

1 OLD FORGE BOROUGH COUNCIL

2 OLD FORGE, PENNSYLVANIA

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4
5 IN RE: REGULAR MEETING OF COUNCIL

6
7
8
9 SEPTEMBER 25, 2018

10 7:00 P.M.

11 OLD FORGE MUNICIPAL BUILDING

12 314 SOUTH MAIN STREET

13 OLD FORGE, PENNSYLVANIA

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17 COUNCIL MEMBERS:

18
19
20 ROBERT SEMENZA, PRESIDENT

21 LOUIS FEBBO

22 RICK NOTARI

23 JAMES HOOVER

24 WILLIAM RINALDI, ESQUIRE, SOLICITOR

25 MARYLYNN BARTOLETTI, BOROUGH MANAGER

Mark Wozniak
Official Court Reporter

1 MR. SEMENZA: Good evening, ladies
2 and gentlemen. Welcome to the September
3 25th regular council meeting of Old Forge
4 Borough. I'd like to start the meeting with
5 the Pledge of Allegiance.

6 (The Pledge of Allegiance was
7 recited.)

8 MR. SEMENZA: Once again, welcome to
9 the September 25, 2018 Old Forge Borough
10 Council meeting. We'll go down the table,
11 see if any council members have anything to
12 address. We'll go to our department heads.

13 There's a public sign-in sheet if
14 anybody would like to address council. Roll
15 call, please, Marylynn.

16 MS. BARTOLETTI: Councilman Febbo?

17 MR. FEBBO: Here.

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

20 MR. HOOVER: Here.

21 MS. BARTOLETTI: Councilman Lettieri
22 is absent. Councilman Notari?

23 MR. NOTARI: Present.

24 MS. BARTOLETTI: Councilman Rinaldi
25 is absent. Councilman Semenza?

1 MR. SEMENZA: Here. At this time
2 the chair is going to go into some
3 housekeeping. The chair would entertain a
4 motion to approve the minutes that were in
5 your packet.

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

7 MR. SEMENZA: By Councilman Hoover.
8 May I have a second?

9 MR. NOTARI: I'll second it.

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

13 MS. BARTOLETTI: Councilman Febbo?

14 MR. FEBBO: Yes.

15 MS. BARTOLETTI: Councilman Hoover?

16 MR. HOOVER: Yes.

17 MS. BARTOLETTI: Councilman Notari?

18 MR. NOTARI: Yes.

19 MS. BARTOLETTI: Councilman Semenza?

20 MR. SEMENZA: Yes. The next motion
21 is a motion to approve the treasurer's
22 reports. Note that this does not include
23 sewer accounts.

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

25 MR. SEMENZA: By Councilman Febbo.

1 May I have a second?

2 MR. NOTARI: I'll second that.

3 MR. SEMENZA: Seconded by Councilman
4 Notari. On the question? Public input?
5 Roll call, please.

6 MS. BARTOLETTI: Councilman Febbo?

7 MR. FEBBO: Yes.

8 MS. BARTOLETTI: Councilman Hoover?

9 MR. HOOVER: Yes.

10 MS. BARTOLETTI: Councilman Notari?

11 MR. NOTARI: Yes.

12 MS. BARTOLETTI: Councilman Semenza?

13 MR. SEMENZA: Yes. The next motion
14 is a motion to approve invoices for payment.
15 Note that this does not include sewer
16 accounts.

17 MR. HOOVER: I'll make that motion.

18 MR. SEMENZA: By Councilman Hoover.

19 May I have a second?

20 MR. FEBBO: I'll second that.

21 MR. SEMENZA: Seconded by Councilman
22 Febbo. On the question? Public input?
23 Roll call, please.

24 MS. BARTOLETTI: Councilman Febbo?

25 MR. FEBBO: Yes.

1 MS. BARTOLETTI: Councilman Hoover?

2 MR. HOOVER: Yes.

3 MS. BARTOLETTI: Councilman Notari?

4 MR. NOTARI: Yes.

5 MS. BARTOLETTI: Councilman Semenza?

6 MR. SEMENZA: Yes. The next motion

7 is a motion to approve sewer department

8 financial reports.

9 MR. NOTARI: I'll make that motion.

10 MR. SEMENZA: By Councilman Notari.

11 May I have a second?

12 MR. FEBBO: I'll second that motion.

13 MR. SEMENZA: Seconded by Councilman

14 Febbo. On the question? Public input?

15 Roll call, please.

16 MS. BARTOLETTI: Councilman Febbo?

17 MR. FEBBO: Yes.

18 MS. BARTOLETTI: Councilman Hoover?

19 MR. HOOVER: Yes.

20 MS. BARTOLETTI: Councilman Notari?

21 MR. NOTARI: Yes.

22 MS. BARTOLETTI: Councilman Semenza?

23 MR. SEMENZA: Yes. The next motion

24 is a motion to approve sewer department

25 invoices for payment.

1 MR. NOTARI: I'll make that motion.

2 MR. SEMENZA: By Councilman Notari.

3 MR. HOOVER: I'll second it.

4 MR. SEMENZA: Seconded by Councilman
5 Hoover. On the question? Public input?
6 Roll call, please.

7 MS. BARTOLETTI: Councilman Febbo?

8 MR. FEBBO: Yes.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Yes.

11 MS. BARTOLETTI: Councilman Notari?

12 MR. NOTARI: Yes.

13 MS. BARTOLETTI: Councilman Semenza?

14 MR. SEMENZA: Yes. At this time
15 we'll go to department heads. Everybody has
16 Steve's report in their packet. Does
17 anybody have any questions for Steve?
18 Steve, I have a question. I spoke with you
19 earlier on this and you gave me the answer
20 but I'd like it on the record and I'd like
21 everybody to hear about it. The sidewalks
22 on Moosic Road -- me and Councilman Notari
23 actually spoke about that, too. They're
24 being torn up by the utility companies.

25 MR. BIERLYA: And they're being

1 paved right now. Once the job is complete,
2 weather permitting. They usually have ten
3 days to repair each sidewalk. The last part
4 of a complete job. I know you can't do all
5 of Moosic Road in ten days, but as far as
6 where they start I would say you'd be able
7 to get a good portion of the sidewalks done.

8 MR. SEMENZA: The only problem is
9 we're coming up -- it's only the end of
10 September. The reason why I'm saying it for
11 the record and for the public to know is
12 blacktop sidewalks, you cannot put blacktop
13 sidewalks in the borough of Old Forge. We
14 have an ordinance.

15 MR. BIERLYA: I'll give you a
16 temporary patch as Burger King did. They
17 had to cut their sidewalks short until they
18 got their HOP because their HOP didn't come
19 through. As you can see, that was last year
20 when they put the sidewalks in and it's this
21 year now they're just starting to -- PennDOT
22 came through and they're going to increase
23 the sidewalk and remove the curbing because
24 now what they're going to do is they didn't
25 have any handicap access to actually get to

1 Burger King. You don't have to drive
2 through where a car's going to go through.
3 They're taking that out and moving
4 everything over. On that note, yeah, they
5 have to replace it with concrete.

6 MR. SEMENZA: Thank you, Steve.
7 Anybody else have any questions for Steve?

8 MR. HOOVER: We're going to put a
9 water main in from Main Avenue down to the
10 car lot. We're going to tear up the
11 opposite side of the street because we can't
12 be together. We're going to tear the
13 sidewalks up going in front of Salerno's,
14 down past Chase's, and once we get to the
15 car lot we're going to do a 45 and go down
16 to Hoover Street and stop.

17 But the gas company can't do their
18 sidewalks until they do all the gas service.
19 They'd have to dig the sidewalks back up.
20 It's similar to what we have to do with the
21 water.

22 Plus, beginning of the year next
23 year, when they get ready to overlay the
24 road PennDOT's going to have their guys come
25 in and do all the handicap sidewalks first.

1 MR. SEMENZA: So we might be looking
2 at a year before they're --

3 MR. HOOVER: May be June or July
4 before it's actually done.

5 MR. BIERYLA: Similar to Burger
6 King.

7 MR. HOOVER: They're making them use
8 hot blacktop in case it has to hold up for
9 the winter.

10 MR. NOTARI: Is the water company
11 planning on starting this year?

12 MR. HOOVER: Yes.

13 MR. NOTARI: So we can have a rough
14 shape Moosic Road for the winter?

15 MR. HOOVER: We have to use four
16 inches of hot stuff in the road with top, so
17 that will hold up pretty well at least in
18 the street.

19 MR. SEMENZA: Anybody else have any
20 questions for Steve? Thank you, Steve.
21 Chief?

22 CHIEF DUBERNAS: You have my report.
23 The Williams Street project, you have a map.
24 Right where they're talking about that
25 silver Hyundai car. It is an abandoned

1 vehicle. It is being processed by Officer
2 Kimbal to get it removed. Once that's
3 removed the handicap spot will be open. But
4 as of now it's still one way. It's only 23
5 feet wide. The two driveways go back to
6 back. If we give Mrs. Wiktorek handicap
7 parking on her side you're not going to be
8 able to get down the street. If you put it
9 on the opposite side, that doesn't help
10 benefit her by having it not in front of her
11 house.

12 MR. SEMENZA: Chief, help me out
13 here. Is this the house in question?

14 MR. HOOVER: Four houses down.

15 CHIEF DUBERNAS: Yes. The driveway
16 is right across the street from it. That
17 silver car is the one that's being moved.
18 There's a handicap spot right there that's
19 expired.

20 MR. NOTARI: Do we have the ability
21 to make a no parking zone opposite her
22 driveway?

23 CHIEF DUBERNAS: It is a no parking
24 zone because there's a driveway across the
25 street. But the issue with Mrs. Wiktorek --

1 her son, Mike, is here -- is the people
2 across the street, they pull up and hug her
3 driveway and she can't get out of her
4 driveway or she would use her access drive.
5 That's her only driveway.

6 MR. SEMENZA: The street's 24 feet?

7 CHIEF DUBERNAS: It's 23. It's real
8 narrow. Two cars and there's a little bit
9 of a gap.

10 MR. SEMENZA: There's no parking on
11 the north side of that street, if that is
12 the north side.

13 CHIEF DUBERNAS: On the west side,
14 actually. There is already a handicap
15 parking there that is being occupied
16 currently by an abandoned vehicle that comes
17 back to --

18 MR. SEMENZA: Can we immediately
19 have that vehicle towed due to it's in a
20 handicap zone?

21 CHIEF DUBERNAS: No, because it's a
22 handicap car. That's why the paperwork's
23 already being processed. We want to take
24 possession of it. We have to go through
25 PennDOT to take possession because it's on

1 the roadway.

2 MR. SEMENZA: You have no idea whose
3 car it is?

4 CHIEF DUBERNAS: We do. They don't
5 live there no more.

6 MR. SEMENZA: You can't get --

7 CHIEF DUBERNAS: The tag comes back
8 to a Maple Street address.

9 MR. SEMENZA: So it's not a valid
10 vehicle. How can it be a handicap vehicle?

11 CHIEF DUBERNAS: The tag was
12 handicap. Now it's abandoned.

13 MR. SEMENZA: Can't we just get the
14 car out of that handicap spot immediately?

15 CHIEF DUBERNAS: No, because we have
16 a process we have to follow. We're taking
17 somebody's possession.

18 MR. SEMENZA: You're blocking a
19 handicap spot.

20 CHIEF DUBERNAS: Because that car
21 has a handicap placard to it. It's legally
22 parked in a handicap spot but it's also
23 abandoned. So we have the process going for
24 that. We want to remove it because we're
25 taking it to a salvage. That person is

1 going to lose that car. Do you know what
2 I'm saying?

3 MR. SEMENZA: Yes and no, but I'm
4 saying if a plate's not valid, therefore how
5 can it be handicap?

6 CHIEF DUBERNAS: If we take that car
7 and that person comes and says oh, my car's
8 all valid and we damage it we're liable for
9 it. That's why we have a whole set of
10 paperwork.

11 MR. SEMENZA: I know the process. I
12 just thought with a handicap spot it would
13 be different.

14 MR. FEBBO: What's the turn around
15 time on that?

16 CHIEF DUBERNAS: Usually three to
17 four weeks. It has to go to Harrisburg.

18 MR. SEMENZA: There's got to be a
19 loophole in the system.

20 CHIEF DUBERNAS: As soon as we get
21 the confirmation from Harrisburg we'll call
22 Milewski. They come right down and take it.

23 MR. FEBBO: How far into it are we?

24 CHIEF DUBERNAS: Probably two to
25 three weeks. From the last meeting.

1 MR. FEBBO: A week to go.

2 CHIEF DUBERNAS: We have to send
3 them a certified letter, the whole nine
4 yards.

5 MR. SEMENZA: Chief, what is your
6 findings on this? We asked you to go there
7 and do a study on --

8 CHIEF DUBERNAS: You're not going to
9 be able to get a handicap spot where Mrs.
10 Wiktorek wants because there's a driveway
11 across the street. If we give her one on
12 her side of the road it blocks the road.

13 MR. SEMENZA: But there's no parking
14 on that side to begin with. Mike, is she
15 looking for a handicap spot in front of your
16 house or across the street?

17 MR. WIKTOREK: No, across the
18 street, but I have a question. That
19 handicap spot was for Skursky. He has a
20 handicap on his vehicle, so if he has that
21 spot how would that work out for my mother?

22 CHIEF DUBERNAS: That car's
23 abandoned. We're going to take it.

24 MR. WIKTOREK: He also has another
25 vehicle in his driveway. I'm just telling

1 you. He has Kia Sol.

2 MR. FEBBO: Does he have a handicap
3 plate?

4 MR. WIKTOREK: Yes. That's his car.
5 I don't understand where the Maple Street
6 address came from. That was the vehicle he
7 used before he got the new one.

8 MR. SEMENZA: Chief, we can't put a
9 handicap spot across the street?

10 MR. HOOVER: Anybody could use it.

11 CHIEF DUBERNAS: Make sure they put
12 the tag number on it. But you have to
13 watch. Both driveways go across from each
14 other. That's what was happening last time
15 because they were parking right up against
16 the driveway and she couldn't back out of
17 her driveway.

18 MR. FEBBO: If he lives on Maple
19 Street, that means he has two spots. He has
20 to give one up.

21 MR. SEMENZA: If that car's
22 abandoned and been there, how long has it
23 been there for, Chief?

24 CHIEF DUBERNAS: The tag ran out the
25 end of '17.

1 MR. WIKTOREK: At least five years.
2 I haven't seen that car move in two, three
3 years.

4 MR. SEMENZA: He's just parking
5 anywhere.

6 ATTY. RINALDI: Chief, it's an
7 abandoned car in a handicap spot? Well,
8 once it's pulled out of there she can use
9 it.

10 CHIEF DUBERNAS: No, he has a new
11 car that's a handicap. Same guy.

12 ATTY. RINALDI: But it's been there
13 two years. You can't just abandon a car in
14 a handicap spot. She can use it.

15 CHIEF DUBERNAS: He's saying the car
16 died in the handicap spot, purchased a new
17 car and parks that car right behind the
18 handicap car.

19 MR. FEBBO: But he's still occupying
20 two spaces.

21 ATTY. RINALDI: Where does he live
22 on Maple Street? Corner of Williams and
23 Maple?

24 MR. WIKTOREK: It's the last house
25 on Williams Street, not on Maple.

1 MR. SEMENZA: Find out, keep in
2 touch with him.

3 MR. HOOVER: Why doesn't he park the
4 car in his driveway?

5 MR. WIKTOREK: He doesn't have a
6 driveway.

7 MR. SEMENZA: The house with the
8 green roof. Chief, try to get in contact
9 with this guy, see what the story is, try to
10 help Mrs. Wiktorek.

11 MR. NOTARI: Does it help us by
12 moving parking to the other side of the
13 street?

14 CHIEF DUBERNAS: No, same distance.

15 ATTY. RINALDI: You can't put one
16 across the street from the driveway?

17 CHIEF DUBERNAS: Where the red roof
18 is is where -- well, across from the red
19 roof, but there's a driveway right there,
20 and he said them people don't park in their
21 driveway, they park on the street, so his
22 mom can't back out.

23 MR. SEMENZA: They have a driveway
24 and they don't utilize it?

25 MR. WIKTOREK: They do. He works

1 for Verrastro. He parks right on the
2 street. You can back a quad in my driveway.
3 That's about it. Never get a vehicle, even
4 the smallest, in the driveway. He parks the
5 car on the road and his vehicle in the
6 driveway.

7 MR. SEMENZA: We can't put a
8 handicap spot right across the street from
9 their house?

10 CHIEF DUBERNAS: If you do that
11 you'd have to make sure that her license
12 plate and everything is there.

13 MR. FEBBO: Like we did on the
14 corner of Grace.

15 CHIEF DUBERNAS: The last two we
16 did.

17 ATTY. RINALDI: Who else needs one
18 over there?

19 MR. SEMENZA: Let's try it without
20 it, and if we have to placard it with a
21 number on it, then we'll do that. What's
22 the address of that house, Chief?

23 MR. WIKTOREK: It's 128. We're 129.

24 CHIEF DUBERNAS: I'll take a ride
25 over there tomorrow.

1 MR. SEMENZA: I'm going to make a
2 motion tonight. Or do you want to find out
3 first?

4 CHIEF DUBERNAS: No, we can do that
5 because he's saying Skursky parks another
6 car in the handicap spot.

7 MR. FEBBO: If we're two weeks into
8 it, for the next work session have something
9 back.

10 MR. SEMENZA: There's another
11 vehicle. That's a handicap plate, too? So
12 he's just going to park that vehicle there
13 in that spot. That silver car is going to
14 get towed out of there. Once that silver
15 car gets towed Skursky's going to park his
16 new vehicle in that handicap spot.

17 CHIEF DUBERNAS: He's parking behind
18 it right now.

19 MR. FEBBO: We pull one car out of
20 there they should be able to double up.

21 MR. SEMENZA: Anybody can park
22 behind that vehicle, then.

23 MR. WIKTOREK: The sign's in front
24 of his driveway. There's only one vehicle
25 anybody can park in front of the sign. You

1 can't park behind the sign. In front of the
2 sign is where the other car is. He parked
3 it where he knew it wasn't going to be in
4 his way when he got the new vehicle.

5 MR. HOOVER: Put two handicap spots
6 there once he moves his car.

7 ATTY. RINALDI: Or just make it no
8 parking so she can make the swing into her
9 driveway.

10 MR. SEMENZA: Or no parking in front
11 of 128.

12 ATTY. RINALDI: Anybody with a
13 handicap sticker can jump in. You're better
14 off letting her have access in and out of
15 her driveway.

16 MR. WIKTOREK: That would be fine.

17 MR. NOTARI: So the vehicle in front
18 of the white car is the car that's going to
19 get towed?

20 MR. WIKTOREK: Yes.

21 ATTY. RINALDI: Well, if parking is
22 causing people not to get in and out of
23 their driveways just make them no parking so
24 they have the clearance. I mean, their
25 driveways are there.

1 CHIEF DUBERNAS: He puts no parking
2 there, that person that has no parking in
3 front of their house, where do they park?

4 ATTY. RINALDI: Doesn't he have a
5 driveway?

6 CHIEF DUBERNAS: He has two vehicles
7 there.

8 ATTY. RINALDI: He can't block the
9 other person's driveway.

10 MR. SEMENZA: He's not blocking the
11 driveway, he's parking on the other side of
12 the street. It just so happens the street
13 is small and it's hard to back out.

14 ATTY. RINALDI: Can you back in and
15 pull out?

16 MR. WIKTOREK: If you have a Mini
17 Cooper.

18 ATTY. RINALDI: Is the street that
19 narrow that people can't get in and out of
20 their driveways? It's a safety hazard.
21 Just make it no parking in that section.

22 MR. SEMENZA: How big of a stretch,
23 Chief, do we have to make no parking?

24 CHIEF DUBERNAS: You would have to
25 make it at least 15 feet off the driveway so

1 she can be able to back her car out.

2 MR. WIKTOREK: Would that help if he
3 parks in his driveway even with the street?
4 That's what he did last night. He parks in
5 his driveway but he's on the sidewalk, even
6 with the road.

7 MR. SEMENZA: That's illegal. You
8 need at least three feet? Forty-two inches?

9 MR. FEBBO: That's the only solution
10 we have, if you can work something out.

11 MR. SEMENZA: First of all, it's
12 illegal to plug the sidewalk.

13 CHIEF DUBERNAS: He's not on the
14 sidewalk. He's pulling his car right up to
15 the end of his driveway.

16 MR. SEMENZA: To the road, over the
17 sidewalk? Oh, he's pulling up to the edge
18 of the driveway, not in the driveway,
19 parking out on the sidewalk.

20 CHIEF DUBERNAS: I'll go talk to him
21 tomorrow.

22 MR. HOOVER: How long is this going
23 on?

24 MR. WIKTOREK: Good year, if not
25 longer. She just had her knee replaced

1 again Thursday. She can't do anything.
2 We're trying to make everything better for
3 her.

4 MR. SEMENZA: See if you can rectify
5 the situation. Get us something for the
6 work session.

7 Mike, bear with us for a little bit.
8 We'll try to figure out something we can do.
9 Anybody have any questions for Chief
10 Dubernas?

11 MR. HOOVER: West Mary Street and
12 Fallon, the tractor-trailers going down West
13 Mary. Maybe you can snag somebody.

14 CHIEF DUBERNAS: I'm coming in early
15 tomorrow for Click It or Ticket.

16 MR. SEMENZA: I spoke with Paul and
17 asked him to go take care of signs or
18 whatever you could do there.

19 MR. PAPI: I got three signs next to
20 Kiddie Campus that say five minute parking
21 only, we got the two one-way signs on the
22 alley and a do not enter sign.

23 MR. SEMENZA: He also went to speak
24 with people from Northeast Envelope about
25 telling the dispatchers not to send their

1 trucks that way.

2 MR. PAPI: She said everybody's
3 supposed to know. I told her and she said
4 she would make sure everybody got the
5 message.

6 MR. SEMENZA: They need to
7 consistently stress it to their drivers.

8 MR. PAPI: She said the GPS is
9 sending them that way. I said if they
10 weren't there's going to be signs put up and
11 everybody's going to get fined. I said
12 nobody wins that way.

13 MR. SEMENZA: Chief, I think it's to
14 the point that if we see them doing that we
15 cite them now.

16 CHIEF DUBERNAS: This is the first
17 time I heard of that street. I've heard of
18 Susquehanna and Hoover, where they come in
19 that way, but never Mary or Fallon.

20 MR. NOTARI: Can we ask Northeast
21 Envelope to pay for signs that go up on the
22 poles that say Northeast Envelope this way
23 so they don't turn down the street?

24 CHIEF DUBERNAS: They're supposed to
25 use Maxson Drive. On their dock there's big

1 signs that says enter and exit through
2 Maxson Drive only.

3 MR. SEMENZA: They're deliveries
4 coming to them. How do you say to Northeast
5 it's your fault?

6 MR. NOTARI: Start fining the
7 drivers. If it's a matter of the residents
8 calling us and saying -- maybe we should
9 tell the residents if the trucks come
10 through take their license number, call the
11 police department and let the police
12 department go down to Northeast Envelope.

13 MR. SEMENZA: I told a few that I
14 spoke with to do the same thing.

15 MR. FEBBO: They must use the same
16 carriers all the time.

17 MR. SEMENZA: They told Paul there's
18 a lot of new drivers that come through.
19 They don't know any better.

20 MR. PAPI: She said she'd do her
21 best to get everybody notified.

22 I went to Butler Street to install a
23 no parking here to corner sign, where I was
24 instructed to at last meeting, and twice
25 there was a car parked there and we couldn't

1 hammer in. It was too close. We didn't
2 want to damage the car.

3 MR. SEMENZA: Did you try to contact
4 the owner, call the chief or anybody?

5 MR. PAPI: No. I think it's one of
6 the cars from the garage that's just parked
7 there. It never moved.

8 MR. SEMENZA: Chief, go take care of
9 that. Get these signs in. It's getting out
10 of hand up there, too. Anybody else have
11 anything for the chief? Thanks, Chief.

12 Everybody has Paul Papi's report in
13 their packet. Paul, anything to add?

14 MR. PAPI: No, just a question for
15 Bill. I'll talk to him after the meeting.

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

18 MR. NOTARI: Paul, on your report
19 you talk about a sediment problem on Orchard
20 Street, at the Dunbar complex.

21 MR. PAPI: He has nine apartments
22 down at the bottom. The problem is the
23 borough street ends but there's that
24 property that goes up to Stefanko's. It's
25 owned by Mariotti and Stefanko and we have a

1 tiny piece on the bottom where we ended the
2 paving. It's coal ash. When it rains heavy
3 the sediment comes down the hill and goes
4 across the paved road and into George
5 Dunbar's water retention pond. I had them
6 cleaned out twice, and he's just being very
7 difficult, that he wants the problem
8 permanently fixed. I told him come to a
9 council meeting and he hasn't done that yet.
10 He seems to call me and complain.

11 MR. NOTARI: So he has a problem
12 with us. We don't have a problem with him.

13 MR. PAPI: Yes. It's complicated
14 because of the three owners that own that
15 road. If it has to be paved to fix the
16 problem you have to get three people
17 involved.

18 MR. SEMENZA: How is the grinder
19 pump down there?

20 MR. PAPI: Good. We clean it once
21 every six months. No problems.

22 MR. SEMENZA: One other thing, we
23 had a blockage on Lawrence Street. Paul
24 sent Mike Ford over to jet it and he did
25 camera it because a resident thinks that

1 there's a problem with the line.

2 MR. PAPI: It's perfect.

3 MR. SEMENZA: So I don't know if
4 anybody got any feedback from anybody. But
5 there's no issue with our line one bit.
6 Anybody else have anything for Paul? Thanks
7 Paul. Dave Lopatka, engineer's report.

8 MR. LOPATKA: I really don't have
9 much. I've just kind of been working with
10 Marylynn with regard to the grant stuff.
11 Other than that, I don't really have much.

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

14 MR. HOOVER: They're going with that
15 Kohler Avenue project?

16 MR. LOPATKA: That is ongoing.

17 MR. HOOVER: Catch basins are all
18 installed?

19 MR. LOPATKA: They're installed. I
20 believe they're starting to work on the
21 road.

22 MR. HOOVER: Sidewalks are all dug
23 out on Corcoran. They're probably going to
24 pave that once we get a couple days of good
25 weather.

1 MR. LOPATKA: We've been stopping in
2 periodically on Kohler.

3 MR. SEMENZA: Anybody else have any
4 questions?

5 MR. NOTARI: Eisenhower and Apollo,
6 I saw in the paper again they're having a
7 prebid meeting? I think it was today,
8 actually.

9 MS. BARTOLETTI: I didn't hear a
10 word from them.

11 MR. NOTARI: That would have been
12 the second one I've seen advertised in the
13 paper. I was kind of surprised when I saw
14 the second one.

15 MR. LOPATKA: I had them send me
16 their plans. Their plans look okay from the
17 asphalt.

18 MR. SEMENZA: My understanding of
19 what happened was they put the bid out,
20 maybe only one contractor came back. HUD's
21 rule is you need three bids. No ifs, ands
22 or buts about it. That's why they reposted
23 it.

24 MR. LOPATKA: Other than that,
25 you're paving project from last year is

1 done. Final invoice was already put in.

2 MR. SEMENZA: Hopefully when the bid
3 goes out three bids will come back.

4 I'm going to say this now. I was
5 talking to James May from PennDOT and he, I
6 guess, had a meeting today. They're going
7 to start Lonesome Road this week and
8 hopefully be done within three weeks,
9 weather permitting. Just to let everybody
10 know. That's a good thing.

11 MR. PAPI: Three weeks?

12 MR. SEMENZA: Hopefully. Hopefully
13 they'll start this week but the weather
14 doesn't look too good this week. We should
15 be done within the next three weeks if the
16 weather cooperates. But the work's
17 scheduled to begin this week, which is good.
18 Anybody else have anything for Dave?

19 Everybody has Bill's report. Do you
20 have anything to add?

21 ATTY. RINALDI: No. You have
22 attached the resolutions for tonight. If
23 you want to give input on a line for Dave
24 for Saint Lawrence's. That's it. That's
25 all I have.

1 MR. FEBBO: In looking at that I
2 also see it on our agenda. I think that we
3 should address that white elephant in the
4 room and bring that up now, where we are
5 with Saint Lawrence's.

6 According to Bill they want a
7 response by the 25th.

8 ATTY. RINALDI: So we need to show
9 them where we want to subdivide the plan and
10 see if they'll agree to it.

11 MR. FEBBO: That being said, we
12 needed him to have a committee meeting this
13 past week and it was overruled, for whatever
14 reason, whereby I felt that we should have
15 Dave involved and, Bill, you in contact with
16 us to set up whatever parameters we need to
17 subdivide this map, here, so we can move
18 forward with it.

19 So I think that we need to address
20 that this evening because, according to this
21 date, we're running out of time. It states
22 in here that the parish and diocese is
23 getting very impatient and that they've
24 given us an ultimatum. Either take care of
25 your business or get off the pot as of

1 today.

2 So that being said, here in open
3 meeting I think we should address the issue.

4 MR. SEMENZA: Okay, absolutely.

5 MR. HOOVER: Didn't we offer them
6 something for the church?

7 MR. FEBBO: Well, the church cannot
8 be negotiated until next year.

9 MR. HOOVER: They asked us for a
10 bid, we gave them a bid. Now we're waiting
11 for them to say yea or nay with that bid.

12 MR. FEBBO: By church law they can't
13 even discuss price with you.

14 MR. SEMENZA: So we should never
15 have given them a price. Now they know our
16 cards.

17 MR. FEBBO: Moving forward, the same
18 price that we're getting the rectory for,
19 \$1. So the issue that we need to decide
20 right now is to move forward on this for a
21 dollar, take ownership of the rectory. Now,
22 think about this. What we're getting for a
23 dollar is --

24 MR. SEMENZA: We're not getting it
25 for a dollar, Lou. You're stating that

1 wrong. You're putting a snowball effect.
2 You're putting smoke and mirrors up. It's
3 not a dollar. First of all, it's \$125,000
4 plus a dollar.

5 MR. FEBBO: Okay.

6 MR. SEMENZA: And that's just to
7 bring it to code just to get into the
8 building. That's not windows, that's not
9 roofs, that's not a porch, that's not doors.
10 That's not anything else. When you're said
11 and done with that building we're going to
12 be close to the million dollar mark, and I
13 don't care what anybody says. I know. I've
14 been in construction a long time and I know.

15 MR. FEBBO: I'm going to saying more
16 like \$225,000 based on what they said plus
17 what it needs. But the other thing about
18 that here is we're looking at investing
19 money. That's not the issue right now. The
20 issue is taking ownership. All we need to
21 do is take ownership now and do nothing with
22 that place. It states in there, their
23 request, that if we decide after that we
24 don't want the place and do nothing with it
25 we can give it back to them. So that gives

1 us a year between now and the time that the
2 church closes to decide what we want to do.
3 Moving forward, if you look at that property
4 down there --

5 MR. SEMENZA: So if we don't want
6 it -- so we're going to continually pay Dave
7 and Bill, which we've paid Dave already
8 \$3,000 and paid Bill approximately \$1,200,
9 for just that service. So we'll continually
10 be charged lawyer fees and engineering fees
11 and then we don't want it in a year? Oh,
12 well, here's \$5,000 of taxpayer money you
13 throw out the window.

14 MR. FEBBO: Let's go that way, then.
15 Okay? I think it's ludicrous to pass this
16 up. You're looking at the two second oldest
17 buildings in town here.

18 MR. SEMENZA: That's irrelevant to
19 the situation. It's irrelevant.

20 MR. FEBBO: There's grant money out
21 there --

22 MR. HOOVER: There isn't grant money
23 out there.

24 MR. FEBBO: You get the right people
25 running the place it's an insignificant

1 amount. Again, we do not have to take this
2 place today and put a half a million dollars
3 in it tomorrow. We have time. We have to
4 beg, borrow and steal.

5 MR. HOOVER: The building's only
6 going to get worse, though, which means more
7 money.

8 MR. SEMENZA: The longer we wait,
9 the more money you'll need to put into it.
10 That needs to be fully insulated. You're
11 looking at \$30,000, \$40,000 in windows.
12 Every window is oversized.

13 MR. LUCARELLI: Have an architect
14 come in and tell you exactly what it would
15 cost to put a gymnasium and some of the
16 other recreation in that.

17 MR. SEMENZA: We're talking the
18 rectory. The church isn't big enough for a
19 gymnasium. Not even close. Let's put a
20 building up over on Marion Street.

21 MR. FEBBO: You got four million?

22 MR. SEMENZA: It's not four million.

23 MR. FEBBO: So we put a pole
24 building up with a cement floor? You're
25 talking about an investment there just to do

1 the surveying and --

2 MR. SEMENZA: You'll have a brand
3 new building.

4 MR. LUCARELLI: Don't you think you
5 should get an independent architect to tell
6 you? It's important for the community to
7 know exactly what the pros and cons are of
8 that facility. Maybe it will come back and
9 be too expensive, and everybody will say
10 they tried, they did a good job, but it's
11 too expensive, or they come back and say we
12 might be able to do this.

13 MR. HOOVER: Dave, what number did
14 you come up with just to get that building
15 to code?

16 MR. LOPATKA: We looked at
17 mechanicals, electrical, plumbing and
18 structure. We didn't look at it from an
19 architectural standpoint.

20 MR. SEMENZA: You're ready to waste
21 taxpayer dollars on engineering and lawyer
22 fees to go that far?

23 MR. LUCARELLI: Yeah, I would.

24 MR. SEMENZA: I'm not. I want to
25 make an effort to put a community center up.

1 Brand new facility. Marion Street park. We
2 have tons of room. Maybe \$1.5 million, \$2
3 million. You don't think so? What do you
4 think you're going to put in this place down
5 here? You're all dreaming if you don't
6 think you're going to put over a million
7 dollars in this place down there.

8 MR. HOOVER: After you put \$200,000
9 into the rectory, then you have to remodel
10 the church to make it what we want to do
11 with it. What could you do with the church?
12 You can't put a basketball court in there.

13 MR. RUSSICK: There's a fire sale
14 out there in the diocese. They want to get
15 rid of these properties. You don't know
16 what you're going to get in there, believe
17 me, and that's going to be a sin.

18 MR. SEMENZA: The rectory, you're
19 going to utilize it in which way?

20 MR. RUSSICK: As a civic center.

21 MR. SEMENZA: The rectory? A civic
22 center? For what?

23 MR. FEBBO: For anything.

24 MR. SEMENZA: How is it going to
25 maintain itself? How is it going to pay the

1 bills?

2 MR. FEBBO: First of all, you keep
3 saying no about the historical society.
4 They need a home. How long do you think
5 they're going to operate --

6 MR. HOOVER: Let them buy it for a
7 dollar.

8 MR. RUSSICK: We put a lot of money
9 into sports in this town, but not everybody
10 plays sports. So let's put something in our
11 legacy. How do you know what's going to
12 happen?

13 MR. SEMENZA: I don't know what's
14 going to happen.

15 MR. RUSSICK: There's a lot of
16 historical value there. Once that goes it's
17 gone.

18 MR. HOOVER: Where are we going to
19 get the \$200,000 to fix --

20 MR. FEBBO: Can I have the floor?

21 MR. HOOVER: I want to know. That's
22 the question I have. We can't get a grant
23 for a high school cop, to pay for a full
24 time high school cop, and that's good all
25 over the world, to get a cop.

1 MR. SEMENZA: You don't see as many
2 grants as you think. Everybody thinks
3 grants are free money and they're falling in
4 everybody's lap. The reality is they're
5 not.

6 MR. HOOVER: You're competing with a
7 pile of other people for grants, too. Of.

8 MR. NOTARI: And Old Forge never
9 gets them. You look in the newspaper, and
10 when the grants are reported every borough
11 gets a grant and we don't get anything.

12 ATTY. RINALDI: You just got a half
13 a million dollars.

14 MS. BARTOLETTI: I'm going to take
15 that as an insult.

16 MR. NOTARI: I don't mean coming
17 from here. I don't mean coming out of this
18 building. I mean coming from our state
19 reps. That's what I mean. But let's get
20 back to where we're going to get the money
21 from. We have \$11,124.93 in an Old Forge
22 Civic Center account. We have \$39,178.99 in
23 a borough school joint project account. We
24 have \$1.643 million in the landfill account,
25 which, to my knowledge, we really have not

1 spent any money out of that account in the
2 two years that I'm here. So you keep
3 questioning money, money, money. There's
4 money there.

5 MR. SEMENZA: Why don't we put up a
6 new facility, then?

7 MR. NOTARI: Then let's do it. Bob,
8 not to put you on the spot, but you've been
9 on council how long?

10 MR. SEMENZA: Seven years.

11 MR. NOTARI: Why haven't we done it?
12 What have we been waiting for?

13 MR. SEMENZA: From when I got here
14 I've been trying to get something like this
15 going.

16 MR. NOTARI: And I believe that, but
17 what are we waiting for?

18 MR. SEMENZA: When I think of a
19 community center I think of a court where
20 kids can play. You can go out and run. A
21 family can come and watch games.

22 MR. NOTARI: See, to me that's not a
23 community center, for us to run a
24 tournament. A community center is a place
25 for the kids of this community to go when

1 they have nowhere else to go. I don't care
2 if it's a half court, I don't care if it's
3 three courts. Yeah, in a perfect world I do
4 want the Dunmore Community Center. But
5 we're not in a perfect world.

6 MR. SEMENZA: Why waste money on
7 something we don't even know what we're
8 going to have to spend on it at the end of
9 the day? When you go into remodeling
10 something -- and I don't know if anybody in
11 this place --

12 MR. NOTARI: I'm not going to
13 disagree with you on that, but I don't think
14 it's a waste of money.

15 MR. SEMENZA: You open up a can of
16 worms every time you do something.

17 MR. NOTARI: You're talking about
18 how are we going to maintain it, where's the
19 money going to come from. How are we going
20 to maintain a \$2 million facility? You
21 still have to have maintenance there.
22 Where's the money coming from? Well,
23 where's the money coming from?

24 MR. HOOVER: You're maintaining a
25 new building. You're not maintaining a

1 building that could have something going on
2 in a hundred-year-old building.

3 MR. FEBBO: The other thing is --
4 and some of you guys are against this -- a
5 home for the historical society.

6 MR. SEMENZA: I'm not against a home
7 for them. You're putting words in my mouth.

8 MR. FEBBO: How long are they going
9 to operate out of the basement of this
10 building? They need a home. Everybody saw
11 the presentation and they loved it. So what
12 better off organization to put in there as
13 an occupant than the historical society in
14 the most historical building in town. Then
15 you have a residence.

16 MR. SEMENZA: You're putting words
17 in my mouth saying that I don't want to put
18 the historical society -- I don't want to
19 give them a home. I'm not saying that.
20 Never said that.

21 What I stated was I'm not buying
22 something for the historical society. If we
23 buy something and they want to use it, I
24 have no problem with that one bit
25 whatsoever. I told you that many times. I

1 have nothing against the historical society.
2 I think it's a great entity.

3 MR. FEBBO: Owned by the borough,
4 partial occupied by them where they can
5 display everything about the history of Old
6 Forge. Listen, in order to know where the
7 hell you're going in life it's important to
8 remember where you've been.

9 MR. SEMENZA: I get it, but what
10 I'm --

11 MR. FEBBO: Get what, give up one of
12 the oldest buildings in town? That's
13 history.

14 MR. SEMENZA: It's not history.
15 It's not historical.

16 MR. FEBBO: It's only a hundred
17 years old.

18 MR. SEMENZA: So is my house.

19 MR. FEBBO: It was built for the
20 people, by the people, and then we want to
21 revert it back to the people of Old Forge
22 for the people of Old Forge. Different
23 purpose but same people.

24 MAYOR LEGG: I'd love to have a
25 Bentley, but I'll settle for a Volkswagon.

1 MR. SEMENZA: We're talking two
2 different things here. Mayor and everybody,
3 what I was trying to say is I think we're
4 going to put too much money into something
5 we don't even know what's going to happen
6 there. I think we already put too much
7 money into something we don't know what's
8 going to happen there.

9 MR. RUSSICK: That's a lack of
10 action.

11 MR. SEMENZA: How is it a lack of
12 action? Wait, wait.

13 MR. HOOVER: We gave them an offer
14 two months ago.

15 MR. SEMENZA: We went to meeting
16 after meeting with them --

17 MR. HOOVER: They've never come back
18 to us with a counteroffer.

19 MR. FEBBO: They haven't. We have
20 the rectory for a dollar.

21 MR. HOOVER: But you had to buy one
22 and not the other.

23 ATTY. RINALDI: Our agreement is we
24 don't close on the rectory until we know
25 what we're paying for or what our option to

1 purchase the church is. That's what the
2 agreement states. So it wasn't a blind
3 agreement. Originally they wanted --

4 MR. FEBBO: For that \$1 all we're
5 doing is locking down the rectory, a price,
6 and it's ours. We can move forward with
7 speculation on repairs and remodeling going
8 forward.

9 MR. SEMENZA: And initially we
10 talked. We were going to let the rectory
11 sit idle. Now we're talking about repairs
12 and renovations.

13 MR. FEBBO: Bobby, I'm saying for
14 next year you can do what you want to do.
15 Right now we don't have an idea of where the
16 hell we're at with it and what it's going to
17 be used for. The next thing I'm going to
18 refer to is forming a committee to oversee
19 it. And I'm not talking about a committee
20 from council members, I'm talking about a
21 committee from members of the community that
22 have an interest in something like that.
23 Professional people that can go after things
24 that we're talking about and have the time
25 and the well-being of the community.

1 MAYOR LEGG: Counselor, what's the
2 agreement again? Can you say that one more
3 time?

4 ATTY. RINALDI: Right now we're
5 supposed to -- we did the surveys. Our
6 agreement is we submit a plan to them on how
7 we want to subdivide the property. That's
8 where we're at right now. They approve
9 that, they sign it, we take it to planning.
10 Before we close on the rectory there has to
11 be an agreement on what we're doing with the
12 church. If we're buying it for a set price,
13 what that price is. So that's why the
14 meeting we had two month ago was this was
15 our offer and we never heard back. I
16 haven't gotten anything back from them. I
17 told them we'd keep the ball moving in terms
18 of the subdivision.

19 MAYOR LEGG: We have the plans
20 and --

21 ATTY. RINALDI: We had them the last
22 meeting.

23 MAYOR LEGG: We submit that, then
24 after that they approve them and --

25 ATTY. RINALDI: We subdivide, and

1 then we still have to hash out before we
2 close what we're going to do with the
3 church.

4 MR. FEBBO: Again, Bill, you're
5 saying that we have a price on the rectory.
6 The church we cannot negotiate at all, as
7 far as that goes, at this present time.

8 ATTY. RINALDI: I made that a
9 condition of closing on the rectory so we
10 can lock in the church.

11 MR. FEBBO: But that doesn't happen
12 until next year.

13 ATTY. RINALDI: We didn't want to
14 close on the rectory not knowing that we're
15 not going to get the church because we
16 didn't need --

17 MR. SEMENZA: We don't know if we're
18 going to get the church.

19 ATTY. RINALDI: Right. That's why I
20 said it has to be negotiated what our option
21 price was.

22 MR. FEBBO: Well, we will be getting
23 the church, between a \$1,000 and \$50,000.

24 MR. RUSSICK: I proposed that the
25 church donate the property -- the diocese

1 donate the church property, the church to
2 the borough because it was why should I buy
3 something that I already own? It don't make
4 sense.

5 In saying that, Father was going to
6 take it back to the diocese. What happened
7 from there on in I have no idea. We
8 shouldn't have to buy that church. We paid
9 for that church over and over again. In
10 2000, 2001 that church was renovated at a
11 cost of \$1 million. I put a lot of money
12 into it along with other people. The
13 handicap accessible, it meets all the
14 handicap codes. There's an elevator there,
15 there's a restroom up in the church, in the
16 vestibule. There's restrooms downstairs.
17 There's a kitchen there.

18 This is once in a lifetime. Don't
19 pass it up. Have a little vision. You got
20 to look ahead. They'll be fighting over
21 that place to turn it into something that's
22 not going to be pleasant.

23 MR. SEMENZA: You can't. There's a
24 code against it. You're talking about --

25 MR. RUSSICK: They'll walk a gray

1 line.

2 MR. SEMENZA: You're talking about
3 missing an opportunity. I feel like the
4 same thing when I want to put a new facility
5 up. We're missing out on a huge
6 opportunity.

7 MR. RUSSICK: Well, it cost big
8 bucks to put up a facility, it will cost big
9 bucks to maintain anything.

10 MR. SEMENZA: It cost big bucks to
11 maintain anything, but it's not going to
12 cost as much to maintain a new facility as
13 it is to -- Joe, don't shake your head no.
14 You should know better than anybody.
15 Everybody's trying to make smoke and mirrors
16 that you're not going to put any money into
17 that place down there. Come on, be smarter
18 than that. It's going to cost a ton of
19 money. We're going to put a fortune in that
20 place down there. I mean, I know because I
21 remodeled my house. I know what I put into
22 my house.

23 MR. RUSSICK: I know your mind is
24 set and I understand.

25 MR. SEMENZA: You're right.

1 MR. RUSSICK: My mind is set, too,
2 and there's a lot of other people that their
3 minds are set.

4 MR. FEBBO: I think I have a pretty
5 good mind for business, and I think that I
6 can take that place and --

7 MR. SEMENZA: So do I.

8 MR. FEBBO: I don't care how long
9 you've been here, I'm talking about business
10 background. I have a pretty impressive
11 background. I've been through a lot --

12 MR. SEMENZA: I'm not saying you
13 haven't and I'm not arguing the fact of
14 that.

15 MR. FEBBO: I've got a
16 correspondence here from Bill stating that
17 "the borough will pay for all costs
18 associated with the preparation of survey,
19 title searches, subdivision fees associated
20 with the transaction contemplated and
21 outlined in the agreement.

22 The borough believes that the
23 preservation of both the Saint Lawrence
24 Church and rectory is in the best interest
25 of our community and would breathe new life

1 into their structures for the benefit of the
2 borough of Old Forge."

3 Then going forward here with another
4 one. "The borough would like the parish to
5 consider the sum of \$50,000 as an option
6 price for the purchase of the remaining
7 lands of the church upon the closure of the
8 church."

9 What is it we don't understand here?
10 Fifty thousand, and Joe will negotiated it
11 for a dollar. That's down the road.

12 So that being said, I'm going to put
13 a motion on the floor that we accept
14 purchase of the rectory for \$1 and move
15 forward with that this evening.

16 ATTY. RINALDI: You've already voted
17 on that and it's agreed to. We have an
18 agreement that says that.

19 MR. FEBBO: Okay.

20 MR. SEMENZA: Now I'm going to call
21 for a motion to terminate the terms of the
22 agreement for the church.

23 MR. FEBBO: You can't make a motion.

24 MR. SEMENZA: I'm going to call for
25 a motion -- and I could make motions.

1 MR. FEBBO: I have a motion on the
2 floor.

3 MR. SEMENZA: That motion already
4 exists, Lou.

5 MR. FEBBO: I want to reiterate it.

6 MR. SEMENZA: I'm going to call for
7 a motion to terminate the agreement for the
8 Saint Lawrence rectory.

9 MR. HOOVER: I'll second it.

10 MR. SEMENZA: You're going to make
11 the motion?

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

13 MR. SEMENZA: By Councilman Hoover.
14 Can I have a second? Bill, can I second it?

15 ATTY. RINALDI: You know what?
16 That's a good question. I didn't bring that
17 book with me today.

18 MR. SEMENZA: Do you have Roberts
19 Rules, Mare?

20 (A brief discussion was held off the
21 record.)

22 MR. SEMENZA: All right.

23 ATTY. RINALDI: Any member can
24 second a motion, so as a member you can
25 second it.

1 MR. SEMENZA: I'll second the
2 motion. Roll call, please, Marylynn.

3 MR. NOTARI: Repeat the motion,
4 please.

5 MR. SEMENZA: Motion was stated to
6 terminate the agreement for the rectory.
7 Motion by Councilman Hoover, seconded by
8 Councilman Semenza. Roll call, please.

9 MS. BARTOLETTI: Councilman Febbo?

10 MR. FEBBO: No.

11 MS. BARTOLETTI: Councilman Hoover?

12 MR. HOOVER: Yes.

13 MS. BARTOLETTI: Councilman Notari?

14 MR. NOTARI: No.

15 MS. BARTOLETTI: Councilman Semenza?

16 MR. SEMENZA: Yes. Tie, Bill. Go
17 to the mayor?

18 ATTY. RINALDI: You're spending
19 money, so the mayor gets to break the tie.

20 MAYOR LEGG: No.

21 MR. FEBBO: Back to my motion.
22 Where do we take this, Bill?

23 ATTY. RINALDI: Your motion was
24 already made. The agreement's been approved
25 by council. What we're waiting for now is

1 to move it through the agreement, which
2 is --

3 MR. FEBBO: Who's holding that up?

4 ATTY. RINALDI: You have to tell
5 Dave where to draw the line.

6 MR. FEBBO: We attempted to do that
7 this past week with our committee but the
8 committee was overruled by --

9 ATTY. RINALDI: You gave a
10 suggestion on a line and they wanted to
11 review it.

12 MR. SEMENZA: Because I asked not to
13 spend any more money until we knew what we
14 were doing. Is that a problem, Councilman
15 Febbo?

16 MR. FEBBO: Not now it isn't. It
17 was then. Now, that being said, we move
18 forward. I'd like to have a meeting with
19 you and Bill, your interpretation as to
20 where we make our subdivision lines.

21 MR. SEMENZA: Is Bill needed for
22 this meeting?

23 ATTY. RINALDI: I wrote where I
24 thought it should be, the most logical spot.

25 MR. NOTARI: I thought we discussed

1 this at the work session?

2 MR. LOPATKA: At the end, then I was
3 told you wanted to look at it.

4 MR. FEBBO: We need something in
5 writing from either you or Bill so we can
6 get it to the diocese and say okay --

7 MR. LOPATKA: You need the map. If
8 somebody tells me where on the map to draw
9 the line we can draw the line and provide
10 the map.

11 MR. FEBBO: So who do we need to do
12 that, you, Bill?

13 ATTY. RINALDI: The retaining wall
14 and the sidewalk.

15 MR. FEBBO: So what do we need to do
16 to circumvent it?

17 MR. LOPATKA: If you open the map we
18 can look at the map, you guys make a
19 decision on where you want the line.

20 MR. FEBBO: We can do that right
21 now.

22 MR. LOPATKA: At that point I can
23 draw it on the map.

24 ATTY. RINALDI: If you want parking
25 behind there you bring it all the way back

1 to the rear of the parking lot. That's
2 where you're at. It's not going to close by
3 the 31st. It's got to be subdivided, it's
4 got to go through planning. Then we have to
5 agree on language for closing on the church.
6 We're still waiting for them on what they
7 want to do with the church.

8 MR. FEBBO: But it states in here,
9 July 24th, there's nothing they can do with
10 the church at this time. "Neither the
11 diocese nor Prince of Peace Parish can make
12 an agreement other than what is already
13 outlined in section one, premises of AOS,
14 regarding the sale or otherwise transfer of
15 the title to the church property while it
16 remains an active worship site. All
17 canonical procedures regarding the
18 suppression/closure of the church will need
19 to be followed if/when the decision to close
20 is made/approved."

21 That being said, again, they cannot
22 give us a price until they get to that
23 point.

24 ATTY. RINALDI: Which means they're
25 not guaranteeing you're going to get the

1 church. They can sell it to somebody else.

2 MR. FEBBO: No, we have right of
3 first refusal on that.

4 MR. SEMENZA: They can sell it to
5 somebody else.

6 MR. FEBBO: We have right of first
7 refusal.

8 ATTY. RINALDI: We have to agree on
9 that and what the price is.

10 MR. FEBBO: In there we also stated
11 that \$50,000 --

12 ATTY. RINALDI: I'm looking at
13 the --

14 MR. FEBBO: "The borough would like
15 the parish to consider the sum of \$50,000 as
16 an option price for the purchase of the
17 remaining lands of the church upon the
18 closure of the church and exercise the
19 borough option."

20 That's written by you, Bill, on
21 March 21st.

22 ATTY. RINALDI: I know what I wrote,
23 but I also know what's in the agreement that
24 we agreed to in October of 2017.

25 MR. FEBBO: You're going backwards

1 here. We're going forward. We made the
2 agreement. You brought it up on this date
3 here.

4 ATTY. RINALDI: I'm not going
5 backwards. There's only one agreement we've
6 been working from. That's the only one the
7 bishop signed. We only had one agreement
8 that the bishop signed.

9 MR. NOTARI: What was the agreement
10 we voted on?

11 ATTY. RINALDI: The one the bishop
12 signed.

13 MR. NOTARI: Wasn't that agreement
14 that we would get right of first refusal if
15 we took the rectory? If we took ownership
16 of the rectory we were going to get right of
17 first refusal on purchasing the church when
18 they closed.

19 MR. SEMENZA: I don't believe so.

20 MR. FEBBO: It's in writing.

21 ATTY. RINALDI: Right of first
22 refusal for the buyer of the remaining lands
23 of the seller located at 620 North Main
24 Street, Old Forge.

25 MR. SEMENZA: But they can decline

1 our bid and then take anybody else's bid.
2 Correct?

3 MR. NOTARI: They could -- no, they
4 can't decline. They can say they want more
5 money, we can come back and give them more
6 money or say no. But we still get the right
7 of first refusal. We could come back with
8 something else or say no.

9 ATTY. RINALDI: I gave you more
10 protection. I put in an option to purchase
11 and right of first refusal acceptable to the
12 buyer. So an option to purchase means you
13 have to know what -- well, I mean, I think
14 you'd want to know what the number is.
15 That's why I put it in that way.

16 MR. FEBBO: The number's between \$1
17 and \$50,000, but they couldn't put that in
18 writing for the reasons I just mentioned.

19 ATTY. RINALDI: As long as, when you
20 close, you know what it is, so that when
21 it's recorded they can't sell it to somebody
22 else. That's what we were trying to
23 guarantee. Nobody wanted the rectory.
24 Everybody wanted the church.

25 MR. SEMENZA: No, everybody wants

1 the rectory. Nobody wants the church.

2 ATTY. RINALDI: Well, originally
3 they wanted the church, not the rectory.

4 MR. NOTARI: I want both.

5 MR. FEBBO: The majority of the
6 people want both.

7 MR. SEMENZA: Let's move forward.

8 MR. FEBBO: Wait, do we have clarity
9 on that? We move forward with the rectory?

10 MR. SEMENZA: I'm against it but we
11 lost the vote.

12 ATTY. RINALDI: You're moving
13 forward.

14 MR. SEMENZA: I'm against it. Is it
15 funny I'm against it? You're wasting
16 taxpayer dollars here.

17 MR. RUSSICK: The vote was taken --

18 MR. SEMENZA: Right. Let's move
19 forward. We have other borough business to
20 take care of.

21 MR. RUSSICK: With a negative
22 attitude it's not going to go far.

23 MR. SEMENZA: When taxes have to get
24 raised when we spend taxpayer dollars I hope
25 everybody in this room is back here again.

1 MR. NOTARI: Don't just put stuff
2 out there just to try to scare people that
3 we're going to raise taxes. You're holding
4 that out there trying to scare people.

5 MR. SEMENZA: You know what's going
6 to happen.

7 MR. NOTARI: I don't know what's
8 going to happen, you don't know what's going
9 to happen. You know what's going to happen
10 on certain things, other things you don't
11 know what's going to happen.

12 MR. SEMENZA: Move forward.

13 MR. FEBBO: Give us two years. Two
14 years from now I want to be sitting here to
15 tell you that that thing is paid for, it's
16 up and running, and the community --

17 MR. SEMENZA: Paid for and up and
18 running? Sustain itself?

19 MR. FEBBO: Exactly.

20 MR. SEMENZA: I hope I'm wrong, Lou.
21 I really do.

22 MR. FEBBO: I will prove you wrong.

23 MR. SEMENZA: I don't think it's
24 going to happen.

25 MR. HOOVER: Next?