

OLD FORGE BOROUGH COUNCIL  
OLD FORGE, PENNSYLVANIA

IN RE: REGULAR MEETING OF COUNCIL



ORIGINAL

APRIL 16, 2019

7:00 P.M.

OLD FORGE MUNICIPAL BUILDING

314 SOUTH MAIN STREET

OLD FORGE, PENNSYLVANIA

COUNCIL MEMBERS:

ROBERT SEMENZA, PRESIDENT

JOSEPH FERRETT

RUSSELL RINALDI

LOUIS FEBBO

RICK NOTARI

JAMES HOOVER

MICHAEL LETTIERI

WILLIAM RINALDI, ESQUIRE, SOLICITOR

MARYLYNN BARTOLETTI, BOROUGH MANAGER

Michelle Smolskis  
Official Court Reporter

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

5 (The Pledge of Allegiance was  
6 recited.)

7 MR. SEMENZA: Once again, welcome to  
8 the Old Forge Borough Council meeting, April  
9 16, 2019. We'll hear from our department  
10 heads, go around the table, see if Council has  
11 anything to address, public sign-in sheet, if  
12 anybody wants to address Council. Roll call,  
13 please, Bill.

14 ATTY. RINALDI: Mr. Febbo?

15 MR. FEBBO: Present.

16 ATTY. RINALDI: Mr. Ferrett?

17 MR. FERRETT: Here.

18 ATTY. RINALDI: Mr. Hoover?

19 MR. HOOVER: Here.

20 ATTY. RINALDI: Mr. Lettieri?

21 MR. LETTIERI: Present.

22 ATTY. RINALDI: Mr. Notari?

23 MR. NOTARI: Present.

24 ATTY. RINALDI: Mr. Rinaldi?

25 MR. RUSSELL RINALDI: Here.

1                   ATTY. RINALDI: Mr. Semenza?

2                   MR. SEMENZA: Here. At this time  
3 the Chair will go to some housekeeping items.  
4 The Chair is going to entertain a motion to  
5 approve the minutes that are in your packet.

6                   MR. FEBBO: Chairman, I'll make that  
7 motion.

8                   MR. SEMENZA: Motion on the floor by  
9 Councilman Febbo.

10                  MR. RUSSELL RINALDI: I'll second  
11 it.

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

15                  ATTY. RINALDI: Mr. Febbo?

16                  MR. FEBBO: Yes.

17                  ATTY. RINALDI: Mr. Ferrett?

18                  MR. FERRETT: Yes.

19                  ATTY. RINALDI: Mr. Hoover?

20                  MR. HOOVER: Yes.

21                  ATTY. RINALDI: Mr. Lettieri?

22                  MR. LETTIERI: Yes.

23                  ATTY. RINALDI: Mr. Notari?

24                  MR. NOTARI: Yes.

25                  ATTY. RINALDI: Mr. Rinaldi?

1 MR. RUSSELL RINALDI: Yes.

2 ATTY. RINALDI: Mr. Semenza?

3 MR. SEMENZA: Yes. The next motion  
4 is the motion to approve Treasurer's reports.  
5 Note, this does not include sewer accounts.

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

7 MR. SEMENZA: Motion on the floor by  
8 Councilman Hoover. Do we have a second?

9 MR. LETTIERI: I'll second.

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

13 ATTY. RINALDI: Mr. Febbo?

14 MR. FEBBO: Yes.

15 ATTY. RINALDI: Mr. Ferrett?

16 MR. FERRETT: Yes.

17 ATTY. RINALDI: Mr. Hoover?

18 MR. HOOVER: Yes.

19 ATTY. RINALDI: Mr. Lettieri?

20 MR. LETTIERI: Yes.

21 ATTY. RINALDI: Mr. Notari?

22 MR. NOTARI: Yes.

23 ATTY. RINALDI: Mr. Rinaldi?

24 MR. RUSSELL RINALDI: Yes.

25 ATTY. RINALDI: Mr. Semenza?

1 MR. SEMENZA: Yes. The next motion  
2 is a motion to approve invoices for payment.  
3 Note, this does not include sewer accounts.

4 MR. RUSSELL RINALDI: Mr. Chairman,  
5 I'll make that motion.

6 MR. SEMENZA: Motion on the floor by  
7 Councilman Rinaldi.

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

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

12 ATTY. RINALDI: Mr. Febbo?

13 MR. FEBBO: Yes.

14 ATTY. RINALDI: Mr. Ferrett?

15 MR. FERRETT: Yes.

16 ATTY. RINALDI: Mr. Hoover?

17 MR. HOOVER: Yes.

18 ATTY. RINALDI: Mr. Lettieri?

19 MR. LETTIERI: Yes.

20 ATTY. RINALDI: Mr. Notari?

21 MR. NOTARI: Yes.

22 ATTY. RINALDI: Mr. Rinaldi?

23 MR. RUSSELL RINALDI: Yes.

24 ATTY. RINALDI: Mr. Semenza?

25 MR. SEMENZA: Yes. The next motion

1 is a motion to approve sewer department  
2 financial report.

3 MR. NOTARI: Mr. Chairman, I'll make  
4 that motion.

5 MR. SEMENZA: Motion on the floor by  
6 Councilman Notari.

7 MR. LETTIERI: I'll second the  
8 motion.

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

12 ATTY. RINALDI: Mr. Febbo?

13 MR. FEBBO: Yes.

14 ATTY. RINALDI: Mr. Ferrett?

15 MR. FERRETT: Yes.

16 ATTY. RINALDI: Mr. Hoover?

17 MR. HOOVER: Yes.

18 ATTY. RINALDI: Mr. Lettieri?

19 MR. LETTIERI: Yes.

20 ATTY. RINALDI: Mr. Notari?

21 MR. NOTARI: Yes.

22 ATTY. RINALDI: Mr. Rinaldi?

23 MR. RUSSELL RINALDI: Yes.

24 ATTY. RINALDI: Mr. Semenza?

25 MR. SEMENZA: Yes. The next motion

1 is a motion to approve sewer department  
2 invoices for payment.

3 MR. NOTARI: Mr. Chairman, I'll make  
4 that motion.

5 MR. SEMENZA: Motion on the floor by  
6 Councilman Notari.

7 MR. RUSSELL RINALDI: I'll second  
8 that.

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

12 ATTY. RINALDI: Mr. Febbo?

13 MR. FEBBO: Yes.

14 ATTY. RINALDI: Mr. Ferrett?

15 MR. FERRETT: Yes.

16 ATTY. RINALDI: Mr. Hoover?

17 MR. HOOVER: Yes.

18 ATTY. RINALDI: Mr. Lettieri?

19 MR. LETTIERI: Yes.

20 ATTY. RINALDI: Mr. Notari?

21 MR. NOTARI: Yes.

22 ATTY. RINALDI: Mr. Rinaldi?

23 MR. RUSSELL RINALDI: Yes.

24 ATTY. RINALDI: Mr. Semenza?

25 MR. SEMENZA: Yes. At this time I'm

1 going to go to the department heads. Everyone  
2 has Paul's report in their packet. Paul, do  
3 you have anything to add?

4 MR. PAPI: No. Everything's good.

5 MR. SEMENZA: Anybody have any  
6 questions for Paul?

7 MR. LETTIERI: Paul, South Milwaukee  
8 coming around the bend by Preate's there, I get  
9 a lot of complaints with garbage there. Is  
10 that Preate's, all his --

11 MR. PAPI: That's Preate's.

12 MR. LETTIERI: That's all him?

13 MR. PAPI: Yeah. We clean the  
14 opposite side of the roadway.

15 MR. LETTIERI: Right. Because it's  
16 all on his side. Yeah.

17 MR. PAPI: Yeah. And, actually,  
18 it's part his and part -- Preate and Tommy  
19 Chickey, Tommy Chickey's property.

20 MR. LETTIERI: Thank you.

21 MR. SEMENZA: Paul, I called you  
22 yesterday about a sinkhole, has it opened back  
23 up or is it --

24 MR. PAPI: No. I was there today,  
25 it was fine.



1 MR. SEMENZA: Is that common in that  
2 area, Paul?

3 MR. PAPI: Yes.

4 MR. SEMENZA: That same spot right  
5 around that area?

6 MR. PAPI: There's three of them  
7 right within the block.

8 MR. SEMENZA: Do you know any reason  
9 why?

10 MR. PAPI: The mine's 40 feet under  
11 the ground. I had the Bureau of Surface Mining  
12 there about seven years ago and that's what  
13 they told me.

14 MR. SEMENZA: You think there's any  
15 reason we should call them again, or no? If it  
16 keeps opening. I mean, I don't know what they  
17 can do and what they can't.

18 MR. PAPI: We just keep filling it.  
19 If it sinks down, we keep filling it. He said  
20 that's all you can do.

21 MR. SEMENZA: All right. Thanks.  
22 Anybody else have any questions for Paul?

23 MR. NOTARI: Paul, the sinkhole over  
24 on Apache Drive that I've been bugging you  
25 about over the past six or eight months, it

1 opened again. I had asked them to call and  
2 leave a message, I'm not sure if they did.

3 MR. PAPI: Yeah, he did.

4 MR. NOTARI: Okay.

5 MR. PAPI: Yeah. I check that  
6 weekly. And as soon as I see that it moved at  
7 all, we add more to it. We added more to it  
8 yesterday.

9 MR. SEMENZA: That's the same one  
10 we're talking about, right?

11 MR. PAPI: Yeah.

12 MR. NOTARI: Oh. Okay. I didn't  
13 know. I have another question for you, Paul.  
14 A lot of trees down in town, it's the property  
15 owner's responsibility to --

16 MR. PAPI: Yeah. Well, when the  
17 tree's blocking the road, we remove it from the  
18 roadway and open it up again.

19 MR. NOTARI: Anything on private  
20 property --

21 MR. PAPI: We usually drag it onto  
22 their property so they can mulch it up or  
23 whatever they want to do with it. A lot of  
24 people make firewood.

25 MR. NOTARI: Okay. Thanks, Paul.

1 MR. SEMENZA: One other thing, Paul.  
2 I had a resident call me about Borough property  
3 down off of Alirosa Lane down there, you know  
4 where I'm talking about?

5 MR. PAPI: Yes.

6 MR. SEMENZA: There was some issues  
7 down there and I don't know if it was our DPW  
8 that's piled all that shrubbery up --

9 MR. PAPI: I was down there today to  
10 remove a tree from the roadway.

11 MR. SEMENZA: I'm saying on that  
12 stretch of property that we own in between --

13 MR. PAPI: Yeah. A tree fell down  
14 and it was in the middle of a winter storm, and  
15 we just cut it up.

16 MR. SEMENZA: He said there's some  
17 piles of brush that somebody put there. He  
18 thinks it was the Borough, and I couldn't  
19 answer that. Not recently, Paul.

20 MR. PAPI: I'll go check it out.

21 MR. SEMENZA: Check it out.

22 MR. PAPI: I know where you mean.

23 MR. SEMENZA: And he said something  
24 about a sinkhole on that street, also, or on  
25 that property maybe or something like that.

1 MR. PAPI: Never heard of that.

2 MR. SEMENZA: I'll get in touch with  
3 you, okay?

4 MR. PAPI: Yeah.

5 MR. SEMENZA: Thanks, Paul.

6 MR. PAPI: Sure, Bob.

7 MR. SEMENZA: Anybody else?

8 (No response.)

9 MR. SEMENZA: Thanks, Paul.

10 Everybody have Steve's report in their packet?  
11 Steve, do you have anything to add?

12 MR. BIERLYA: The only thing I  
13 failed to have on there was the court hearing  
14 with the Keyser Avenue and that Judge Munley  
15 gave him an extension again until May 2nd and  
16 the Judge is supposed to visit the property on  
17 May 2nd. I believe it's at 1:00 or 1:30.

18 MR. SEMENZA: Anybody have any  
19 questions for Steve?

20 (No response.)

21 MR. SEMENZA: Thanks, Steve. Dave?

22 MR. LOPATKA: All I have is we need  
23 signatures on this St. Lawrence plan tonight.  
24 We had to make a revision to it based off of  
25 comments from the Diocese.

1                   ATTY. RINALDI: You might want to  
2 add that, Bob. So, it's going to be a lot  
3 consolidation and subdivision, final plans  
4 for a lot consolidation and subdivision of the  
5 St. Lawrence Rectory parcel, in addition to the  
6 resolution I have.

7                   MR. SEMENZA: What is it going to  
8 be, Bill?

9                   ATTY. RINALDI: Final lot  
10 consolidation approval and final approval of  
11 subdivision plan. Because we're putting all  
12 the small lots together and then we're cutting  
13 off the rectory lot.

14                  MR. SEMENZA: Final lot  
15 consolidation approval and subdivision?

16                  ATTY. RINALDI: Yep. Subdivision  
17 approval. They're both on the same map.

18                  MR. SEMENZA: St. Lawrence Rectory,  
19 right?

20                  ATTY. RINALDI: Yes.

21                  MR. SEMENZA: Okay. Dave, I spoke  
22 with you earlier, I just want to go on the  
23 record saying that I want you to reach out to  
24 Pride Mobility and see what they can do up  
25 there with a swale or somewhat.

1 MR. LOPATKA: I did, but I'll follow  
2 up again.

3 MR. SEMENZA: Let's get that taken  
4 care of, that water.

5 MR. LOPATKA: I talked to Joe, I  
6 just have to call him back and see what their  
7 answer was.

8 MR. SEMENZA: And if they'd like to  
9 meet with us, with Council, by all means, just  
10 let me know and we'll set something up.

11 MR. LOPATKA: All right.

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

14 (No response.)

15 MR. SEMENZA: Thanks, Dave. Russ,  
16 before I go to anybody else, any questions for  
17 Dave?

18 MR. RUSSELL RINALDI: No, I'm good.

19 MR. SEMENZA: Bill.

20 ATTY. RINALDI: So, as I mentioned,  
21 you have the final lot consolidation and  
22 subdivision approval for the St. Lawrence  
23 Rectory property, and attached to my report is  
24 the resolution, the proposed deed and the  
25 license agreement for parking. So, everybody

1           should have gotten a copy of that last week.  
2           Does anybody have any questions on that one?

3                     (No response.)

4                     ATTY. RINALDI: Steve mentioned the  
5           Old Forge Borough and Walter Stocki's property.  
6           The only other things I have are we're going to  
7           do a motion to approve heart and lung benefits  
8           for Chief Dubernas. It's more administerial  
9           since I think everybody here knows he was hurt  
10          on duty. We're not going to deny him the  
11          benefits. And he's going to send us a letter  
12          when he's going to return to work. Marylynn  
13          has a -- well, I'll let Marylynn talk about  
14          that.

15                    The only other thing I have is when  
16          we approved the development plan for Pride  
17          Mobility, along with it there was a storm water  
18          operation maintenance agreement for the  
19          property. It was here, I don't know where it  
20          went to, but we need to reapprove it and get it  
21          signed, okay?

22                    Basically, they're responsible for  
23          maintaining all of the storm water maintenance  
24          on the property. If we have a problem, we  
25          notify them. Should they fail to repair it, we

1 can repair it and lien their property.

2 MR. SEMENZA: Anybody have any  
3 questions for Bill?

4 MR. HOOVER: Bill, that Lackawanna  
5 County Housing Authority, the roads down there,  
6 all the material is in for that job, so it's  
7 gonna be --

8 ATTY. RINALDI: I figured somebody  
9 was going to mention they were starting.

10 MR. HOOVER: They scheduled the  
11 second or third week of May.

12 ATTY. RINALDI: Great.

13 MR. SEMENZA: Anything else,  
14 Councilman?

15 MR. HOOVER: No, that's it.

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

18 (No response.)

19 MR. SEMENZA: Thanks, Bill.

20 Marylynn, Borough manager's report, do you have  
21 anything?

22 MS. BARTOLETTI: Well, first, all of  
23 you have the financial reports, so does anyone  
24 have any questions on those? No?

25 One of the things I was going to ask



1 Bill to do tonight is to put together the bids  
2 for our new recycling bins. Since we're not  
3 going to go through a company that deals with  
4 COSTARS, we'll have to put it out for bid. So,  
5 I have all the information. Will you be able  
6 to do that just on the vote tonight?

7 ATTY. RINALDI: Yeah. Just have a  
8 motion to approve to put the recycling bins out  
9 for bid.

10 MS. BARTOLETTI: Okay.

11 MR. SEMENZA: Motion what?

12 ATTY. RINALDI: Approve putting out  
13 the recycling bins out to bid.

14 MS. BARTOLETTI: The Chief wanted  
15 you to know that he's getting a grant for  
16 Buckle Up for \$1,800 for April and May, I  
17 believe it is. So, that'll be coming after the  
18 work is done.

19 And, also, we finally got our  
20 reimbursement from the Commonwealth of  
21 Pennsylvania for \$235,999 which was the grant  
22 for the 902 recycling grant where we were  
23 reimbursed for the new vehicle that we  
24 purchased for DPW and the bins we purchased the  
25 last time, and we were also reimbursed for the

1 recycling ramp that we built. I think that's  
2 all I have for tonight. I don't know if you  
3 guys have any other questions or anything for  
4 me.

5 MR. SEMENZA: Anybody have any  
6 questions for Marylynn?

7 MS. BARTOLETTI: No?

8 MR. SEMENZA: Thank you, Mare. At  
9 this time the Chair will open to public  
10 comments. Don?

11 MR. BROMINSKI: Hi gentlemen. Last  
12 time I was here we talked about requests for  
13 gas services on Sonny Drive and a potential Get  
14 Gas project. At the time, we tabled the  
15 discussion because you guys were interested in  
16 a little more information, specifically about  
17 the design, and you asked me to canvass the  
18 area to see the interest so that we could get a  
19 feel for what the impacts of the project would  
20 be. So, before I get into those details, I  
21 thought I'd just give another quick summary of  
22 the Get Gas program just as a little reminder.

23 When we get requests to serve people  
24 with natural gas, we have economic hurdles that  
25 we have to meet that are in our tariff that's

1 approved by the Pennsylvania Public Utility  
2 Commission. For a Get Gas project of this  
3 sort, we have to make sure that the cost to  
4 serve each customer is less than \$10,000. In  
5 order to help us meet that hurdle, we ask for  
6 concessions on your paving ordinance to help us  
7 lower costs. In exchange for those  
8 concessions, UGI will guarantee our work for a  
9 period of five years, which is more than is in  
10 the normal ordinance.

11 So, getting back to the project,  
12 itself, if you want to look at the map, I'll  
13 just walk you through what our intentions are,  
14 and I think you'll see that the impact might be  
15 less than originally thought. And I just want  
16 to also be clear that we're only asking for  
17 these concessions on the ordinance for the Get  
18 Gas project. This would not affect any normal  
19 operations and maintenance projects that UGI  
20 would have in Old Forge.

21 So, what we have here is if you look  
22 at the yellow line, that indicates where we  
23 would like to install our natural gas main, and  
24 from the lower right corner we hope to stay  
25 behind the curb, off the pave, all the way

1           until past 16 Sonny Drive where some trees are  
2           too close to the edge of the pave, they're  
3           gonna push us out into the street for the  
4           remainder of the project. So, that would be  
5           the installation of the gas main.

6                     The services that, per the survey  
7           that we did, the ones on the left side, the  
8           even numbered houses, it's kind of irrelevant  
9           for the resolution since the main is going to  
10          be already off the street, there'll be no  
11          impact to the street. So, the real discussion  
12          is what is the impact of installation of the  
13          main and then the long side services.

14                    On the right side of the street,  
15          when you're looking at the odd numbered houses,  
16          you start with 1 Sonny Drive is propane, 7  
17          Sonny is propane, 9, 11 and 15 are all propane.  
18          So, we would anticipate, from their responses,  
19          that we would probably be able to serve them  
20          immediately. 25 Sonny Drive at the end is  
21          electric but they expressed interest, as well.  
22          At the end of the road, 27 and 28, are two lots  
23          that may be developed that expressed interest  
24          in natural gas as new construction.

25                    So, for those long side services up

1 to where the main is behind the curb, what UGI  
2 would attempt to do is we would have to spot  
3 the water and sewer, so we'd dig a couple  
4 potholes to make sure that when we're trying to  
5 drill under the road that we do not hit the  
6 other facilities. So, for each of those long  
7 side services, hopefully there would only be  
8 two potholes. We would open up a three by five  
9 on the other side of the road and try and drill  
10 through to try and minimize the impact in the  
11 road.

12 Obviously, where it's up in the  
13 street for 25, there would be a cut over the  
14 UGI main because that would be in the street,  
15 as well.

16 So, the other question is what would  
17 happen if you would pave. If you would pave  
18 the road, we're asking for no moratorium  
19 because there would be five homes right now  
20 that currently said they're not interested.

21 Now, again, these are people that  
22 have expressed interest. We might get more,  
23 but some people that expressed interest might  
24 not necessarily sign on the bottom line.  
25 However, when you're talking about propane, we

1           have a very high success rate because you don't  
2           really have to invest in the equipment, it's  
3           just an easy conversion.

4                       So, then, again, what we'd be  
5           talking about is the main behind the street,  
6           not worried about the even side services,  
7           potentially running six long side services, and  
8           then in the future there would be five homes  
9           remaining where we would say, If you guys pave  
10          your road, we still want to be able to serve  
11          them if they request gas.

12                      So, that is the engineering of the  
13          project as we see it, and that is the interest  
14          that we have.

15                      MR. SEMENZA: Okay. How many  
16          committed people do you have there?

17                      MR. BROMINSKI: We cannot give  
18          people agreements to sign because we don't have  
19          a --

20                      MR. SEMENZA: Right. But how many  
21          of strong interest?

22                      MR. BROMINSKI: Again, on the long  
23          side, it's the ones that have pins on it.

24                      MR. SEMENZA: All the pins?

25                      MR. BROMINSKI: Yeah.

1 MR. SEMENZA: Okay. Let me ask you  
2 a question: Going off of Sonny Drive, this Get  
3 Gas program, is that for all of Old Forge  
4 Borough? So, what if in the future now, within  
5 X amount of years, you have ten different  
6 streets in the Borough that want to get gas,  
7 are these stipulations set for that?

8 MR. BROMINSKI: No. I mean --

9 MR. SEMENZA: Is this primarily just  
10 for Sonny Drive? Is this resolution for Sonny  
11 Drive --

12 MR. BROMINSKI: We're asking for  
13 Sonny Drive.

14 MR. SEMENZA: -- and Sonny Drive  
15 only? Because it states here, like, now when I  
16 sent this back to you guys, I had stated, and I  
17 put on -- or our solicitor actually put on it  
18 Sonny Drive.

19 MR. BROMINSKI: Okay. That's fine.  
20 And if other streets come up, we could look at  
21 the design, look at the interest, and then you  
22 guys can make a decision there. But that's no  
23 problem. We could change this to say for the  
24 Sonny Drive Get Gas project.

25 MR. FEBBO: Mr. Chairman, can I have

1 the floor, please?

2 MR. SEMENZA: Yes, sir.

3 MR. FEBBO: Mr. Brominski, you're  
4 familiar with me. Mr. Febbo, Angela Drive. In  
5 2015 you sent out information about Get Gas. I  
6 inquired. Up on Angela Drive there are nine  
7 residents, eight willing to sign up for gas.  
8 Your company came up and initially gave me a  
9 proposal to hook from Keyser Avenue to my  
10 house, roughly 350 feet. My price, \$44,000.  
11 So, we canned that idea and let it go.

12 Then last year we came back at it  
13 again because you did send me information out  
14 saying that we could possibly hook up again,  
15 and after it was all said and done, the price  
16 from the gas company was 77,000. That's my  
17 house, one house. You said that there's not  
18 enough interest up on the hill to get it.

19 Then, moving forward, you finally  
20 came and I got a letter saying that, okay, that  
21 you would hook my house up for \$12,772 and that  
22 the gas company would incur the rest of the  
23 expense to do that. I send you a check that  
24 you guys held onto for a while and then sent it  
25 back to me saying, We can't do it.



1                   So, now, I have a hard time sitting  
2                   here listen to you tell me about dig up Sonny  
3                   Road and potential of propane. I have propane,  
4                   most of my neighbors have propane or electric  
5                   or oil, and I don't see the company willing to  
6                   help us out on Angela Drive, which is two  
7                   streets down. I get it, there's a high  
8                   pressure line down there, okay.

9                   MR. BROMINSKI: Correct. The cost,  
10                  from what I recall, I would have come prepared  
11                  to talk about that had I known and I would have  
12                  had more details; however, I do recall it did  
13                  not pass the \$10,000 per home hurdle that we  
14                  need to meet, and that was primarily due to the  
15                  fact that we had those additional costs, like  
16                  you said, just to get to the beginning of the  
17                  development.

18                 Whereas, if you look at this, we're  
19                 right here. There's no high pressure, median  
20                 pressure, station required, nor is there --

21                 MR. FEBBO: Your utility is looking  
22                 for customers, Mr. Brominski, and you're trying  
23                 to be selective here. You're saying that  
24                 there's a high pressure line, does that mean  
25                 that just because it's a high pressure line,

1           that anybody off that side road can't get it,  
2           that you have to pick and choose, you're going  
3           to come in and say, Well, we'll dig up your  
4           road on Sonny Drive because it's convenient to  
5           us and not expensive?

6                   MR. BROMINSKI: My job is very easy  
7           because my tariff tells me what I have to do.  
8           I'd have to get a cost to serve somebody and  
9           look at the anticipated margin, and if the cost  
10          to serve is higher than the anticipated margin,  
11          I have to charge a contribution in aid of  
12          construction. So, it all has to do with the  
13          cost to serve that home. When it comes to Get  
14          Gas, then we have to meet the \$10,000 current  
15          customer hurdle.

16                   MR. FEBBO: And you're saying that  
17          each house up there would not qualify for  
18          \$10,000?

19                   MR. BROMINSKI: The estimated cost  
20          to run the mains and serve those customers was  
21          greater than \$10,000 per customer.

22                   MR. FEBBO: Now, keep in mind that  
23          you're also coming up the side of the road that  
24          is not paved. There's a right of way there.  
25          You're not coming up to a paved road either,

1 it's a dirt road -- a dirt way, pathway there.

2 MR. BROMINSKI: I'm just going from  
3 the engineering estimates that we had at the  
4 time.

5 MR. FEBBO: Okay. I'll let you  
6 continue with your Sonny Drive.

7 MR. BROMINSKI: But just so you  
8 know, it's the same exact criteria that we used  
9 to analyze that development that we used to  
10 utilize this (Indicating). This does not pass  
11 either under the current paving resolution.  
12 So, this is a lot easier project and this  
13 doesn't pass because of the potential to have  
14 to pave this street.

15 MR. FEBBO: Yeah, but Angela Drive  
16 does not have to be paved. You would not have  
17 to pave it.

18 MR. BROMINSKI: I'm just saying,  
19 it's the same criteria. Every project is  
20 different, but it's all the same criteria of  
21 economics versus \$10,000 per customer on the  
22 Get Gas side or by itself, the contribution in  
23 aid of construction. We use the same criteria.  
24 It's 100 percent fair.

25 MR. FEBBO: Not from where I'm

1 looking at it, it's not fair.

2 MR. BROMINSKI: My job is to serve  
3 customers. I want to serve you. We estimated  
4 that project multiple times coming multiple  
5 ways and we couldn't get the economics to work,  
6 but, believe me, it was not for lack of effort.

7 MR. FEBBO: The price was going up.

8 MR. BROMINSKI: My job is to try and  
9 serve customers, I want to serve them, but I  
10 can't violate my tariff.

11 MR. HOOVER: There's 11 houses on  
12 the long side up here, worst case scenario,  
13 everybody wants gas in ten years, so you're  
14 going to end up, if the bullet doesn't go or if  
15 you can't use a pneumatic tool, you're going to  
16 end up with open trenches for 11 cuts across  
17 the street up there, worst case scenario,  
18 because if it's rock.

19 MR. BROMINSKI: Well, worst case  
20 scenario would be nobody goes immediately, but  
21 we would assume that these people --

22 MR. HOOVER: But in ten years, if  
23 everybody gets gas in nine years, because you  
24 said after ten years you're done with it, then  
25 we have to pave it after ten years if we want

1 to pave it. That road's gonna be a mess.  
2 We're gonna have 11 trenches in that road,  
3 worst case scenario, in nine years if everybody  
4 wants gas on the long side. Because if it's  
5 rock, you're not going to be able to do  
6 anything.

7 MR. BROMINSKI: Correct.

8 MR. HOOVER: Correct. So, the  
9 Borough --

10 MR. BROMINSKI: And each trench  
11 would be guaranteed for a five year period.

12 MR. HOOVER: Yeah. So, say you did  
13 half of them, say you did seven of them, and  
14 after five years they'd be guaranteed, but say  
15 they fail after five years, it's our  
16 responsibility to fix them?

17 MR. BROMINSKI: Well, right. Just  
18 like any other --

19 MR. HOOVER: And then you're still  
20 not paving the road, though, after ten years?

21 MR. BROMINSKI: Correct. Well,  
22 again, when you add paving the road, then we  
23 don't hit our \$10,000 per home criteria.

24 MR. HOOVER: What's the difference  
25 between this street here and Spring Street in

1 Moosic where you're going through the same  
2 thing with? Spring Street in Moosic. Is it  
3 Spring Street? Yeah, Spring Street in Moosic  
4 where the railroad tracks are, they want to do  
5 a get program there, too.

6 MR. BROMINSKI: Correct. And they  
7 passed a very similar resolution for the  
8 restoration.

9 MR. HOOVER: That's a state road,  
10 isn't it?

11 MR. BROMINSKI: For Spring Street.  
12 But we have to get through Spring Street to get  
13 to the rest of the development.

14 MR. HOOVER: Right, but the State's  
15 gonna end up paving that road when you're done?

16 MR. BROMINSKI: Well, depending on  
17 the requirements when we go through the state  
18 permit, we might have to --

19 MR. HOOVER: Well, you put three  
20 cuts at 100 feet, you're going to pave the  
21 road, believe me, I know that. But I just  
22 don't understand some of it. You did a job in  
23 Duryea and I know Mayor Moss isn't pleased with  
24 the way that turned out.

25 MR. BROMINSKI: He is not?

1 MR. HOOVER: No.

2 MR. BROMINSKI: I talked to him  
3 multiple times. In fact, they just gave us a  
4 second resolution to do a second job in Duryea,  
5 and I didn't even have to present it to  
6 Council, they were so happy with the first  
7 project. So, I disagree with you.

8 MR. HOOVER: Because of all the pave  
9 cuts. I spoke to him today, I asked him about  
10 it because I knew you were coming tonight, he  
11 said because of all the pave cuts.

12 MR. BROMINSKI: Then go look at  
13 them. Go look at the projects.

14 MR. HOOVER: But I know how I feel  
15 about this, but I don't know how anybody else  
16 feels.

17 MR. SEMENZA: Don, the rest of the  
18 residents that, you said you only had five  
19 people that were very interested, the rest of  
20 them --

21 MR. BROMINSKI: I'm only talking  
22 about the long side. Now, the short side  
23 aren't an issue because --

24 MR. SEMENZA: Right.

25 MR. BROMINSKI: Right. Okay.

1 MR. SEMENZA: So, you only had five  
2 that had shown interest. The rest of them, did  
3 they respond back or was it just --

4 MR. BROMINSKI: They did not.  
5 Either they did not respond or responded  
6 negatively. I think most of them did not  
7 respond.

8 MR. SEMENZA: And them five, would  
9 you say that they seem like immediate hook-ups?

10 MR. BROMINSKI: Well, I would  
11 assume, since they didn't respond, that they  
12 might be people that would want to wait until  
13 their equipment breaks down and then convert,  
14 or something like that.

15 MR. NOTARI: I have a question.

16 MR. SEMENZA: Go ahead, Councilman.

17 MR. NOTARI: Mr. Brominski, the  
18 short side of the street, have those people  
19 committed to getting gas?

20 MR. BROMINSKI: Nobody has  
21 committed.

22 MR. NOTARI: Okay. Shown interest?

23 MR. BROMINSKI: Shown interest. The  
24 ones that are pinned --

25 MR. NOTARI: That are pinned?



1 MR. BROMINSKI: -- have shown  
2 interest. But, again, they don't affect the  
3 resolution because --

4 MR. NOTARI: Well, they don't affect  
5 the resolution of the street, but they are  
6 affecting their property?

7 MR. BROMINSKI: Right. We would be  
8 running services on their property, correct.

9 MR. NOTARI: Right. Okay. Is there  
10 anybody here from Sonny Drive tonight?

11 MR. BROMINSKI: I didn't ask people.  
12 I could have.

13 MR. LETTIERI: Don, did you do a  
14 survey or something to come up with these  
15 numbers, or do you have something to show us,  
16 or just this word of mouth about who wants  
17 this --

18 MR. BROMINSKI: We had a sales rep  
19 going out there and try to meet with people  
20 during the day, after hours, trying to meet  
21 with them in person in addition to sending out  
22 a response card, a survey card. So, we tried  
23 very hard to get answers from as many people as  
24 we could, yes or no.

25 MR. FEBBO: What is the cost to

1 teach a potential customer on Sonny Drive?

2 MR. BROMINSKI: Part of the Get Gas  
3 program, you do not have to pay a hook-up fee.  
4 However, the Get Gas rate that you will pay is  
5 higher than a rate that somebody that is not on  
6 the Get Gas program will pay, and that is  
7 \$44.90 per month as an additional Get Gas  
8 customer charge.

9 MR. RUSSELL RINALDI: For how long?

10 MR. BROMINSKI: Ten years. And,  
11 again, the project is 12 years, so anybody that  
12 hooks up to the gas main within 12 years will  
13 get that surcharge for ten years.

14 MR. FEBBO: \$44 a month?

15 MR. BROMINSKI: 44.90 a month for  
16 ten years.

17 MR. FEBBO: I got a couple zeros on  
18 mine.

19 MR. RUSSELL RINALDI: For every  
20 house that hooks up, every month for ten years,  
21 they'll pay an extra 44.90?

22 MR. BROMINSKI: Now, if somebody  
23 wants to buy that out, there is a discount for  
24 time value of money. If somebody wants to buy  
25 it out under the current tariff, that would

1 cost \$3,177. But just so you know, we are in  
2 the middle of a rate case right now. Rate  
3 cases, as filed, almost always change from when  
4 they're approved. The rate case that we have  
5 filed has lower Get Gas surcharges.

6 MR. RUSSELL RINALDI: Two questions:  
7 Why is that extra surcharge charged to those  
8 customers?

9 MR. BROMINSKI: Because when I talk  
10 about the \$10,000 per customer, without that  
11 additional surcharge, the allowance is even  
12 much less.

13 MR. RUSSELL RINALDI: So, where does  
14 that money go? Where does that extra money go?

15 MR. BROMINSKI: That helps us to  
16 economically justify our investment.

17 MR. SEMENZA: So, you're looking at,  
18 roughly, off the top of your head, what do you  
19 think, ten hook-ups, maybe? Eleven hook-ups,  
20 maybe?

21 MR. BROMINSKI: I would say 11 off  
22 the bat, and then if those two get developed,  
23 probably 13.

24 MR. SEMENZA: Thirteen. So, you're  
25 looking at 70-plus thousand dollars over a ten

1 year period with your \$44.90 charge, right?

2 MR. RUSSELL RINALDI: Yeah. Six  
3 thousand a house, ten years.

4 MR. NOTARI: Sixty-three hundred.

5 MR. SEMENZA: Okay. Sixty-three  
6 hundred.

7 MR. NOTARI: 81.9.

8 MR. SEMENZA: 81,000?

9 MR. NOTARI: Yeah.

10 MR. SEMENZA: Okay. \$81,000 over a  
11 ten year period?

12 MR. NOTARI: Correct.

13 MR. SEMENZA: And that's with, what  
14 I'd say, 13 houses?

15 MR. NOTARI: Thirteen.

16 MR. BROMINSKI: For our economic  
17 analysis, we assume closer to 70 percent. So,  
18 we're probably assuming more like 14 or 15 over  
19 the ten year period.

20 MR. SEMENZA: And you said in your  
21 last meeting that the average customer would  
22 stay for how many years on gas?

23 MR. BROMINSKI: I'm not sure what  
24 you mean. I mean, we have a very high  
25 retention rate. Usually people, once they have

1 natural gas, do not convert to another fuel.  
2 I'd say it's well over 99 percent.

3 MR. SEMENZA: I mean, as far as I'm  
4 concerned, if this Get Gas project goes  
5 through, I'll never vote to pave this road as  
6 long as that resolution's intact, because I'm  
7 not going to pave a road and let UGI rip it up.  
8 I mean, that's just how I feel. We spend too  
9 much money paving this Borough to let you  
10 guys do something like that.

11 If you guys were going to pave it at  
12 the end of the project, it would be a different  
13 story. I would look into doing that. What I  
14 think is you're going to make money on this  
15 project, whether you're telling me you're not  
16 or not, I know you're gonna make money on this,  
17 I think that UGI should pave the road at the  
18 end of the project if we pass this.

19 MR. BROMINSKI: You said you won't  
20 vote to pave it; however, you'll know after the  
21 beginning if we're gonna have success drilling  
22 under the road or if we're gonna have to open  
23 cut it, because the services that we do --

24 MR. SEMENZA: No, you won't. You  
25 won't, because if you go through, halfway up

1           there could be a boulder in the middle of the  
2           ground under there. If you have to shoot a  
3           bullet across, you might not make it, and then  
4           you might have to cut it up, cut it up.

5                   MR. BROMINSKI: Well, hopefully  
6           you'll have six test cases to see what our  
7           success rate is.

8                   MR. SEMENZA: That seventh and  
9           eighth might be like, Hey --

10                  MR. BROMINSKI: It could happen.

11                  MR. SEMENZA: Right. It absolutely  
12           could happen.

13                  MR. BROMINSKI: Anything could  
14           happen.

15                  MR. SEMENZA: It absolutely could  
16           happen.

17                  MR. BROMINSKI: But you'll have a  
18           lot of data after the first phase if you  
19           approve this.

20                  MR. SEMENZA: I get what you're  
21           saying. I mean, I look at this, and we spoke  
22           at the last meeting, there's some stuff you  
23           have in here that I just don't agree with.  
24           Like, we have ordinances in this Borough to  
25           have a third party inspector for our pave cuts,

1           that compaction testing, and you guys don't  
2           want to pay for them.

3                     But it's not fair to our other  
4           utility companies that work in this Borough or  
5           any other contractor that works on the streets  
6           of the Borough that has to pay for that third  
7           party inspection company.

8                     You want to do it yourself, but I  
9           could tell you that I've drove around numerous,  
10          numerous UGI pave cuts that have sunk four or  
11          five, six inches. I mean, I know there's a few  
12          contractors in this room that can point them  
13          out that'll agree with me, or Councilmen at  
14          this table. I just don't --

15                    MR. BROMINSKI: Well, we'll  
16          guarantee those for five years.

17                    MR. SEMENZA: Five years you only  
18          guarantee them for, but not the life of the  
19          thing.

20                    MR. BROMINSKI: Five years is a lot  
21          more than any other utility that you mentioned  
22          is giving you right now for your permit.  
23          That's how it works.

24                    MR. SEMENZA: You know what it is --

25                    MR. BROMINSKI: After one or two

1 years, it's you guys' responsibility.

2 MR. SEMENZA: -- UGI is coming in  
3 here basically with demands and saying either  
4 take it or leave it, and we're saying, okay,  
5 let's work together here to try to come to a  
6 happy medium, and you guys are saying no.

7 MR. BROMINSKI: Well, I think the  
8 fact that we're behind the curb and we're  
9 not -- you know, a big part of this we said was  
10 gonna repair the trench. We're gonna install  
11 it behind the curb, so you're not gonna have  
12 that big longitudinal cut.

13 MR. SEMENZA: I get what you're  
14 saying, but you're gonna have to have cuts  
15 going across the road.

16 MR. HOOVER: What if the edge of the  
17 road caves in and you have to -- two feet of  
18 the road starts caving in your trench?

19 MR. BROMINSKI: We're obviously  
20 responsible to repair that.

21 MR. HOOVER: You're gonna end up  
22 putting hot stuff on there and then we're gonna  
23 have to be responsible for it after 12 years.

24 MR. SEMENZA: Right.

25 MR. HOOVER: You say in here UGI



1 will pay \$50 permit fee to the Borough for  
2 individual services to the home; is that  
3 correct?

4 MR. BROMINSKI: Uh-huh.

5 MR. HOOVER: Marylynn, how much do  
6 they owe us in permit fees already that they  
7 haven't paid?

8 MS. BARTOLETTI: Quite a bit.

9 MR. HOOVER: And that's just for  
10 regular cuts of the road.

11 MR. BROMINSKI: Send them to me,  
12 I'll make sure they get paid if we owe them.

13 MR. HOOVER: Bob, I'd like to make a  
14 motion to either approve or deny the Get Gas  
15 program on Sonny Drive.

16 MR. SEMENZA: Motion on the floor by  
17 Councilman Hoover to approve or deny the Get  
18 Gas program. There's a motion on the floor to  
19 approve the Get Gas program on Sonny Drive by  
20 Councilman Hoover. Could I have a second?

21 MR. FEBBO: That's to disapprove it?

22 MR. SEMENZA: To approve it. Or,  
23 no. Wait. What do you want to do, Councilman  
24 Hoover? My apologies.

25 MR. HOOVER: I'd like to make a

1 motion to either approve or deny the Get Gas  
2 program on Sonny Drive.

3 MR. SEMENZA: Okay.

4 MR. RUSSELL RINALDI: You want to do  
5 an individual vote, though, to --

6 MR. HOOVER: Individual vote on the  
7 table.

8 MR. SEMENZA: Individual vote.  
9 Motion on the floor to approve or deny the Get  
10 Gas program on Sonny Drive for UGI. I'll go  
11 down the table. Roll call, go down the table,  
12 either say approve or deny.

13 MS. BARTOLETTI: Councilman Febbo?

14 MR. FEBBO: Could I speak?

15 MR. NOTARI: Wait, wait, wait. We  
16 have to second it, right?

17 MR. SEMENZA: Yeah. I'm sorry.

18 MR. NOTARI: Mr. Chairman, I'll  
19 second the motion.

20 MR. SEMENZA: Seconded by Councilman  
21 Notari.

22 MR. NOTARI: But I have a question.

23 MR. SEMENZA: On the question? Go  
24 ahead.

25 MR. NOTARI: Go ahead, Mr. Febbo.

1 MR. FEBBO: No, go ahead.

2 MR. NOTARI: Okay. My only question  
3 is, Dave or Mr. Ferrett even, give me a  
4 ballpark number what it would cost the Borough  
5 to pave that road.

6 MR. LOPATKA: How long is it?

7 MR. NOTARI: Two or three blocks.

8 MR. FEBBO: No.

9 MR. NOTARI: Longer?

10 MR. FEBBO: What's the average width  
11 of a lot?

12 MR. SEMENZA: 150 maybe. Average  
13 width of --

14 MR. HOOVER: The width of the road  
15 is probably about 25 feet, roughly, 25, 30  
16 feet. I'm going to say the length of it is  
17 700, real quick. I don't know.

18 ATTY. RINALDI: They're 100-foot  
19 lots in front, or 50 foot, and 11 lots.

20 MR. SEMENZA: Say a 1,000 foot just  
21 off the top of your head, Dave.

22 MR. LOPATKA: To overlay it?

23 MR. RUSSELL RINALDI: Twenty-five by  
24 1,000, yeah.

25 MR. NOTARI: What do we normally do?

1 MR. LOPATKA: Yeah, we would do an  
2 overlay. You're probably looking at 26, 27  
3 thousand.

4 MR. SEMENZA: Thousand?

5 MR. LOPATKA: Yeah.

6 MR. SEMENZA: Say 30,000.

7 MR. HOOVER: 26,000 all the way to  
8 the road.

9 MR. NOTARI: Okay.

10 MR. SEMENZA: Councilman Febbo, you  
11 want the floor?

12 MR. FEBBO: Yes. I can't agree with  
13 this. Your utility is supposed to provide a  
14 service, but yet you're picking and choosing  
15 who you're going to serve, okay? You're coming  
16 here and saying that you're going to do this  
17 and you don't want to pick up any other  
18 responsibilities.

19 On the same token, you're telling me  
20 that, and I have a hard time understanding why,  
21 you won't do Angela Drive when we have eight  
22 out of nine people that are willing to sign up  
23 for that, because it's going to cost you money  
24 to tap into a high pressure line, so you don't  
25 want to spend that amount of money to service

1 us who are to be customers, but at the same  
2 time you're looking for an easy way out to  
3 saying, Oh, we can only do that down here, this  
4 is an easy tap on this one, and we go wreck the  
5 road, but we don't want to pave the road. So,  
6 I don't understand it.

7 Again, you're coming in here looking  
8 for everything and giving nothing back. So,  
9 I'm going to be selfish and say I will not vote  
10 for this. I can't.

11 MR. SEMENZA: So, approve or deny?

12 MR. FEBBO: I deny.

13 MR. SEMENZA: Marylynn, roll call,  
14 please.

15 ATTY. RINALDI: Was the motion to  
16 approve or a motion to deny?

17 MR. SEMENZA: There's a motion on  
18 the table to approve or deny. I want to do  
19 roll call saying approve or deny.

20 ATTY. RINALDI: Okay.

21 MR. SEMENZA: Roll call, Marylynn.

22 MS. BARTOLETTI: Councilman Febbo?

23 MR. FEBBO: Denied.

24 MS. BARTOLETTI: Councilman Ferrett?

25 MR. FERRETT: No.

1 MS. BARTOLETTI: Councilman Hoover?

2 MR. HOOVER: Deny.

3 MS. BARTOLETTI: Councilman

4 Lettieri?

5 MR. LETTIERI: Deny.

6 MS. BARTOLETTI: Councilman Notari?

7 MR. NOTARI: Deny.

8 MS. BARTOLETTI: Councilman Rinaldi?

9 MR. RUSSELL RINALDI: Deny.

10 MS. BARTOLETTI: Councilman Semenza?

11 MR. SEMENZA: Deny. But I just want

12 to say, you know, we're not trying to do

13 anything against the residents of the Borough.

14 We don't want them not to have gas, but we want

15 to try to work with UGI and you guys just don't

16 want to work with us, Don. You came in with a

17 set of basically demands saying, Here, this is

18 what you're going to do and this is how it's

19 going to be, and pass this resolution.

20 I had sent you guys back, I don't

21 know if you got a copy, but I had asked the

22 solicitor to change some stuff in there and he

23 had sent it back to them. I don't even know if

24 anybody else would have went for it, but you

25 guys came back and said absolutely not. This

1 is what we're going to do. This is what the  
2 demands are. If you pass it, you pass it, if  
3 you don't, you don't. I mean, if you guys want  
4 to serve these residents, I think you would  
5 have worked with the Borough.

6 MR. BROMINSKI: I have to meet  
7 the -- I cannot violate my tariff. I cannot do  
8 it. Those are the rules from the Pennsylvania  
9 Public Utility Commission. I'd lose my job if  
10 I violated my tariff.

11 MR. SEMENZA: I'm not saying you.  
12 I'm sure you could have went back to somebody  
13 and tried something. I don't know.

14 MR. BROMINSKI: The economics don't  
15 work under your current paving resolution, and  
16 that's the bottom line. So, I thank you for  
17 your time.

18 MR. SEMENZA: Thank you.

19 MR. HOOVER: Thanks, Don.

20 MR. BROMINSKI: And if you ever want  
21 to discuss it again, you could always give me a  
22 call.

23 MR. SEMENZA: And just for the  
24 record, we don't want to deny anybody in this  
25 Borough of getting any kind of utility or

1 anything, but I think it's a give and take with  
2 anybody when you do something like that  
3 project, and I think if they really wanted to  
4 give it, they would have worked with --

5 MR. FEBBO: Just the tail end to  
6 that, you said the fee was 27,000 to repave the  
7 road, that's got to be a drop in the bucket for  
8 what they're going to be taking in, the amount  
9 of customers taking in.

10 MR. SEMENZA: Over a ten year  
11 period, they're going to make 80-some thousand  
12 dollars.

13 MR. RUSSELL RINALDI: They're making  
14 an extra \$81,000.

15 MR. FEBBO: I hate to state my  
16 personal case, but I represent nine people on,  
17 you know, residents, that we all went into the  
18 utilities and asked them for it, and, again,  
19 they were \$44,000 to get to my house and so  
20 much to go to each house beyond there.

21 And you don't have to dig up a road  
22 there. There's access to it. All it does is,  
23 a high pressure line, you have to tap into.  
24 Well, jeez, they don't want to incur any of the  
25 expense of anything. They just want to take



1 the cream off the top and throw the rest back  
2 at us.

3 But, again, as Councilman Semenza  
4 said, we don't want to go against them, we want  
5 utilities, but they can't pick and choose what  
6 they're going to do, come back here and tell us  
7 this is what they told us they're going to do.

8 MR. SEMENZA: Right.

9 MR. FEBBO: And everything we  
10 wanted, there's nothing on here. So, I rest my  
11 case.

12 MR. SEMENZA: Thank you, Councilman.  
13 Lisa, you have the floor. Can you state your  
14 name and address for the record, please?

15 LISA VISNOFSKY: Yes. Lisa  
16 Visnofsky, V-I-S-N-O-F-S-K-Y. I live at 303  
17 South Keyser Avenue in Old Forge. As many of  
18 you probably know, there's a duplicate address.  
19 We've had three 911 incidents where the cops  
20 went to the wrong house twice.

21 Our deed says 303 Milwaukee, 303  
22 South Keyser. I get shutoff notices for 303  
23 Milwaukee, I get collection notices for 303  
24 South Keyser, which is on -- their front door  
25 faces Sibley Avenue.

1                   We've had an attorney involved.  
2                   I've been speaking to Chief Dubernas. I have a  
3                   letter from 2017 that all the addresses west  
4                   traveling north on Keyser Avenue towards the  
5                   Borough of Taylor should be North Keyser  
6                   Avenue. Nothing has been corrected.

7                   I'm afraid if something happens  
8                   again, if we have an emergency, I have a  
9                   toddler in my house, what's gonna happen? Who  
10                  could change the address?

11                 MR. SEMENZA: I agree with you 100  
12                 percent. We'll do our best, but I just want to  
13                 get a little better understanding of exactly  
14                 where your address is.

15                 LISA VISNOFSKY: We're the corner of  
16                 South Keyser and Reese.

17                 MR. SEMENZA: Reese. Okay.

18                 LISA VISNOFSKY: There's an  
19                 abandoned house next to me and then the  
20                 firehouse.

21                 MR. SEMENZA: Okay. I know exactly  
22                 where it is. So, going north, you're right  
23                 after the firehouse?

24                 LISA VISNOFSKY: Uh-huh.

25                 MR. SEMENZA: So, are you before

1           Reese or are you after Reese? If you're going  
2           towards Taylor.

3                   LISA VISNOFSKY: We're actually  
4           right on Reese, basically.

5                   MR. SEMENZA: If you're going  
6           towards Taylor and you make a right down Reese,  
7           will your house be on the left or the  
8           right-hand side? Oh, the right-hand side is  
9           the abandoned house?

10                   LISA VISNOFSKY: Yeah.

11                   MR. SEMENZA: Okay. So, you're  
12           right there? And that's 303?

13                   LISA VISNOFSKY: South Keyser, yeah.

14                   MR. SEMENZA: South Keyser. And now  
15           where is the other 303 South Keyser?

16                   LISA VISNOFSKY: Sibley Avenue.  
17           Their front door faces Sibley. It's by Maxie's  
18           Pizza, down there.

19                   MR. SEMENZA: Okay. Why do I want  
20           to say --

21                   LISA VISNOFSKY: There's a 303  
22           Milwaukee, too, which is by the winery.

23                   MR. SEMENZA: I know where that is.  
24           Why do I want to say this has come up in a  
25           meeting before, this address?

1 MR. FEBBO: Because we had talked  
2 about that duplicate addresses and all that,  
3 duplicate streets.

4 MR. SEMENZA: Right. I want to say  
5 Chief Dubernas had mentioned this the one time  
6 to us.

7 MR. FEBBO: You're right, Bob.

8 MR. RUSSELL RINALDI: The last one I  
9 remember he mentioned was Church Street.

10 MR. SEMENZA: No, but he -- did he  
11 mention one on Keyser Avenue at one point in  
12 time, Councilman Febbo?

13 MR. FEBBO: He was supposed to be  
14 doing a study on that.

15 ATTY. RINALDI: There was one on  
16 Keyser.

17 MR. SEMENZA: Right.

18 ATTY. RINALDI: If it was one with  
19 Attorney Carey involved.

20 LISA VISNOFSKY: Yes. I have  
21 letters that she has --

22 ATTY. RINALDI: Right. That is  
23 straightened out per our police department and  
24 per comm center. It wasn't actually even a  
25 mix-up, they actually had another call to the

1 other address one time on the last letter I got  
2 on this, but the Chief has it fixed and maybe,  
3 Mayor, you could double check with them.

4 MR. LEGG: Okay. I will.

5 ATTY. RINALDI: Comm center and us  
6 know where your house is, the Borough.

7 LISA VISNOFSKY: Okay. Because it  
8 happened after this letter when everything was  
9 changed and we had an incident again.

10 ATTY. RINALDI: They actually had  
11 two calls, one was at yours and one was at the  
12 other. I remember going over this with them,  
13 because I addressed it with Attorney Carey.

14 MR. SEMENZA: Bill, I mean, I  
15 understand what she's saying also, and I  
16 understand that on our end and comm center's  
17 end it is rectified, but if it was me I don't  
18 know if I'd still feel comfortable. How do we  
19 go about getting her address changed, or  
20 getting one of the addresses changed? Is it  
21 possible?

22 ATTY. RINALDI: The utility  
23 companies, you can address with them. They all  
24 have their own mechanisms for doing the  
25 billing, and the post office assigns numbers.

1 LISA VISNOFSKY: We have tried. I  
2 have been to the post office several times. I  
3 have labels, I have more labels at the house,  
4 mis-delivered packages, missing packages. This  
5 has been going on for years. It's kind of  
6 embarrassing having shutoff notices on your  
7 front door.

8 ATTY. RINALDI: The only other thing  
9 I could say is use the four digit number. Give  
10 everybody that four digit number. You should  
11 have a four digit number after your zip code.

12 LISA VISNOFSKY: It is the same for  
13 them. And we put the corner of South Keyser  
14 and Reese on every single one of our packages.

15 ATTY. RINALDI: Well, it shouldn't  
16 be the same four-digit number for the two  
17 different houses. And if you brought that to  
18 the attention of the post office, they would  
19 have to fix it, because that's the way they do  
20 the four digit.

21 LISA VISNOFSKY: They said they have  
22 a note, he actually showed me, because I was  
23 there, we had a missing package not too long  
24 ago, there's a note that he physically brought  
25 out and showed me, every time a new mailman is

1 on, they deliver a package --

2 ATTY. RINALDI: I was just going to  
3 say, if they have a different mailman, that's  
4 part of the problem.

5 LISA VISNOFSKY: It's every time.  
6 It's the excuse every time. But it's not only  
7 them, it's FedEx, it's UPS, Children and Youth  
8 for other addresses, messages on our answering  
9 machine for the other house. We saved  
10 everything.

11 It's very stressful. Like I said, I  
12 have a toddler in the house, like, how would  
13 you like if our basement alarm -- we actually  
14 had cameras installed so we could see if a  
15 package was delivered or if someone's in my  
16 basement, because I was afraid to go down my  
17 basement for months.

18 MR. SEMENZA: Bill, is there any way  
19 to go about changing an address?

20 ATTY. RINALDI: It's actually the  
21 post office that has to do it, and I know the  
22 Chief was even trying to get them to change it  
23 and correct it, and I don't know what the issue  
24 is with them.

25 LISA VISNOFSKY: I was told from the

1 post office that ten years ago they were no  
2 longer responsible, that the Borough's  
3 responsible, because they had an incident  
4 similar to ours happen.

5 ATTY. RINALDI: Well, we have it  
6 fixed on our records and at comm center, so I  
7 don't know where else we can fix it. But he  
8 can ask, if there's a form that the post office  
9 needs from the Borough, the Chief can send it  
10 in, it's not a problem.

11 LISA VISNOFSKY: Well, the Chief,  
12 I've been dealing with the Chief lately. The  
13 Chief said that he thought PennDOT was  
14 responsible. He was supposed to contact them.  
15 I didn't hear back from him.

16 I took the initiative, I contacted  
17 PennDOT myself. PennDOT said it's the Borough.  
18 I said to PennDOT, I said, Well, if the Borough  
19 can't help me, because I'm dealing with the  
20 Chief, who's gonna help me? So they directed  
21 us to the Senator. So, I don't know how it's  
22 gonna --

23 ATTY. RINALDI: I know yours was  
24 addressed and supposedly corrected. Now, the  
25 Chief isn't here, he's out, he got injured, so



1 he's out injured, but the mayor could follow  
2 up.

3 MR. LEGG: I'll check with him  
4 tomorrow.

5 LISA VISNOFSKY: It's just very  
6 stressful.

7 MR. SEMENZA: Bill, could you look  
8 into it and see if anything can be done?

9 ATTY. RINALDI: Yeah, I did the one  
10 time, and we had it all straightened out so  
11 that if there's a police call, it gets sent the  
12 right way.

13 MR. SEMENZA: No, I get it, but it's  
14 a burden on her as a resident of the Borough is  
15 getting, you know --

16 LISA VISNOFSKY: And I have to make  
17 new friends with every single -- this is the  
18 fourth person who moved into that house in  
19 probably the past eight years, I have to make  
20 friends with each of every one of them, drive a  
21 mile down the road and say, Hey, if you get my  
22 package -- and that's not the worst of it.  
23 Like I said, it's mostly the 911. I don't know  
24 if you want to see, I have that letter.

25 ATTY. RINALDI: And your four digit

1 code is the same as the other house?

2 LISA VISNOFSKY: I don't know. I  
3 don't really know. I don't know who wants to  
4 look at this. It's a letter back in 2017.

5 ATTY. RINALDI: Because that  
6 shouldn't be.

7 MR. LEGG: I'll look into it  
8 tomorrow with the Chief.

9 MR. HOOVER: Bob, why don't you get  
10 her number that you can give her a call.

11 MR. LEGG: I'm going to take them  
12 over my office and get all the information when  
13 she's done.

14 MR. HOOVER: All right.

15 MR. BIERLYA: Mayor, I know that  
16 prior to the Chief's getting hurt, it might  
17 have been two weeks prior to, that he was on  
18 it, and we even have signs in there that were  
19 made up, he was trying to get from Sibley up  
20 and make that North Keyser, like, for the  
21 change. But how far he got on it, I really  
22 don't know. I know in Paul's office the signs  
23 are there.

24 MR. PAPI: We called PennDOT, called  
25 comm center. We were right in the middle of

1 all this when he got hurt.

2 MR. SEMENZA: Can you just continue  
3 looking into it? Paul, do you have any  
4 connections you could look into it through?

5 MR. PAPI: I think the only way to  
6 do this is to get them here.

7 MR. SEMENZA: To what?

8 MR. PAPI: To get somebody from,  
9 whoever we need, from comm center and the  
10 Borough and straighten it out and just make  
11 them change it, because right now we have  
12 Milwaukee Avenue, North Keyser, South Keyser  
13 and Rear Keyser, and it's a mess.

14 MR. NOTARI: How about we give a  
15 call to Chief Tagliaterra?

16 MR. SEMENZA: Yeah, you know what, I  
17 was even thinking of calling Hann at the  
18 county.

19 MR. PAPI: Everybody that I talked  
20 to had a different scenario of what we have.

21 MR. SEMENZA: Well, why don't you  
22 give us a couple weeks, see what we can dig up,  
23 and come back at the next meeting and we'll  
24 make some phone calls and see what we can do  
25 here. We'll try our best for you, you know?

1 I'm sorry you're going through this.

2 LISA VISNOFSKY: No, it's upsetting.  
3 Thank you.

4 MR. SEMENZA: I'm sure it can be a  
5 nightmare at times.

6 LISA VISNOFSKY: Thank you.

7 MR. SEMENZA: Chris?

8 CHRIS GOETZ: Good evening. Chris  
9 Goetz, G-O-E-T-Z, 206 Amity Avenue. I'm here  
10 to discuss the infamous Stocki junkyard  
11 recycling property.

12 As you know, I attended the last  
13 hearing before the Judge, and as Steve spoke  
14 earlier, stated that the Judge is supposed to  
15 come here on May 2nd, which, in turn, gave him  
16 30 more days to make noise, put chemicals in  
17 the ground and be an absolute nuisance to the  
18 neighborhood.

19 A couple of things: One is I have a  
20 copy of the order from the Judge, okay, and  
21 (Reading) The defendant shall immediately cease  
22 any and all activity on the property which is  
23 the subject matter of this appeal in violation  
24 of the Old Forge Borough zoning ordinance,  
25 including the operation of a junkyard business

1 and activities related or ancillary thereto  
2 with the exception of activities to carry out  
3 compliance with the order. Okay? Nothing in  
4 this order shall preclude the defendant from  
5 using the property in compliance with Old Forge  
6 Borough zoning ordinance.

7 The defendant has three months from  
8 the date of this order, which is July 31, 2018,  
9 to remove nonoperational equipment, vehicles  
10 and machinery from areas encroaching on other  
11 people's property, which he did for the most  
12 part. Defendant has six months from the date  
13 of this order to remove nonoperational  
14 equipment, vehicles and machinery from the  
15 property which is the subject matter of this  
16 appeal and bring the use and activities of the  
17 property in compliance with Old Forge Borough  
18 zoning ordinance. In other words, the property  
19 that he owns, four and a half acres directly  
20 behind the Diamond Club property. Okay?

21 The completion of the hearings in  
22 this matter and judgment on the fines and costs  
23 shall be held in abeyance provided that the  
24 defendant is complying with this order.

25 And then it goes on to state that

1           there'll be six hearings of status, we'll call  
2           them, progress. And the last one was to be  
3           January 22nd, but due to illnesses, so on and  
4           so forth, that ended up being April 2nd.

5                       So, tonight there are several  
6           residents of Amity Avenue, Kohler Avenue, okay,  
7           that are here, and I'm pretty much speaking on  
8           their behalf, that we're really -- time is up,  
9           okay? We're tired of this, okay?

10                      I have here, the definition of junk  
11           includes scrap iron, scrap linen and so on, but  
12           the definition of junkyard consists of building  
13           structures or premises where junk, waste,  
14           discarded or salvage materials are bought,  
15           sold, exchanged, stored, bale-packed,  
16           disassembled, or handled, including automobile  
17           wrecking yards, house wrecking, structural  
18           steel materials and equipment yards, but not  
19           including the purchase or storage of used  
20           furniture, household equipment or used cars.  
21           This is right out of the Old Forge zoning book,  
22           okay?

23                      At the hearing, the defendant's  
24           attorney continues to say that he has cleaned  
25           up the property, that he is in compliance. The

1 defendant, himself, said that there was two  
2 more loads of junk to be removed on that day.  
3 Correct, Steve?

4 MR. BIERLYA: Correct.

5 CHRIS GOETZ: A few tires. Okay?  
6 He's been over there every day since, banging,  
7 smashing, cutting with torches. There's been  
8 smoke that looks like there's a bonfire going  
9 on over there on several occasions.

10 And so his attorney is saying that  
11 it's not junk, that it has a value, people want  
12 to buy it, it's a -- if he takes a blade off of  
13 a piece of equipment or he takes a motor out of  
14 a piece of equipment, it has value and it can  
15 be sold. Okay? He's absolutely 100 percent  
16 right. It's got value, it can be sold, and  
17 Mr. Stocki can sell it to them, just not from  
18 that location.

19 Also from the zoning book, I have,  
20 it's a C2 zone. Correct, Steve?

21 MR. BIERLYA: Correct.

22 CHRIS GOETZ: Okay. (Reading)  
23 Permitted uses: Animal hospitals; kennels and  
24 pounds; automobile, motorcycle and trailer  
25 sales; automobile, truck, trailer and