14 MR. LOPATKA: I do not.

15 CHAIRMAN SEMENZA: Okay. Unless there's  
16 something --

17 MR. NOTARI: Dave, we can approve those  
18 tonight?

19 MR. LOPATKA: You could. I mean, they're  
20 approved by Planning. It's up to you guys to make a  
21 motion to approve them.

22 MR. FEBBO: Could we do that while we're  
23 on it?

24 CHAIRMAN SEMENZA: If you want to put it  
25 to the floor.

1 MR. FEBBO: Make a motion that we accept  
2 the drawings to the subdivision of the rectory of the  
3 church and go forward with whatever we need to approve  
4 them.

5 CHAIRMAN SEMENZA: Motion on the floor by  
6 Councilman Febbo.

7 MR. NOTARI: Second.

8 CHAIRMAN SEMENZA: Seconded by Councilman  
9 Notari on the question.

10 MR. HOOVER: I have a question. Refresh  
11 my memory, this is only for the rectory now?

12 MR. FEBBO: Subdivision.

13 ATTORNEY RINALDI: I thought you were  
14 going to do my report next, so. So, once these plans  
15 are approved, there will be two separate lots.

16 The plan will be recorded. Then we can  
17 proceed to closing on the rectory lot, because we'll  
18 have a plan to reference it. There will be a  
19 description within the deed of that lot and also be an  
20 easement for the parking area and an easement for the  
21 waterline and an easement for the sewer, since the  
22 waterline runs outside of the parking area easement.

23 MR. LOPATKA: The waterline runs from the  
24 shut-off in the driveway going in to the parking lot.  
25 So, the water is on one shut-off that goes to both

1 buildings. And there's two meters.

2 ATTORNEY RINALDI: And that will be  
3 contained in the deed, along with an option to purchase  
4 the remaining like, which is the church lot, for  
5 60,000 upon closure of religious services by the  
6 church. So that's going to be sent to the bishop to  
7 sign.

8 I don't have it yet because we don't have  
9 the dimensions yet because the plans were just done.

10 MR. LOPATKA: I'll have descriptions --  
11 if you guys approve it, I'll have descriptions put  
12 together.

13 ATTORNEY RINALDI: I was going to ask --  
14 that's the only thing. And then ask for a resolution  
15 authorizing the officers to go to closing, which is  
16 basically signing a HUD sheet and title request policy  
17 and disperse whatever monies we have to disperse for  
18 recording.

19 MR. FERRETT: I have a question on that.  
20 Maybe I missed the boat somewhere along the line. Do  
21 we have any idea what the cost of this is going to be?

22 MR. LOPATKA: We had an original cost.  
23 We haven't finished the overall estimate that you guys  
24 were asking about.

25 I need to get back in there and get it

1 scheduled. I haven't had a chance.

2 MR. HOOVER: What was that first cost,  
3 125?

4 MR. LOPATKA: 130. That was primarily  
5 for the structure, MEPs, like mechanical, electrical,  
6 what they can see of the mechanical,  
7 electrical and plumbing, so, and what we can see of the  
8 structure.

9 So, for the report, detailed just  
10 basically structuring the MEPs, not any other cosmetics  
11 items.

12 CHAIRMAN SEMENZA: Is that  
13 handicapped-accessible?

14 MR. LOPATKA: Need to, yeah.

15 CHAIRMAN SEMENZA: Is that included in  
16 the 125?

17 MR. LOPATKA: No, no, no.

18 MR. HOOVER: Was there an elevator we  
19 were going to put in or no in the rectory? No.

20 MR. FEBBO: Guys, jumping the gun here.  
21 That's not what we're talking about. We're not talking  
22 about what we're doing in terms of remodeling the  
23 place.

24 We're talking about the purchase price.  
25 The purchase price for the rectory right now is one

1 dollar.

2           They made a comment, or Bill, that the  
3 price for the church going forward is 60,000. That is  
4 not written in stone. We may end up getting that  
5 rectory for a lot less. It's the church.

6           MR. FERRETT: My point, ask you a  
7 question, do we have any idea what the cost is going to  
8 be for the rectory -- not the rectory, yeah, for the  
9 rectory, that we're going to pay just one dollar to  
10 purchase?

11           Is there a plan on the table what we're  
12 going to do with this rectory, what it's going to cost  
13 us to put it in?

14           MR. LOPATKA: No, no, no.

15           MR. FERRETT: Well, how could you buy  
16 something when you don't know what it's going to cost  
17 you?

18           MR. LOPATKA: Don't ask me.

19           MR. FERRETT: I don't understand. Didn't  
20 make sense to me.

21           MR. LOPATKA: You know, we did the plan.

22           MR. FEBBO: Joe, for one dollar you're  
23 not going to walk away from a building like that or a  
24 property like that. Okay?

25           We have a year -- we don't have a time



1 factor. We don't have to go in there tomorrow and put  
2 a dime into it.

3 Take ownership of it and we can sit down  
4 and decide where we want to go and do with it. Right  
5 now, that's not the issue.

6 You have a year from the time you get the  
7 church and do whatever you want with that. Again, you  
8 don't have to put a penny in that building right now.

9 Just decide. You're talking about going  
10 forward. This is where you need to sit down with  
11 Council and say, what do we want to do with it? What  
12 we're discussing right now is the purchase price.

13 The purchase price on the table right now  
14 is one dollar.

15 CHAIRMAN SEMENZA: Any more questions,  
16 Joe? No.

17 ATTORNEY RINALDI: I have one, just to be  
18 clear, because I'm putting together the deed. The deed  
19 is going to indicate, and I guess I could make it -- I  
20 could change it to a maximum.

21 We're going to have the option to  
22 purchase the church for a maximum of \$60,000.00,  
23 because you're saying we can get it for less.

24 MR. FEBBO: Correct.

25 ATTORNEY RINALDI: The way we did the

1 agreement is, we don't want the rectory unless we are  
2 sure of getting the church.

3 So that's going to go within the deed to  
4 the rectory. But we have that option to purchase the  
5 church. We can waive it later on. The idea was, we  
6 don't want the rectory if we don't get the church.

7 CHAIRMAN SEMENZA: Right.

8 ATTORNEY RINALDI: So it's going to be  
9 written that way.

10 MR. NOTARI: I thought we already did  
11 that.

12 ATTORNEY RINALDI: Well, we sent a  
13 letter. But never really got a yes or a no back from  
14 the church. But that's in the agreement that we have  
15 to agree on.

16 CHAIRMAN SEMENZA: No yes or no back, how  
17 are we voting on anything?

18 ATTORNEY RINALDI: I'm going to send them  
19 the deed and see what they're going to do with it.  
20 They want to close on the rectory.

21 And they understand that part of it is --  
22 part of it is that we want the church too. And the  
23 only thing they can't commit to when we can get the  
24 church.

25 So the language is just going to say,

1 when the church ceases to exist as a place of worship  
2 for Catholic services.

3 CHAIRMAN SEMENZA: Councilman Rinaldi,  
4 you have a question?

5 MR. RUSSELL RINALDI: Yes, for the  
6 solicitor. Bill, if we were to approve this tonight  
7 and we take ownership the rectory and that parcel, in  
8 the future, if the Borough decides that they don't want  
9 it, what could we do with it?

10 ATTORNEY RINALDI: Don't want the  
11 rectory?

12 MR. RUSSELL RINALDI: Yeah.

13 ATTORNEY RINALDI: You can sell it. It's  
14 yours.

15 MR. RUSSELL RINALDI: You could sell it?

16 ATTORNEY RINALDI: Do whatever you want.

17 MR. RUSSELL RINALDI: I thought we  
18 couldn't sell it.

19 ATTORNEY RINALDI: I haven't gotten any  
20 restrictions other than they talked about putting  
21 together a committee. But none of that has been hashed  
22 out or discussed.

23 So, right now, you're buying it free and  
24 clear. The rectory is yours to do what you want.

25 MR. RUSSELL RINALDI: Okay.

1 MR. FERRETT: There's no final decisions  
2 were made.

3 ATTORNEY RINALDI: They could always kick  
4 the deed back and say, well, you can't do this with it  
5 or can't do that with it.

6 So far, the bishop hasn't communicated  
7 any of that. The bishop is --

8 MR. RUSSELL RINALDI: They can kick the  
9 deed back after we buy it.

10 ATTORNEY RINALDI: No, no, no. My deed  
11 is going to be pretty simple. They're giving us fee  
12 title to the rectory parcel, easements to the parking  
13 lot and access to the parking lot, easement for the  
14 waterline, easement for the sewer line and an option to  
15 purchase the other parcel for \$60,000.00. That's what  
16 my deed is going to say.

17 MR. FEBBO: Give us what we wanted then.

18 ATTORNEY RINALDI: That's all I'm putting  
19 in, because that's all we agreed to so far.

20 MR. RUSSELL RINALDI: And the other  
21 question would be, and I don't have the paper on me, a  
22 few months back, maybe two months back, we had that  
23 paper from the church that was those five stipulations  
24 from the church, is that attached to this?

25 ATTORNEY RINALDI: No, I'm not

1 incorporating it, because, you know, they could demand  
2 that before they sign the deed. And I come to Council  
3 and say, they want these items included. That's up to  
4 you guys if you want to include it.

5 MR. FERRETT: That's not included.

6 ATTORNEY RINALDI: I'm not going to make  
7 that decision. I'm plain vanilla. Buying it with an  
8 option on the lot next door for 60,000. That's it. No  
9 other conditions.

10 If they want conditions, they come back  
11 and hash them out with Council.

12 CHAIRMAN SEMENZA: Anybody else have any  
13 questions?

14 MR. FERRETT: I thought we were under the  
15 understanding that if we don't get the church, we don't  
16 have to take the rectory.

17 ATTORNEY RINALDI: That's why we're  
18 putting in the option for us to purchase the church  
19 when they --

20 MR. FERRETT: If we don't purchase the  
21 church, does the rectory go back to them?

22 ATTORNEY RINALDI: No. We're keeping the  
23 rectory. They're not asking for the rectory back.  
24 They want to get rid of the rectory before they want to  
25 get rid of the church.

1 CHAIRMAN SEMENZA: Good, Joe? Any more?

2 MR. FERRETT: No. Go ahead.

3 CHAIRMAN SEMENZA: Public input. Roll

4 call.

5 MS. BARTOLETTI: Councilman Febbo.

6 MR. FEBBO: Yes.

7 MS. BARTOLETTI: Councilman Ferrett.

8 MR. FERRETT: Yes.

9 MS. BARTOLETTI: Councilman Hoover.

10 MR. HOOVER: No.

11 MS. BARTOLETTI: Councilman Lettieri.

12 MR. LETTIERI: No.

13 MS. BARTOLETTI: Councilman Notari.

14 MR. NOTARI: Yes.

15 MS. BARTOLETTI: Councilman Rinaldi.

16 MR. RUSSELL RINALDI: Yes.

17 MS. BARTOLETTI: Councilman Semenza.

18 CHAIRMAN SEMENZA: No.

19 All right. Bill, the solicitor's report,  
20 please.

21 ATTORNEY RINALDI: You've approved the  
22 plans. That means Dave can get all the signatures on  
23 them and they can get recorded. Okay?

24 I will then get the deed description  
25 done. So all I'm going to ask for is a resolution to

1 carry out the closing of that transaction, which would  
2 be, show up at closing. We end up with a deed to the  
3 church, with an option on the parcel next door.

4 If there's anything that changes, in  
5 other words, the church doesn't want to give us that  
6 option and they want conditions, I will come back to  
7 Council and say, here, this is additional. And I would  
8 ask you to re-vote.

9 But the consummation of this transaction  
10 is, the Borough owns parcel with the rectory on it with  
11 easements to do everything they need to do.

12 And within that deed that's recorded on  
13 file in the courthouse is an option to purchase the  
14 church parcel for \$60,000.00. And that's the way it  
15 would stand.

16 Whenever the church decides to close up,  
17 that church couldn't be sold to anybody but us for  
18 \$60,000.00.

19 MR. RUSSICK: \$60,000.00 or less.

20 ATTORNEY RINALDI: No. It's an option  
21 agreement. I mean, I'll put it in if the church wants  
22 to give me a lesser number but that's only number I got  
23 from Council.

24 MR. RUSSICK: Or less.

25 MR. FEBBO: No more than that.

1                   ATTORNEY RINALDI: I guess I could put in  
2 not to exceed 60,000. I could put a max of 60,000.  
3 That's not a problem.

4                   CHAIRMAN SEMENZA: Anything else, Bill?

5                   ATTORNEY RINALDI: The Stocki hearing got  
6 moved because there was a death in Attorney  
7 Scacchitti's family, so it's November 29 at 2, next  
8 week.

9                   And I think Pagnotti wants to make  
10 arrangements to come down here at the meeting. I  
11 believe everything has been completed with regards to  
12 that subdivision for that parking lot.

13                   Just waiting on them to present it to  
14 Council. And that's all I have.

15                   CHAIRMAN SEMENZA: Any questions for  
16 Bill? Thanks, Bill. Marylynn, Borough Manager's  
17 report. Everybody has Mary's report in their packet.  
18 Anything to add?

19                   MS. BARTOLETTI: No. You have all the  
20 financial reports and just will be having a finance  
21 meeting next week.

22                   And then at our work session in December,  
23 we're going to make that a special meeting to approve  
24 the tentative budget. And then the public meeting in  
25 December, you will approve the final budget.



1 Rick, when are you available next week?  
2 I know you have things going on. Are you on Tuesday at  
3 4:30?

4 MR. NOTARI: That should work.

5 CHAIRMAN SEMENZA: 4:30 good for you,  
6 Russell?

7 MR. RUSSELL RINALDI: Yes.

8 MR. NOTARI: Tuesday the 27th?

9 MS. BARTOLETTI: Yes. Tuesday at 4:30  
10 the 27th for finance. That's it.

11 CHAIRMAN SEMENZA: Anybody have any  
12 questions for Marylynn?

13 MR. FERRETT: Yeah. One question I'd  
14 like to ask. Is it possible that we can get a  
15 financial report on the paving situation, how much  
16 money we have in there so Council would know before  
17 they start asking questions, how much are we paving,  
18 and how much money do we have and everything?

19 MS. BARTOLETTI: I will have one for you  
20 at the next meeting.

21 MR. FERRETT: Just so Council would have  
22 some idea what we're talking about.

23 MS. BARTOLETTI: Sure.

24 CHAIRMAN SEMENZA: Anybody else?

25 MR. NOTARI: I thought we mentioned the

1 DPW meetings at the last --

2 MS. BARTOLETTI: Yes. I was going to ask  
3 you about that after the meeting. But if you want --

4 MR. NOTARI: We can do it after the  
5 meeting. That's fine.

6 CHAIRMAN SEMENZA: At this time, I'm  
7 going to go down the table. I mean, going to go into  
8 public comment. Ann, Mike.

9 VOICE: We're good.

10 CHAIRMAN SEMENZA: John.

11 MR. JUROSKY: My name is John Jurosky.

12 I live on Garber Street. About Ronco, we've been  
13 coming for the past year about the situation. And it  
14 keeps on getting worse and worse. Okay?

15 I was told that Roy Williams bought that  
16 building, okay, and probably around 2002 or 2004.  
17 Okay. These are your zoning laws at that point. Okay?

18 So, then when he sells it -- before Ron  
19 Roy bought that place, it was vacant for 30-some years.  
20 Okay?

21 So, Roy bought this place. And we have  
22 -- all the neighbors came out to this Council meeting,  
23 right? Now, all these zoning laws and we all -- Roy  
24 says, I will treat the residents with respect and he  
25 did.

1                   Now, Ronco -- he dies. Ronco buys this  
2 place. And he totally went against the residents.  
3 Okay? The main thing what happened, his parking lot,  
4 okay, he doesn't use it for any of his business.

5                   He probably has 3 or 500 junk tires  
6 laying around and junk cars lay there. He doesn't use  
7 that parking lot for any of his business except for his  
8 junk.

9                   Okay. Now, we understand they're opening  
10 up a body shop in the back of his place, which they've  
11 been doing for the past two months with no permits.

12                  And the problem is, where are they going  
13 to park their cars? So, this a list of the zoning laws  
14 that are being violated.

15                  I want you guys to review the zoning laws  
16 that are being violated. And I don't want to waste any  
17 more time.

18                  CHAIRMAN SEMENZA: Steve, you get a copy  
19 of this?

20                  MR. BIERYLA: I don't.

21                  MR. HOOVER: Here, Steve.

22                  CHAIRMAN SEMENZA: Bill.

23                  ATTORNEY RINALDI: I guess you got to  
24 find the -- because that area up there is residential,  
25 right, where the garage is?

1 MR. JUROSKY: No. His garage is on Main  
2 Street, C1.

3 MR. BIERYLA: It is C1.

4 ATTORNEY RINALDI: Also a zoning hearing  
5 on this and they grandfathered him or something? You  
6 said all the residents were here for a zoning hearing.

7 MR. HOOVER: That was Roy Williams, I  
8 think.

9 ATTORNEY RINALDI: That would have been  
10 the one, yeah. Okay. There was something done at that  
11 zoning hearing that gave him approval to do whatever he  
12 did there.

13 Okay? So, whatever that approval was,  
14 that's the starting point. Okay? So, the new guy can  
15 go with whatever Roy Williams got approved there for.

16 I don't know what it was. I wasn't at  
17 that hearing. I don't know.

18 MR. JUROSKY: I agree with you.

19 ATTORNEY RINALDI: That's like, we got to  
20 see what he got approved for and bring that forward.

21 MR. JUROSKY: Okay.

22 ATTORNEY RINALDI: Do you know when it  
23 was, approximately?

24 MR. JUROSKY: Probably -- how long ago  
25 did Roy buy that place? Probably about 14 years ago.

1 MR. RUSSELL RINALDI: Not to cut you off,  
2 Bill, but he wasn't -- you can't be approved -- he's  
3 not approved for storing tires on the property. He's  
4 not approved for constructing a building without a  
5 permit, correct? I mean, is this the first you told  
6 Steve about him?

7 MR. JUROSKY: No. This has been going on  
8 for a few months.

9 MR. RUSSELL RINALDI: About him building  
10 the auto body shop?

11 MR. JUROSKY: He remodeled the two and a  
12 half garage.

13 MR. RUSSELL RINALDI: Is this the first  
14 you're bring it to go our attention?

15 CHAIRMAN SEMENZA: No, no.

16 MR. RUSSELL RINALDI: Because I missed  
17 one or two meetings back then, so I wasn't sure if you  
18 already brought it.

19 MR. LASHINSKY: Keith Lashinsky, Garber  
20 Street. Prior to those meetings that you missed, I  
21 showed everybody the pictures that were piling up, that  
22 Mr. Bieryla had a receipt for some tires that  
23 disappeared, 250 of them. I took a picture of them  
24 that day that I came to the meeting. They're still  
25 there. They're still there.

1                   And the last time I came, I'm a little --  
2 let me look it up here. I know that I keep saying that  
3 I don't want to be an ass and I don't want to be a  
4 pain.

5                   But I keep coming and it just keeps  
6 going. Like, it keeps going from Borough to Mayor to  
7 Chief to get done. It's the same thing over and over  
8 and over again.

9                   I mean, I'm sick of hearing me. But if  
10 this is the only way that something is going to change  
11 this, I mean, what's going on? The guy -- you guys --

12                  MR. LETTIERI: We need the ordinance and  
13 the code you're on.

14                  MR. LASHINSKY: The last meeting that we  
15 were here, John told me when I came late that he gave a  
16 copy to the Mayor. He gave a copy to you, that this  
17 garage is not allowed to use roadways and thorofares  
18 for parking of vehicles that he's working on or gonna  
19 work on.

20                  Now, here's Butler Street, where the  
21 garages are, I understand his main door is on Main  
22 Street. That makes it commercial, Butler, okay,  
23 great.

24                  He's on Garber, parking cars. Okay. Not  
25 one, not two. My neighbor Nick, who is not here, just

1 got from work, couldn't get flooring into his yard  
2 because there's an abandoned car parked there waiting  
3 to get worked on.

4 I'll come every Tuesday to keep telling  
5 you the same thing. And what I'm really upset about,  
6 really upset, because, you know, I told you before,  
7 that Old Forge is a great town, you guys all had copies  
8 of this. No parking on thorofares or roadways.

9 He can't use them. It's in the  
10 guidelines. You all had copies of it supplied by John  
11 Jurosky.

12 CHAIRMAN SEMENZA: There's special  
13 stipulation.

14 MR. LASHINSKY: Where is the special  
15 stipulation?

16 CHAIRMAN SEMENZA: Got to look into it.

17 MR. LASHINSKY Do I got to research it?

18 CHAIRMAN SEMENZA: We got to look into it.

19 MR. RUSSELL RINALDI: No, no, no, you  
20 don't have to. How many meetings have I been here and  
21 asked this?

22 MR. NOTARI: Too many.

23 MR. LASHINSKY: And asked you about this.

24 CHAIRMAN SEMENZA: Way too many is right.

25 Ed, you know what, not that anybody doesn't want to see

1 you guys, do good for you up there, other things have  
2 happened.

3 MR. LASHINSKY: I know. I'm not the only  
4 person in life. I understand.

5 CHAIRMAN SEMENZA: No, no. There's  
6 others that come through and people are saying, why is  
7 it taking to so long? It's just the process. And I  
8 get upset with it too.

9 I mean, we're talking an abandoned  
10 building down on Orchard Street down there that has a  
11 roof off and hazardous and kids could fall in. This is  
12 going on for two years. You know what I mean?

13 Something for a kid to fall and get hurt.

14 MR. LASHINSKY: God forbid.

15 CHAIRMAN SEMENZA: It's not that anybody  
16 is ignoring the situation going on up there or ignoring  
17 the black and white writing here. It's sometimes not  
18 as cut and dry as people think. I wish we could help  
19 you yesterday.

20 MR. LASHINSKY: I just thought --  
21 everytime I came, went from you guys to the Mayor to  
22 the Chief, three steps. All right.

23 It's illegal. It's in there somewhere.  
24 Okay? So, if the Chief knows about it, why aren't  
25 there tickets being written to these cars, until



1 somebody looks it up?

2 I mean, I got to go look it up? I  
3 thought this was what Council does.

4 MR. JUROSKY: Excuse me. Just like that  
5 truck that's parked there, that the guy couldn't get in  
6 his side yard, it's parked there for four weeks, no  
7 inspection sticker, 500 feet from Ron's Garage. Why is  
8 it there?

9 MR. LASHINSKY: Up in the residential  
10 neighborhood.

11 MR. JUROSKY: Butler and Garber used to  
12 be a beautiful neighborhood. You can't park junk cars  
13 and possibly eight junk cars on the street.

14 And like, oh, for the public. How do we  
15 know they're Ronco's cars or somebody abandoned that  
16 car there? We don't know that.

17 MR. LASHINSKY: That's why I think that  
18 was put --

19 MR. JUROSKY: Eight cars.

20 CHAIRMAN SEMENZA: Do you know the cars,  
21 Chief?

22 CHIEF DUBERNAS: Abandoned there on the  
23 corner, we towed out of there. Probably issued 40 some  
24 parking tickets in that area.

25 MR. LASHINSKY: If you go up there, the

1 last --

2 CHAIRMAN SEMENZA: Bill, this ordinance  
3 that is here, could the Chief ticket these cars for  
4 this ordinance until we come up with a conclusion of  
5 what's going on up there?

6 ATTORNEY RINALDI: No. It's a zoning  
7 violation.

8 CHAIRMAN SEMENZA: Steve --

9 MR. HOOVER: Hold on.

10 CHAIRMAN SEMENZA: -- this Ordinance  
11 here, will you go up there and take this ordinance, any  
12 car -- per this ordinance right here on this paper,  
13 whatever is breaking our ordinance, go take care of it;  
14 will you please?

15 MR. BIERYLA: I will. The only problem  
16 with that is, he printed that off the internet. See  
17 the bottom it says Ecode 360? That's our current  
18 ordinance.

19 We have to look back and see what the  
20 ordinance was when Ron -- Roy Williams moved in and  
21 what the stipulations were.

22 MR. LASHINSKY: The next meeting I come  
23 to and look for the next --

24 CHAIRMAN SEMENZA: Get that tomorrow  
25 first thing for me, please.

1 MR. BIERLYLA: I just need a year so I  
2 could to back in to the zoning hearings.

3 CHAIRMAN SEMENZA: Do you know what year  
4 he bought it, approximately?

5 MR. RUSSICK: Probably 2004. But these  
6 zoning laws were in effect in 1994.

7 MR. FEBBO: When did we change the code  
8 book, Joe?

9 MR. RUSSICK: About two years ago. When  
10 you look at the codes, they mirror --

11 CHAIRMAN SEMENZA: They do. But if  
12 something was changed within that time, a special grant  
13 or variance for that property.

14 MR. RUSSICK: The thing was that the book  
15 that they had here wasn't updated. When they did the  
16 codification, they included all of the so-called  
17 amendments in to one particular publication.

18 But if you look back, it talks about auto  
19 body shops and what has to be done.

20 CHAIRMAN SEMENZA: That's what we're  
21 looking at. Will you look into that?

22 MR. BIERLYLA: Right. And look and see  
23 if there was any zoning hearing for special regulation.

24 CHAIRMAN SEMENZA: Isn't that right, 2004  
25 and look into that?

1 MR. BIERYLEA: If he's got any variances  
2 --

3 MR. NOTARI: Question, if this building  
4 has a main entrance on Main Street, is there a main  
5 door on Main Street?

6 MR. BIERYLEA: Yes. They don't utilize it  
7 but, yes, it does.

8 MR. NOTARI: Why aren't they being parked  
9 on Main Street?

10 MR. LASHINSKY:: So how do they become  
11 commercial?

12 MR. BIERYLEA: Got to look at the lot.  
13 Lot C1, boundary of lot C1, 150 feet, across the back  
14 and down 150 feet.

15 And then after that, you would go in to  
16 the residential zone, meaning the next person in line.  
17 So, if his entrance is off Garber and his lot is C1, he  
18 could use Garber as his entrance. He doesn't have to  
19 use --

20 MR. LASHINSKY: Butler. Not Garber.

21 MR. BIERYLEA: Because C1 abuts Main  
22 Street, so you got to look at his lot. His lot abuts  
23 Main Street, so it's a C1 zone.

24 MR. LASHINSKY:: Garber definitively is  
25 not C1, correct?

1 MR. BIERYLA: Got to look at the map  
2 where the line is.

3 CHAIRMAN SEMENZA: Keith, he's going to do  
4 this tomorrow. Start on that tomorrow.

5 MR. LASHINSKY: The tires that he told  
6 you he promised he was getting rid of, they're still  
7 there.

8 CHAIRMAN SEMENZA: Let's get it taken  
9 care of.

10 MR. RUSSICK: When you enforce the  
11 regulation or the ordinance, you have to look at two  
12 things, the letter of the law and the intent.

13 If that affects other people, okay, and  
14 it's a violation of that ordinance, then you have to  
15 enforce that ordinance.

16 It cannot affect someone and then adverse  
17 position.

18 MR. LASHINSKY: I expressed before that,  
19 a guy making a buck, a guy working, trying to make  
20 money is fantastic.

21 But I asked the guy one time, privately,  
22 nicely, as polite as I could be, I got not spoken not  
23 in a nice manner. I don't like that or respect that.  
24 So I don't respect him.

25 I don't want him parking on my street

1 now. I don't care if his business doesn't work  
2 tomorrow. I hope -- and I feel that way about anybody.  
3 And it's horrible. And it's disrespectful.

4 And it's disrespectful for Council. And  
5 I think it's disrespectful to the police department.

6 He's thumbing his nose, doing what he  
7 wants to do and let go every time. It has to be done  
8 every week. Every week, every week, it has to be  
9 looked at.

10 And it's not getting looked at. It ain't  
11 getting done. And I know, kids falling in holes.  
12 Please, Bobby, I wouldn't want a kid to fall in a hole  
13 not in a million years.

14 CHAIRMAN SEMENZA: Trying to make an  
15 example that there are other things that also are  
16 taking a long time.

17 MR. LASHINSKY: My problems are the  
18 smallest compared to the things going on in the world.

19 CHAIRMAN SEMENZA: I'm not saying it like  
20 that. Other things in the process. We're trying.  
21 We're trying.

22 MR. LASHINSKY: As I got older, I'm  
23 trying to do things the right way and trying to look at  
24 things the right way.

25 And, you know, use the word better longer

1 time. You know what I mean?

2 MR. HOOVER: In the back of his building,  
3 is there a little parking area?

4 MR. KASHINSKY: Yes.

5 MR. HOOVER: He doesn't use that because  
6 there's cars there that don't move. Right. They've  
7 been there forever.

8 Isn't there some type of ordinance he has  
9 to use that spot for his cars?

10 MR. JUROSKY: Yeah, right here.

11 MR. HOOVER: Can't have those cars  
12 sitting there for long periods of time.

13 MR. LASHINSKY:: It's one spot per 200  
14 square feet of his building. He's got this full. Now  
15 another business in the back.

16 Whatever he's doing. No sign, no  
17 nothing. He's parking cars -- please understand this,  
18 he's parking cars on Garber Street, which is a hill,  
19 which is a grade that comes down by Butler.

20 And he's unloading them off tow trucks,  
21 because they're immobile. So he rolls them, using  
22 inertia, for God's sake, to get them down to his  
23 garage.

24 And what if there's -- there's a little  
25 girl that lives next door to me, Mikala, if she's

1 walking home from the school bus and he decides to roll  
2 a car down the street with no brakes, no power  
3 steering, this is what I'm talking about.

4 I can apply that too. You know what I  
5 mean? I didn't know I was supposed to be the one  
6 researching on this stuff. I'm letting John do it,  
7 because I don't even know how to read.

8 And I want to be here and bring you guys  
9 donuts. I mean, this is it. I'm not coming any more.  
10 I swear to God. I'm done.

11 MR. CROSSIN: Michael Crossin. Roy  
12 Williams bought the property in May of 1998. He sold  
13 it to Ronnie Coles in August of last year, '17.

14 CHAIRMAN SEMENZA: May of '98.

15 MR. CROSSIN: November of 2017 it was  
16 sold to Coles.

17 CHAIRMAN SEMENZA: November of 2017.

18 ATTORNEY RINALDI: The guy before that.

19 CHAIRMAN SEMENZA: May of '98.

20 ATTORNEY RINALDI: May of '98.

21 CHAIRMAN SEMENZA: Yes.

22 ATTORNEY RINALDI: So we got to look for  
23 those minutes.

24 CHAIRMAN SEMENZA: Start there.

25 MR. HOOVER: Thanks, Mike.



1 MR. CROSSIN: Recorder of deeds on-line.  
2 A lot of information there and a lot of people.

3 CHAIRMAN SEMENZA: Anybody else?

4 THE MAYOR: Bill, since Roy is the one  
5 that applied for this change in zoning to have this  
6 garage, just because Ronnie purchased it, does that  
7 automatically revert to him? Or does he have to --

8 ATTORNEY RINALDI: No. Goes forward.  
9 Zoning runs with whoever made the change, unless they  
10 abandon the use.

11 MR. RUSSICK: But the key is, he has to  
12 maintain the lot to use. Like, he has tires and junk  
13 cars there. He has to maintain those spaces for people  
14 who work on their cars. That's what this zoning is.

15 CHAIRMAN SEMENZA: Unless he was granted  
16 a special variance for this.

17 MR. LASHINSKY: The only special variance  
18 I think I heard, Mr. Pagnotti, he went -- Roy did, he  
19 went to Mr. Pagnotti and said, could I park a car next  
20 to your property?

21 Because he has an extended property, he  
22 gave him permission to park one. That was his zoning  
23 idea.

24 MR. JUROSKY: Right now, there's --

25 MR. LASHINSKY: 3.

1 MR. JUROSKY: I think four or five  
2 there.

3 MR. LASHINSKY: And one across the  
4 street.

5 MR. RUSSICK: Not going to get a variance  
6 for storing tires outside.

7 CHAIRMAN SEMENZA: They won't get that.  
8 If they do, I'll overrule it now.

9 At this time, going down the table.  
10 Mayor.

11 THE MAYOR: Mr. Chairman, I have nothing.  
12 Thank you.

13 CHAIRMAN SEMENZA: Councilman Febbo.

14 MR. FEBBO: Nothing.

15 CHAIRMAN SEMENZA: Councilman Notari.

16 MR. NOTARI: A few things. Some  
17 residents were inquiring about a smell on Sunday around  
18 town. Did we ever figure out what that was?

19 CHIEF DUBERNAS: Landfill. That's what  
20 the fire department said. 12 gas calls.

21 MR. NOTARI: Should we --

22 MS. BARTOLETTI: I spoke to the landfill.

23 MR. NOTARI: Thanks. Go ahead, Mary.

24 MS. BARTOLETTI: They said they're having  
25 a problem, because of the constant rain has everything

1 disrupted on the property.

2           They said they never had an issue in the  
3 past of this nature. Because there's been such  
4 constant rain, it's causing the liquids or whatever  
5 happens in there to start running out more and having a  
6 hard time controlling it right now.

7           MR. NOTARI: We know where it's coming  
8 from.

9           CHAIRMAN SEMENZA: Smell of leachate.

10          MR. NOTARI: Nothing at my house.  
11 Usually, we do get some smell from the heat of the  
12 summer. But I know other places.

13          CHAIRMAN SEMENZA: Counsel Lettieri.

14          MR. NOTARI: No, I'm not done.

15          CHAIRMAN SEMENZA: Sorry.

16          MR. NOTARI: I found my notes from the  
17 work session. And I thought we were going to pass a  
18 resolution to join the Lackawanna County Land Bank.

19          CHAIRMAN SEMENZA: Has to be written up.

20          ATTORNEY RINALDI: We were going to wait  
21 to talk to the school district to see if the school  
22 district was in favor of it, because they both have to  
23 be in favor of it.

24          MR. HOOVER: That's tomorrow.

25          MR. NOTARI: Right. Tomorrow, they were

1 going to meet with them before tomorrow and we were  
2 going to approve it tonight. And, hopefully, they were  
3 going to approve it tomorrow.

4 MR. HOOVER: That's right.

5 MR. LETTIERI: Thought they were having  
6 the meeting first and we are going to decide after  
7 them.

8 ATTORNEY RINALDI: I didn't think they  
9 would do it that quick.

10 MR. NOTARI: That's all I have.

11 CHAIRMAN SEMENZA: Councilman Lettieri.

12 MR. LETTIERI: I'm good.

13 CHAIRMAN SEMENZA: Councilman Ferrett.

14 MR. FERRETT: No.

15 CHAIRMAN SEMENZA: Councilman Hoover.

16 MR. HOOVER: Good.

17 CHAIRMAN SEMENZA: Councilman Rinaldi.

18 MR. RUSSELL RINALDI: One item only. I  
19 spoke with Mrs. Aaron of Tiny Tots. Did you speak with  
20 her?

21 CHAIRMAN SEMENZA: I was going to bring  
22 that up.

23 MR. RUSSELL RINALDI: Go ahead. I'm good  
24 then. I'll let you bring it up. That's all I have.

25 CHAIRMAN SEMENZA: Want to do a joint.

1 MR. RUSSELL RINALDI: We could. He'll  
2 trump.

3 CHAIRMAN SEMENZA: Tiny Tots, everybody  
4 knows where Tiny Tots is, correct?

5 ATTORNEY RINALDI: No.

6 CHAIRMAN SEMENZA: Right off of Grace  
7 Street. It's a daycare. Corner of Grace and Edith and  
8 Marian. Corner of Grace.

9 There's pretty much one thing, one of the  
10 vehicles that sits there and doesn't move. Very rarely  
11 leaves. Pickup and drop-off only. They want no  
12 parking from, what time, 8 a.m. until 11, noon.

13 MR. RUSSELL RINALDI: Noon.

14 CHAIRMAN SEMENZA: Monday through Friday.

15 MR. RUSSELL RINALDI: Just like we have  
16 down at ABC Kiddie Camp.

17 CHIEF DUBERNAS. Learning zone ordinance.  
18 Pickup and drop-off only. Like 15-minute parking, if  
19 they have to take the kids in.

20 CHAIRMAN SEMENZA: Do a traffic study.

21 CHIEF DUBERNAS: One on Edith, right?

22 MR. PAPI: No parking at all on Grace.

23 CHAIRMAN SEMENZA: No. Both sides Edith.

24 MR. RUSSELL RINALDI: Want it on Edith  
25 because of the school.

1 CHAIRMAN SEMENZA: That's where they park  
2 on Edith.

3 CHIEF DUBERNAS: Park right in front of  
4 you.

5 CHAIRMAN SEMENZA: Park on both sides.  
6 One, two vehicles that are parked there all the time.  
7 They've been asked to move and they have no regards for  
8 them at all.

9 You know what I mean? You know? And  
10 grandparents and stuff picking kids up, you know,, give  
11 them a little leeway.

12 CHIEF DUBERNAS: How far do you want to  
13 go? I think it's a hundred feet there.

14 MR. LETTIERI: You have the house. What  
15 are you going to tell the --

16 CHAIRMAN SEMENZA: To right there.

17 MR. RUSSELL RINALDI: Right up to their  
18 driveway.

19 CHAIRMAN SEMENZA: On the other side,  
20 same length because nobody is on that side. You know  
21 what I'm saying? That guy --

22 CHIEF DUBERNAS: After noon everyday, you  
23 say.

24 CHAIRMAN SEMENZA: 8 a.m. to noon.

25 CHIEF DUBERNAS: Miss Aaron, she's home.

1 MR. RUSSELL RINALDI: I think the last --

2 CHIEF DUBERNAS: 11:30.

3 MR. RUSSELL RINALDI: 11:35.

4 CHAIRMAN SEMENZA: No parking. Pickup  
5 and drop-off Monday through Friday.

6 CHIEF DUBERNAS: Loading zone.

7 CHAIRMAN SEMENZA: Don't need weekends.  
8 Okay. Is that pretty much it then?

9 MR. RUSSELL RINALDI: That's all I had.

10 CHAIRMAN SEMENZA: Chief, do me a favor,  
11 get it for the next meeting? Anything else? That's  
12 all I got.

13 MR. NOTARI: One more thing. You were  
14 talking about Miss Aaron, how about the property on  
15 West Grace?

16 CHAIRMAN SEMENZA: West Grace, that's  
17 what I want to ask.

18 ATTORNEY RINALDI: Waiting for the  
19 solicitor for the sheriff's office, waiting for two  
20 signatures, the recorder of deeds. And I assume the  
21 sheriff should be easy for him to get. Must be the  
22 recorder of deeds.

23 MR. NOTARI: Okay. Thank you.

24 ATTORNEY RINALDI: I'm sorry. That's the  
25 ambulance one is waiting for two signatures. The other

1 one, I'm waiting for the County to send it back to us  
2 and call me.

3 CHAIRMAN SEMENZA: School done with it?

4 ATTORNEY RINALDI: I haven't heard they  
5 aren't, but I haven't followed up. Somebody said they  
6 got it. They passed it at their meeting, right?

7 CHAIRMAN SEMENZA: Bill, who at the  
8 county?

9 ATTORNEY RINALDI: Which one?

10 CHAIRMAN SEMENZA: For Grace Street.

11 ATTORNEY RINALDI: Waiting for the school  
12 to pass, to approve they don't object to how much money  
13 they're going to get or the sale price, I should say.

14 MR. FERRETT: Bobby, what about the roads  
15 in the low-income, how come they're not being paved by  
16 County?

17 CHAIRMAN SEMENZA: They are going to be  
18 paved by County. There was an issue with the bidding  
19 process and we have to remit it or something.

20 MR. FEBBO: Which one?

21 CHAIRMAN SEMENZA: Eisenhower and Apollo.  
22 Issue with the bidding process. They had to send it  
23 out to get rebid again.

24 MR. HOOVER: Will it be this year?

25 CHAIRMAN SEMENZA: I don't know.



1 MR. RUSSICK: Going on two years. I  
2 think so.

3 MS. BARTOLETTI: Past the date.

4 CHAIRMAN SEMENZA: I guess HUD demands  
5 three bids that they have to get. And they only came  
6 back one bid and they had to rebid it.

7 MR. FERRETT: Take over the project.

8 MR. RUSSICK: Take a look at that  
9 so-called requirement for three bids. That's what  
10 you're being told. But is that the actual truth?

11 CHAIRMAN SEMENZA: Might not be.

12 MR. RUSSICK: You know, it's going on  
13 over two years now. Since I made an inquiry with HUD  
14 and Martina in Washington down there, didn't seem like  
15 there was a problem, other than people not doing their  
16 job.

17 MR. FEBBO: That's where the problem is.

18 MR. RUSSICK: That's the problem. That's  
19 where it lies.

20 ATTORNEY RINALDI: Mr. Chairman, we have  
21 a suspension issue we got to address that would be  
22 either somebody could make the motion.

23 CHAIRMAN SEMENZA: What's the badge  
24 number?

25 ATTORNEY RINALDI: 93110. It would be a

1 suspension without pay until -- due to the criminal  
2 charges until such time he applies for reinstatement.

3 CHAIRMAN SEMENZA: At this time, the  
4 Chair is going to entertain a motion to uphold the  
5 suspension of Robert granza, badge number 93110, until  
6 pending -- the criminal investigation is through.

7 ATTORNEY RINALDI: Applies for  
8 reinstatement.

9 CHAIRMAN SEMENZA: And applies for  
10 reinstatement. I'm not -- it's in the paper.

11 MR. HOOVER: I'll make a motion.

12 CHAIRMAN SEMENZA: Motion on the floor by  
13 Councilman Hoover.

14 MR. RUSSELL RINALDI: Second it.

15 CHAIRMAN SEMENZA: Seconded by Councilman  
16 Rinaldi on the question. Public input. Roll call,  
17 please.

18 MS. BARTOLETTI: Councilman Febbo.

19 MR. FEBBO: Yes.

20 MS. BARTOLETTI: Councilman Ferrett.

21 MR. FERRETT: Yes.

22 MS. BARTOLETTI: Councilman Hoover.

23 MR. HOOVER: Yes.

24 MS. BARTOLETTI: Councilman Lettieri.

25 MR. LETTIERI: Yes.

1 MS. BARTOLETTI: Councilman Notari.

2 MR. NOTARI: Yes.

3 MS. BARTOLETTI: Councilman Rinaldi.

4 MR. RUSSELL RINALDI: Yes.

5 MS. BARTOLETTI: Councilman Semenza.

6 CHAIRMAN SEMENZA: Yes.

7 At this time, the Chair is going to  
8 entertain a motion to adjourn.

9 MR. CROSSIN: I can't speak? I missed  
10 the sign-in sheet. Again, almost three years I came  
11 here about the speeding going on on East Morton Street,  
12 and still nothing has been resolved.

13 They're going through stop signs. Even  
14 on Ann Street, winging west on to Morton Street, they  
15 don't stop. They only look to see if anybody is coming  
16 west. And they swing right out in front of traffic  
17 coming down from Main Street.

18 This goes on and the speeding. There's  
19 one speed limit sign on that 200 block westbound. And  
20 that's the only speeding sign that's down there. I  
21 don't know why, we have -- don't we have speed  
22 enforcement equipment in the police department?

23 CHIEF DUBERNAS: Um-hum.

24 MR. CROSSIN: Do they know how to use  
25 that equipment?

1 CHIEF DUBERNAS: Yes, they do. We write  
2 lots of citations a month.

3 MR. CROSSIN: How about on Morton Street,  
4 you were supposed to do a traffic study, did you do  
5 that?

6 CHIEF DUBERNAS: Yeah, our officers do go  
7 to Morton Street.

8 MR. CROSSIN: Do they sit there and  
9 observe anything?

10 CHIEF DUBERNAS: Exactly where you told  
11 us, Sue Court and the next street up.

12 MR. FEBBO: Particular time?

13 CHIEF DUBERNAS: They were there in the  
14 morning when he told me that and the afternoon, coming  
15 back home from school.

16 MR. CROSSIN: I mean, all different  
17 times. I'm out there a lot. I have a dog that I walk.  
18 I watch it constantly, even at midnight, they come  
19 flying by.

20 But there's a lot of kids in that area  
21 now. They walk home from school. God forbid if  
22 somebody gets hit because of somebody speeding.

23 Have you cited anybody?

24 CHIEF DUBERNAS:: I'd have to go back and  
25 look.

1 MR. CROSSIN: That's it. I wish you guys  
2 could do something. Tired of getting smoke.

3 CHAIRMAN SEMENZA: I know you don't want  
4 to hear it, but they're speeding all over town.  
5 Speeding all over the country, speeding everywhere.

6 MR. CROSSIN: Should be active in  
7 pursuing that.

8 CHAIRMAN SEMENZA: I agree with you. You  
9 want to come to my house someday, your jaw would drop.  
10 It's a highway from school to Drake Lane. And it's  
11 horrible.

12 MR. CROSSIN: Only takes a couple  
13 citations to keep people --

14 CHAIRMAN SEMENZA: I have two children in  
15 my house too.

16 MR. HOOVER: Can we put some more  
17 speeding signs down there?

18 MR. CROSSIN: Doesn't mean anything.

19 MR. RUSSICK: They don't follow signs.  
20 That's for other people. If go up on Clark Street and  
21 Apache, when school gets out or when they're going to  
22 school, it's like the racetrack.

23 CHAIRMAN SEMENZA: My street, they need  
24 it, Joe. Bad.

25 MR. NOTARI: I got a solution. Let's

1 stop paving the roads.

2 MR. PAPI: Stop fixing the potholes.

3 MR. NOTARI: Stop fixing the roads.

4 CHAIRMAN SEMENZA: Right. Chief just  
5 said, he did tickets.

6 CHIEF DUBERNAS: Averaging 160 a month.

7 MR. CROSSIN: Speeding tickets?

8 CHIEF DUBERNAS: All kind of tickets.

9 MR. CROSSIN: How many speeding tickets?

10 CHIEF DUBERNAS: I'd have to look.

11 MR. CROSSIN: I'd be interested.

12 MR. FEBBO: Did we do a saturation type  
13 deal on Morton Street for a whole day, you know?

14 CHAIRMAN SEMENZA: That's something --

15 MR. FEBBO: And move up Main Street,  
16 Clark Street.

17 CHAIRMAN SEMENZA: Up to the Chief.

18 CHIEF DUBERNAS: We can move that around  
19 and that's what the guys do.

20 MR. FEBBO: You think about doing that,  
21 concentrate on one particular area until you get the  
22 message across and move it to another area.

23 MR. RUSSICK: You can pull in my driveway  
24 if you wish.

25 THE MAYOR: Mr. Chairman, I go every day

1 at 3:00 and meet with the Chief. And the parting  
2 comment is, get somebody on Morton Street, get somebody  
3 on Clark and Apache and different --

4 CHIEF DUBERNAS: Garber and Butler.

5 THE MAYOR: Always check Garber and  
6 Butler every day. And we only have so many people. We  
7 only have so many people. It's not like it's not being  
8 addressed.

9 I'm frustrated just like the gentlemen  
10 are frustrated back there. Only so much we can do.  
11 Only so much we can do. We're doing the best we can  
12 with the amount of personnel we have.

13 CHAIRMAN SEMENZA: Try to figure  
14 something out to crack down on speeding, what we can  
15 do.

16 CHIEF DUBERNAS: Got that Enram, moving  
17 around in different areas where we don't have to worry  
18 about the lines.

19 MR. FEBBO: Put it on Morton Street for  
20 the day.

21 CHAIRMAN SEMENZA: It's a resolution.

22 ATTORNEY RINALDI: Just an authorization  
23 to close the church deal, the president and secretary  
24 to sign.

25 CHAIRMAN SEMENZA: You want me to make a

1 motion to authorize?

2 ATTORNEY RINALDI: It would basically be  
3 comply with the requirements for the agreement of sale,  
4 consummate the transaction, including authorizing the  
5 president and secretary of the Borough to authorize any  
6 documents in connection with the purchase of the  
7 property.

8 CHAIRMAN SEMENZA: Motion on the floor  
9 with what Bill just said.

10 THE MAYOR: Could you repeat it, please?

11 ATTORNEY RINALDI: So, it would be a  
12 motion that Council comply with the agreement of sale  
13 for the Saint Lawrence Church Rectory, consummate the  
14 trasaction -- in order to consummate the transaction  
15 contemplated thereby, including authorize the  
16 president, secretary of the Borough to execute any and  
17 all documents required with the purchase of the  
18 property.

19 CHAIRMAN SEMENZA: Could I have a motion  
20 for that?

21 MR. FEBBO: I will make that motion.

22 CHAIRMAN SEMENZA: Motion on the floor by  
23 Councilman Febbo.

24 MR. NOTARI: I'll second.

25 CHAIRMAN SEMENZA: Second by Councilman



1 Notari on the question.

2 MR. RUSSELL RINALDI: I have a question.  
3 Why do we need that?

4 ATTORNEY RINALDI: Because the church  
5 wants to close, number 1. The only reason I'm coming  
6 back here is, for some reason, they want other  
7 conditions or they want to change an option to purchase  
8 language.

9 MR. RUSSELL RINALDI: This reverts back  
10 to my last question, where are the conditions?

11 ATTORNEY RINALDI: There's none. I'm  
12 submitting a deed with no conditions because I have  
13 nothing from the church that says otherwise.

14 MR. FERRETT: You're saying that --

15 MR. RUSSELL RINALDI: We have no  
16 conditions but they want --

17 ATTORNEY RINALDI: They want to move  
18 forward on the rectory. Okay? Now, we've hashed out  
19 back and forth on the option to purchase and  
20 everything. We gave them a number. We sent them a  
21 letter.

22 All we got out of them was, okay, maybe  
23 less. All right. And then another committee came up  
24 and says, we'd like to have these conditions. We never  
25 agreed to them.

1                   So, I'm proceeding on, we're buying a  
2 rectory free and clear. And we're going to have an  
3 option to buy a church property for a maximum of  
4 60,000.

5                   MR. RUSSELL RINALDI: No conditions.

6                   ATTORNEY RINALDI: And there's no  
7 conditions.

8                   MR. FERRETT: Mr. Chairman, let me say  
9 one thing, if I may. I don't understand where we're  
10 going with this thing.

11                   When we sat down and we agreed with seven  
12 Councilman sitting here we not do nothing, purchasing  
13 anything unless we were going to get the church with  
14 it.

15                   Now we're dickering around here that  
16 maybe we'll do this, maybe there's conditions. It  
17 looks like there might be.

18                   I don't understand this. To me, this  
19 don't seem to make sense.

20                   MR. FEBBO: Joe, we clarified this. All  
21 the months we've been dragging this along, Joe, we  
22 clarified all that.

23                   MR. FERRETT: I have a question --

24                   MR. FEBBO: -- got down to where Bill has  
25 that motion on the floor and that is where we are.

1 MR. HOOVER: I have a question. Paying  
2 possibly \$60,001.00 for two buildings that we don't  
3 know what we're going to do with. We don't know how  
4 much each one is going to spend to get it up to par.

5 ATTORNEY RINALDI: Let me back up. Let  
6 me interrupt you, Jim. Let me interrupt you just  
7 because we're paying one dollar plus costs for a  
8 rectory.

9 With that rectory, included in there, we  
10 get a covenant in the deed that says we have the  
11 option. We're not forced to. We have the option, if  
12 we want, when the church closes worship, to close the  
13 church for a maximum of \$60,000.00.

14 We don't have to purchase it.  
15 Originally --

16 MR. HOOVER: We have the right of first  
17 refusal.

18 ATTORNEY RINALDI: And the reason we put  
19 a price on it so everybody would know, before we closed  
20 on the rectory, what our exposure would be if we wanted  
21 to get the church.

22 So we don't have to take the church part  
23 if we don't it down the road. It's just there because,  
24 originally, everybody wanted it. And it's still the  
25 option that we can buy it.

1                   So that's going to sit in the deed. So  
2 it will always be in our deed. It will run with the  
3 property.

4                   So they can't sell that church until they  
5 come back to the Borough and say, you guys want it? If  
6 you don't want it, we need something in writing so we  
7 can record it.

8                   MR. RUSSELL RINALDI: Do me a favor,  
9 re-read that resolution.

10                  ATTORNEY RINALDI: Resolution is, a  
11 resolution to comply with the requirements of the  
12 agreement of sale in order to consummate the  
13 transaction contemplated, thereby, including  
14 authorizing the president and secretary of the Borough  
15 to execute any and all documents required in connection  
16 with the purchase of the property and consummate the  
17 transaction.

18                  And the agreement reads, we do all the  
19 work to subdivide the properties. We buy, for a  
20 dollar, the rectory, including whatever area we need  
21 for parking.

22                  We have to agree on a subdivision plan,  
23 which we did. We did that part. And we agree on a  
24 right of first refusal option to purchase.

25                  Our option to purchase put forth was

1 \$60,000.00, okay, to purchase the church.

2 MR. RUSSELL RINALDI: So, in that first  
3 sentence or two where it says about the agreement,  
4 that's it right there.

5 ATTORNEY RINALDI: That's it.

6 MR. RUSSELL RINALDI: Four or five  
7 things.

8 ATTORNEY RINALDI: The only reason I'm  
9 coming back to you is if that, for some reason,  
10 changes.

11 MR. RUSSELL RINALDI: Like I said on the  
12 first motion, I just want to be clear that the Borough  
13 is in complete control.

14 ATTORNEY RINALDI: We're going to have  
15 complete control of the rectory.

16 MR. RUSSELL RINALDI: No committee, like  
17 you said, that had five stipulations, nothing like  
18 that.

19 ATTORNEY RINALDI: Nothing like that,  
20 unless they come back and say, we don't want to sign  
21 the deed. Then I'll come back to Council and say, no,  
22 we want these other conditions. Then I'll come back to  
23 Council.

24 MR. RUSSICK: Talk about this committee.  
25 I don't know what committee you're talking about. I

1 sit on the Council, the Finance Council to the church.

2 There was nothing ever mentioned about  
3 any stipulation in reference to this church or to the  
4 rectory. In saying that --

5 ATTORNEY RINALDI: There was --

6 CHAIRMAN SEMENZA: There was  
7 stipulations. We have them on paper.

8 MR. RUSSICK: What committee though?

9 MR. FERRETT: Committee of three people  
10 of Council.

11 MR. RUSSELL RINALDI: No, no.

12 MR. FEBBO: He's in left field.

13 MR. RUSSELL RINALDI: It was a  
14 representative from the diocese.

15 MR. RUSSICK: That's the point. What are  
16 the stipulations? I'm not aware of any.

17 ATTORNEY RINALDI: Never formalized.  
18 They said we would like to have this.

19 MR. RUSSELL RINALDI: They gave us a  
20 sheet with them on it.

21 MR. RUSSICK: My position is this, I  
22 belong to Saint Lawrence and second that, my position  
23 is this, I'm a part owner of that church.

24 Now, I'm also a citizen of Old Forge. I  
25 have to buy something that I own or are a part of? It

1 doesn't make sense, does it?

2           That church should be given to the  
3 Borough, okay, because it belongs to the Borough. It  
4 was built by the people, your ancestors, my ancestors  
5 bought this and paid for that church. So why are we  
6 buying it?

7           THE MAYOR: That might happen. We might  
8 get that church for nothing.

9           MR. RUSSICK: That's my point. This  
10 committee that I heard so much about, you know, I've  
11 never heard stipulations as far as as what that  
12 committiee is to be used for, et cetera. I've never  
13 heard of them.

14           I was surprised when I heard it today.  
15 And I heard it several times and I was going to  
16 question it. Came up again, and I got to address this.

17           ATTORNEY RINALDI: It was a committee  
18 from the church that met in the basement. I was there  
19 for it. They gave us a list of conditions. You  
20 weren't at it. I don't think you were at it. Was he?

21           CHAIRMAN SEMENZA: No, no, definitely  
22 not.

23           MR. RUSSICK: We met at the rectory.  
24 There was no conditions insofar as of any --

25           ATTORNEY RINALDI: Like I said, the way

1 this is going to be prerented to the bishop and he  
2 makes the call.

3 Now, he said, I make the call but he  
4 likes to hear from the parish. So, that's why I can't  
5 get a definitive answer out of anybody.

6 I'm going to give him the deal the way we  
7 passed it and let the bishop make the decision.

8 MR. RUSSELL RINALDI: Excuse me one  
9 second, Joe. And that would be my final question. And  
10 I guess I'm repeating myself again.

11 The Borough is 100 percent in control?

12 ATTORNEY RINALDI: Have the rectory free  
13 and clear, ours to do what we want, with an option  
14 included in our deed to purchase the other parcel with  
15 the church for a maximum of 60,000.

16 MR. RUSSELL RINALDI: As long as the  
17 Borough is a hundred percent in control. That was my  
18 question.

19 MR. FEBBO: We are.

20 MR. RUSSICK: I will tell you this, I  
21 cover four counties in the Noreast and a lot of  
22 transactions, sales of churches, et cetera.

23 And this parish here, the rectory and the  
24 church, they're jewels of this community. And if you  
25 take a look at Covington Township, the Moffitt Estate,



1 if you ever go up there and take a look at that  
2 building, you'll see what the township or what a  
3 municipality does with a building.

4 If that church and that rectory were ever  
5 ripped out like in Pittston, for instance, like the  
6 Saint John the Baptist years ago, no longer exists.  
7 It's a parking lot today.

8 When you look at why they rip these  
9 things down, it makes you wonder, where is the vision?  
10 There's no vision.

11 You know, look at Pittston. They were  
12 ripping buildings down for years. Look at the vision  
13 there. They stopped.

14 MR. FEBBO: What we're looking at here is  
15 curing it. We don't have to make any decisions as to  
16 where we're going with this other than the fact that  
17 when we own it, then decide what we want to do with it.

18 CHAIRMAN SEMENZA: Motion, a second on  
19 the question. Public input. Roll call, please.

20 MS. BARTOLETTI: Councilman Febbo.

21 MR. FEBBO: Yep.

22 MS. BARTOLETTI: Councilman Ferrett.

23 MR. FERRETT: Yes.

24 MS. BARTOLETTI: Councilman Hoover.

25 MR. HOOVER: Nope.

1 MS. BARTOLETTI: Councilman Lettieri.

2 MR. LETTIERI: No.

3 MS. BARTOLETTI: Councilman Notari.

4 MR. NOTARI: Yes.

5 MS. BARTOLETTI: Councilman Rinaldi.

6 MR. RUSSELL RINALDI: Yes.

7 MS. BARTOLETTI: Councilman Semenza.

8 CHAIRMAN SEMENZA: No.

9 The Chair is going to entertain a motion  
10 to adjourn.

11 MR. NOTARI: Make that motion.

12 CHAIRMAN SEMENZA: Motion on the floor of  
13 Councilman Notari. All in favor.

14 (Chorus of ayes.)

15 CHAIRMAN SEMENZA: Ayes have it.

16 (Whereupon, at 8:30 p.m, the hearing was  
17 concluded.)

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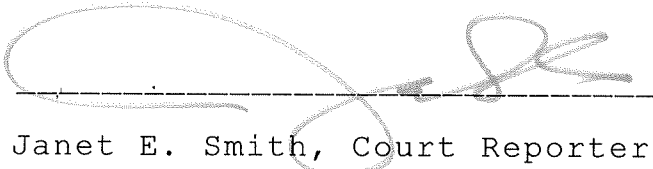
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## CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were reported stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

BY:

  
Janet E. Smith, Court Reporter