

OLD FORGE BOROUGH COUNCIL
OLD FORGE, PENNSYLVANIA

IN RE: REGULAR MEETING OF COUNCIL

FEBRUARY 19, 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

RICK NOTARI

JAMES HOOVER

MICHAEL LETTIERI

WILLIAM RINALDI, ESQUIRE, SOLICITOR

MARYLYNN BARTOLETTI, BOROUGH MANAGER

Mark Wozniak
Official Court Reporter

1 MR. SEMENZA: Good evening, ladies
2 and gentlemen. Welcome to the February 19,
3 2019 Old Forge Borough Council meeting. I'd
4 like to start the meeting with the Pledge of
5 Allegiance.

6 (The Pledge of Allegiance was
7 recited.)

8 MR. SEMENZA: Roll call, please,
9 Bill.

10 ATTY. RINALDI: Mr. Febbo is absent.
11 Mr. Ferrett?

12 MR. FERRETT: Here.

13 ATTY. RINALDI: Mr. Hoover?

14 MR. HOOVER: Here.

15 ATTY. RINALDI: Mr. Lettieri?

16 MR. LETTIERI: Here.

17 ATTY. RINALDI: Mr. Notari?

18 MR. NOTARI: Here.

19 ATTY. RINALDI: Mr. Rinaldi?

20 MR. RUSSELL RINALDI: Here.

21 ATTY. RINALDI: Mr. Semenza?

22 MR. SEMENZA: Here. Once again,
23 welcome to the Old Forge Borough Council
24 meeting of February 19, 2019. We'll hear
25 from our department heads, go down the

1 table, see if council has anything to
2 address. We have a public sign-in sheet if
3 anybody would like to address council.

4 At this time the chair is going to
5 go into some housekeeping items. The chair
6 is going to entertain a motion to approve
7 the minutes in your packet.

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

9 MR. SEMENZA: Motion by Councilman
10 Hoover. May I have a second?

11 MR. LETTIERI: I'll second it.

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

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 treasurer reports.
3 Note that this does not include sewer
4 accounts.

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

7 MR. SEMENZA: Motion by Councilman
8 Rinaldi. May I have a second?

9 MR. FERRETT: I'll second it.

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

13 ATTY. RINALDI: Mr. Ferrett?

14 MR. FERRETT: Yes.

15 ATTY. RINALDI: Mr. Hoover?

16 MR. HOOVER: Yes.

17 ATTY. RINALDI: Mr. Lettieri?

18 MR. LETTIERI: Yes.

19 ATTY. RINALDI: Mr. Notari?

20 MR. NOTARI: Yes.

21 ATTY. RINALDI: Mr. Rinaldi?

22 MR. RUSSELL RINALDI: Yes.

23 ATTY. RINALDI: Mr. Semenza?

24 MR. SEMENZA: Yes. The next motion
25 is a motion to approve invoices for payment.

1 Note that this does not include sewer
2 accounts.

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

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

7 MR. LETTIERI: I'll second it.

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

11 ATTY. RINALDI: Mr. Ferrett?

12 MR. FERRETT: Yes.

13 ATTY. RINALDI: Mr. Hoover?

14 MR. HOOVER: Yes.

15 ATTY. RINALDI: Mr. Lettieri?

16 MR. LETTIERI: Yes.

17 ATTY. RINALDI: Mr. Notari?

18 MR. NOTARI: Yes.

19 ATTY. RINALDI: Mr. Rinaldi?

20 MR. RUSSELL RINALDI: Yes.

21 ATTY. RINALDI: Mr. Semenza?

22 MR. SEMENZA: Yes. The next motion
23 is a motion to approve sewer department
24 financial reports.

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

1 MR. SEMENZA: Motion by Councilman
2 Notari. May I have a second?

3 MR. RUSSELL RINALDI: I'll second
4 it.

5 MR. SEMENZA: Seconded by Councilman
6 Rinaldi. On the question? Public input?
7 Roll call.

8 ATTY. RINALDI: Mr. Ferrett?

9 MR. FERRETT: Yes.

10 ATTY. RINALDI: Mr. Hoover?

11 MR. HOOVER: Yes.

12 ATTY. RINALDI: Mr. Lettieri?

13 MR. LETTIERI: Yes.

14 ATTY. RINALDI: Mr. Notari?

15 MR. NOTARI: Yes.

16 ATTY. RINALDI: Mr. Rinaldi?

17 MR. RUSSELL RINALDI: Yes.

18 ATTY. RINALDI: Mr. Semenza?

19 MR. SEMENZA: Yes. The next motion
20 is a motion to approve sewer department
21 invoices for payment.

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

23 MR. SEMENZA: By Councilman Hoover.

24 MR. FERRETT: I'll second it.

25 MR. SEMENZA: Seconded by Councilman

1 Ferrett. On the question? Public input?
2 Roll call, please.

3 ATTY. RINALDI: Mr. Ferrett?

4 MR. FERRETT: Yes.

5 ATTY. RINALDI: Mr. Hoover?

6 MR. HOOVER: Yes.

7 ATTY. RINALDI: Mr. Lettieri?

8 MR. LETTIERI: Yes.

9 ATTY. RINALDI: Mr. Notari?

10 MR. NOTARI: Yes.

11 ATTY. RINALDI: Mr. Rinaldi?

12 MR. RUSSELL RINALDI: Yes.

13 MR. SEMENZA: Yes. At this time the
14 chair is going to go to our department
15 heads. Paul Papi? Everybody has Paul's
16 report in their packet. Does anybody have
17 any questions for Paul?

18 Paul, is there anything you'd like
19 to add to your report?

20 MR. PAPI: No. Everything's running
21 smooth.

22 MR. SEMENZA: Anybody have any
23 questions for Paul?

24 MR. LETTIERI: Paul, just kudos to
25 you. I got a lot of calls about the snow,

1 your team. A very good job with removal and
2 everything in town.

3 MR. PAPI: Thanks.

4 MR. LETTIERI: I received a lot.

5 MR. PAPI: I'll tell the boys.

6 MR. SEMENZA: We do have a possible
7 upcoming storm. We're all ready?

8 MR. PAPI: We're all set to go. We
9 should be fine.

10 MR. RUSSELL RINALDI: Paul, the
11 bottom of George Street and I think it's
12 Eisenhower -- is that the one that runs into
13 the housing? The stop sign is slanted right
14 down. It's falling into -- it's almost
15 coming into the street. I just noticed it
16 about two days ago. It's coming out of the
17 housing, that street. Right at the bottom
18 of Lenape.

19 MR. PAPI: I'll get it tomorrow.

20 MR. SEMENZA: Anybody else? Thanks,
21 Paul. Steve, zoning-code enforcement?
22 Everybody has Steve's report in their
23 packet. Steve, anything to add?

24 MR. BIERLYA: No.

25 MR. SEMENZA: Anybody have any

1 questions for Steve?

2 MR. NOTARI: Steve, do we have a
3 copy of the zoning districts that we could
4 possibly put on our website?

5 MR. BIERYLA: We do. I took a
6 picture of what we have on the wall and
7 Marylynn has to insert it into the website.

8 MR. NOTARI: I saw your first thing,
9 you're getting calls about the zoning.

10 MR. BIERYLA: It used to be on when
11 we did the website over. It came off, and
12 until it goes back up you're going to get
13 hammered with calls.

14 MR. SEMENZA: She actually just took
15 full control over the website, so more
16 things will be going up. Anybody else?
17 Thanks, Steve. Dave?

18 MR. LOPATKA: I don't have anything
19 other than at Marylynn's request we're
20 having the borough property surveyed as part
21 of the building project. Should be actually
22 under way. I did see some paint markings
23 outside. Shouldn't take all that long to
24 get that. That's all I have.

25 MR. SEMENZA: Dave, that cost

1 estimate, did you get a close number for us
2 yet?

3 MR. LOPATKA: I have --

4 MR. SEMENZA: Could you e-mail to
5 Marylynn whatever you got broken down a
6 little bit.

7 MR. LOPATKA: I will. I didn't
8 e-mail her broken down. I'll get one for
9 you.

10 MR. NOTARI: What's that for?

11 MR. SEMENZA: You weren't at the
12 last meeting.

13 MR. NOTARI: I read the minutes.

14 MR. SEMENZA: Anybody have any
15 questions for Dave? Thanks, Dave. Chief
16 Dubernas?

17 CHIEF DUBERNAS: The surveyors, they
18 are around. They came in and checked with
19 us. They're going to check in with us every
20 day. They told us what days they're going
21 to be here.

22 The other thing I have to add, the
23 Safe to Say app is fully up and running with
24 us and the school district. It's all going
25 pretty well.

1 MR. NOTARI: Chief, can you explain
2 exactly how that works?

3 CHIEF DUBERNAS: It's an anonymous
4 tip hotline that goes through Harrisburg.
5 Depending on what it is, it goes to the six
6 administrators. There's five from the
7 school and myself. It could be anything
8 from somebody being bullied to somebody
9 attempting suicide. It goes on a grading
10 system, and the tip line will actually send
11 a response immediately if it's, like,
12 somebody that wants to be suicidal. It will
13 immediately contact Lackawanna County 911
14 center and dispatch the police department.

15 Or if it's somebody that's being
16 bullied, an elementary kid or high school
17 kid, depending on who it is, they will
18 notify Ms. Eagan or Mr. Gatto and handle it
19 in the school.

20 If it's more or less handling after
21 school, then we get involved. It's been
22 going pretty good so far. I think we had,
23 like, nine of them.

24 MR. NOTARI: The incident last week,
25 did that come through the tip line?

1 CHIEF DUBERNAS: Yes, but that's
2 three different schools involved in that
3 one. That's still ongoing.

4 MR. NOTARI: From what I was told it
5 was handled very well during the day and
6 night. So good work.

7 CHIEF DUBERNAS: We try to keep it
8 low key.

9 MR. SEMENZA: Anything else, Chief?

10 CHIEF DUBERNAS: That's it.

11 MR. SEMENZA: Anybody have any
12 questions for Chief Dubernas? Thanks,
13 Chief. Bill, solicitor's report, please.

14 ATTY. RINALDI: I'll just update
15 what was in my report since Friday. The
16 Stocki hearing, there's going to be another
17 status conference on April 2, 2019. I
18 believe it's at 10:30. I sent the order to
19 Marylynn.

20 The ambulance building, I'm waiting
21 for the deed from the sheriff's office. I
22 talked to the deputy today. They're having
23 a staffing issue, so he was going to get to
24 it.

25 I left a message for the attorney

1 for the diocese. I did not hear back from
2 him today. I left one last week as well.
3 That's it.

4 MR. SEMENZA: Anybody have any
5 questions for Bill?

6 MR. FERRETT: Bill, what's the
7 purpose of all these hearings being
8 cancelled, Stocki hearings?

9 ATTY. RINALDI: The judge would move
10 them. They were never cancelled. The
11 weather.

12 MR. FERRETT: Four times?

13 ATTY. RINALDI: We had it today.
14 Sometimes the judge wasn't feeling well and
15 he continued it.

16 MR. SEMENZA: Bill, everything on
17 the property has to be operational.
18 Correct?

19 ATTY. RINALDI: Everything that's
20 non-operational has to be removed. That's
21 what he told him today.

22 MR. SEMENZA: Our zoning officer
23 will have the right to go on that property
24 and check what is and what isn't?

25 ATTY. RINALDI: He said we should go

1 and check day before, two days before,
2 whatever we need to do.

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

5 MR. NOTARI: Your first bullet
6 point, the housing authority, about the
7 garbage, can we trade garbage for paving?

8 ATTY. RINALDI: I don't even want to
9 go down that path.

10 MR. SEMENZA: Thanks, Bill. At this
11 time we'll go into public comment. Chris?

12 MR. CHERMACK: My name is Chris
13 Chermak. I'm from Dalton. I'm here for a
14 couple reasons. The first reason is,
15 surprising enough, I spent a lot of my time
16 for the past almost year traveling around to
17 council meetings, supervisor meetings, city
18 council meetings to introduce myself and to
19 see what's going on in each little town in
20 Lackawanna County.

21 The reason why I'm doing that is I
22 am running for Lackawanna County
23 commissioner coming up this May. Like I
24 said, I'm here to introduce myself, and if
25 anybody has any questions or anything for me

1 after the meeting I'll be happy to talk to
2 anybody. That's all I have for tonight.

3 MR. SEMENZA: Thank you. Don?

4 MR. BROMINSKI: Don Brominski. I
5 wanted to talk about a resolution that has
6 been proposed regarding some paving
7 ordinance -- your paving ordinance and how
8 it would affect a potential project that we
9 would have to run gas lines onto Sunny
10 Drive. So what I'd like to do is start off
11 with just a brief description of our Get Gas
12 program so that you get an understanding for
13 why we're requesting this.

14 Back when Marcellus Shale hit our
15 rates dropped significantly. We had a lot
16 of requests for natural gas. The way our
17 tariff was written was if somebody would
18 request natural gas we look at the cost to
19 serve that person versus the anticipated
20 revenue, and that's still part of our
21 tariff.

22 But what we would see is if somebody
23 were, let's say, a block away it could cost
24 \$50,000 to serve that person. With the
25 revenue potentially being around \$4,000 to

1 \$5,000 we would have to ask for a
2 contribution in aid of construction of
3 \$45,000 or something in that neighborhood.
4 So it was never economically feasible for
5 somebody to pay such a large contribution.

6 So we said we're getting all these
7 requests. We need to find a better way to
8 serve customers with natural gas. So we
9 came up with the Get Gas program, and the
10 GET stands for Growth Extension Tariff. The
11 way the program works is instead of just
12 looking at serving that one customer we'll
13 look at the whole block, and we'll say over
14 time people are going to convert to natural
15 gas because historically we have up to a 70
16 market share where natural gas is available.

17 So the way the program works is,
18 let's just say there's 20 homes on there,
19 and we'll assume that over a ten year period
20 we'll get 14 homes. The way the economics
21 work is we can give an allowance of \$10,000
22 per home. That's the key criteria for the
23 Get Gas program.

24 The second one is we have to assume
25 a 50 percent market share, which we almost

1 always do because of the success we've had.

2 The third criteria is the project
3 has to cost more than \$15,000, and that just
4 avoids doing one house at a time. We want
5 to look at larger projects.

6 So when we look at an area we look
7 at the cost to serve the area versus the
8 number of anticipated homes, and one of the
9 things that we've seen that's the biggest
10 detriment to being able to meet the \$10,000
11 per anticipated home is paving requirements.
12 The second that an ordinance requires us to
13 go curb to curb, intersection to
14 intersection the economics fall apart.

15 So what we've come up with is a
16 resolution that we ask our municipalities to
17 pass that basically, the way it's
18 structured, UGI will fix what we disturb and
19 we'll guarantee it for a five year period,
20 which is longer than normal ordinances are.
21 But in exchange for that five year guarantee
22 we ask for some concessions. So in case you
23 don't have it from the last time I'll hand
24 them out now, and we can talk about them
25 just so everybody understands why each

1 provision is necessary.

2 MR. SEMENZA: Don, as you know, and
3 if you don't I'll explain it, we do have a
4 third party doing compaction testing for the
5 borough. After you do a pave cut you come
6 in -- when you do we have on site --
7 Geoscience comes in and does compaction
8 testing for our borough for the water
9 company, any utility, anything that's done
10 in our road. So that's one we cannot leave
11 out because we cannot say don't worry about
12 it, guys, but then the water company or
13 whoever else has underground has to abide by
14 our ordinance that we have already.

15 Another thing is -- and I'm only
16 saying this because these are our
17 ordinances.

18 MR. BROMINSKI: We can do our own
19 compaction testing, and we're guaranteeing
20 our trench for a five year period. So we're
21 trying to address your concerns by
22 guaranteeing our trench for a five year
23 period.

24 MR. SEMENZA: Okay, I understand
25 that. I'm not saying anything bad about

1 UGI, but there's pave cuts in town that UGI
2 did a month ago, two months ago and they're
3 already sunk.

4 MR. BROMINSKI: Call us and we'll
5 fix it.

6 MR. SEMENZA: But obviously there's
7 not compaction testing done. Another thing
8 is we're in the midst of doing a paving
9 project in this borough. We've already
10 spent, the past four years, \$2 million on
11 paving, roughly in that ball park, and we
12 plan to keep doing that over the next X
13 amount of years. We plan on doing a lot of
14 roads in Old Forge.

15 This Get Gas program, how do we say
16 a month from now all the sudden somebody
17 wants gas and they don't have it, then you
18 say well, you passed a resolution to get
19 gas, you pave the road, but we have an
20 ordinance says in five years you can't touch
21 a road unless it's an emergency? These are
22 things that how do we get around? What do
23 we do?

24 MR. BROMINSKI: That's why we ask
25 that you pass this ordinance. The big

1 difference between natural gas and sewer or
2 water is that when they do a project --

3 MR. SEMENZA: Are you going to
4 repave that road?

5 MR. PARKER: -- a hundred percent of
6 the customers are mandated to take service
7 at that time.

8 MR. SEMENZA: Will UGI repave that
9 road for us?

10 MR. BROMINSKI: Well, let's go over
11 the ordinance and I'll tell you what we
12 propose. So again, let me just be clear.
13 We're asking for this for the Get Gas
14 project only. Not for replacement and
15 bettering the existing mains. We're talking
16 about just proactive to serve customers that
17 don't have access.

18 No permit fees for the natural gas
19 main installation, but a \$50 permit fee for
20 each person that requests natural gas
21 service, which means that's where we tap the
22 main and run the service to their home.

23 We will not pay for municipal
24 inspector labor for the restoration, and the
25 main restoration will only require a one

1 foot cutback. In other words, if we dig a
2 two foot trench, one foot on each side for
3 permanent restoration.

4 All rules will apply for a 12 year
5 period commencing after main installation
6 under the Get Gas program. The 12 year
7 period, the way our Get Gas program works is
8 when we install a gas main, people that hook
9 up to that Get Gas main pay an additional
10 surcharge, and that helps us to recover the
11 money for our proactive investment. For a
12 12 year period if anybody hooks up to that
13 main they will get a ten year surcharge.
14 After 12 years it's no longer considered a
15 Get Gas main, so anybody that hooks up after
16 that will just pay normal rates. So people
17 that take service from a Get Gas main will
18 pay more than their neighbors who are taking
19 it from our regular tariff.

20 MR. SEMENZA: Basically that 12 year
21 period, if we were to pave a road we
22 couldn't pave that for 12 years, is what
23 you're saying.

24 MR. BROMINSKI: No, I'm not saying
25 that. I'm just saying if you pave it we

1 still have to have access.

2 MR. SEMENZA: But that means we
3 wouldn't pave it because we're not going to
4 have a road with pave cuts. I would never
5 do that. I'm not going to put X amount of
6 dollars into a road and have UGI come cut it
7 up. You have to see where I'm coming from.

8 MR. BROMINSKI: Once the gas main is
9 in, then you're talking just three by five,
10 and if it's feasible -- let me finish. So
11 we use PennDOT core bore technology, and
12 that's mainly to spot other utilities. And
13 the reason we're spotting them is because
14 many times we're going to try to shoot a
15 bullet so we don't have to cut it. All
16 service cuts only require one foot cutback
17 for restoration not using PennDOT approved
18 core bore technology.

19 We will be allowed to install gas
20 mains in municipal road right-of-way outside
21 the paved roadway. So here's -- I'm not a
22 hundred percent sure. I didn't have the
23 time to look at the engineering. I don't
24 know if we've gone that far. If we can get
25 behind the curb in the municipal

1 right-of-way, then the risk is we wouldn't
2 be able to shoot a bullet across the street.
3 So hopefully we wouldn't even need to do
4 cuts except to spot other utilities. So
5 that would be one way to try and alleviate
6 that risk.

7 If the municipality paves the road
8 within a 12 year period there will be no
9 moratorium and the one foot cutback rules
10 still apply. So, you know, that's so
11 critical for us because if we come in here
12 and put in \$200,000 worth of gas main and
13 then you pave quickly and say sorry, you
14 can't cut it, we have a \$200,000 investment
15 that we can't serve customers for a five
16 year period of time. We can't do that.

17 So the key is we'll still come back
18 and do the restoration and we'll guarantee
19 it for five years. So you'll have a brand
20 new road. If it has a three by five cut
21 because we can't bore underneath we're going
22 to repair it and guarantee it for five
23 years.

24 MR. SEMENZA: We also have another
25 ordinance in place that states -- Steve,

1 maybe you can help me out with this, the
2 pave cuts, paving overlay.

3 MR. BIERYLA: We changed that in the
4 footage. It's 25 feet. It used to be 100
5 foot, and I think we went down to 25 foot
6 and it has to be a complete overlay.

7 MR. HOOVER: If they're going by
8 PennDOT ordinance, which is on here, PennDOT
9 ordinance states if you put three cuts
10 within 100 feet you have to go curb to curb.
11 That's what we have.

12 ATTY. RINALDI: Ours mirrors
13 PennDOT.

14 MR. HOOVER: If you put three cuts
15 in a road you have to pave the road curb to
16 curb. Where are they putting this gas main,
17 in the street or behind the curb?

18 MR. BROMINSKI: I don't think final
19 engineering is done, but that's something we
20 would work with to see where your existing
21 utilities are and --

22 MR. HOOVER: Our water main is in
23 the road. If you're going to put it in the
24 tree lawn on either side of the street, that
25 means there's 20 houses you'll have to shoot

1 the bullet from one side to the other.
2 You're taking a chance of the bullet not
3 getting stuck or digging the road up two or
4 three times or trenching it from side to
5 side. You don't know that.

6 MR. BROMINSKI: Right, it could
7 happen.

8 MR. HOOVER: If you put the gas main
9 in Sunny Drive on the left-hand side of the
10 tree line going all the way up to the top of
11 the hill you could possibly have ten cuts,
12 lateral cuts going across the road all the
13 way up the street the width of the road.

14 MR. BROMINSKI: Potentially.

15 MR. HOOVER: And then we have to sit
16 back and you're going to permanently restore
17 those and deal with that for five years
18 until we decide to pave it -- 12 years.

19 MR. BROMINSKI: I'm just saying we
20 want access to our gas mains. We don't want
21 any moratorium during the Get Gas period.
22 You can pave. You just have to realize that
23 if we have to cut it we're going to restore
24 it. We guarantee it for five years.

25 MR. SEMENZA: We're wasting taxpayer

1 dollars if we pave and then you come and cut
2 it and dig it up. I understand what you're
3 saying.

4 MR. BROMINSKI: We'll do a good
5 enough job. Are people going to care that
6 you see a three by five cut as long as it
7 gets flat and drivable and we take care of
8 it?

9 MR. SEMENZA: Once you cut a road --

10 MR. HOOVER: It's not going to be
11 just a three by five cut. If you put the
12 water main in the street you'll have a
13 trench going up the middle of the road.
14 You'll have 20 three by five cuts on each
15 side of that trench going all the way up the
16 street.

17 MR. SEMENZA: How many guaranteed
18 customers are there?

19 MR. BROMINSKI: We have no
20 guarantees.

21 MR. HOOVER: There's 20 houses on
22 the block.

23 MR. BROMINSKI: It's all UGI's risk.
24 It's not like the sewer where you're going
25 to say everybody has to hook up and

1 everybody does it in year one and we pave
2 over it. It's a hundred percent our risk.
3 So we have to have access to that gas main
4 because not all the customers along Sunny
5 Drive are going to say I'm going to do it in
6 year one. Some people might say you know
7 what, I have to save up some money. It
8 might take me a year or two to convert.
9 Others might say I'm going to wait until my
10 existing unit dies and then I'll convert.

11 So it's just so critical for us to
12 be able to use the asset.

13 MR. SEMENZA: Would you be in
14 agreement to pave the road at the end of it?

15 MR. BROMINSKI: Then we run into the
16 \$10,000 per customer hurdle.

17 MR. SEMENZA: You're going to make
18 tons of money on this.

19 MR. BROMINSKI: What if nobody hooks
20 up? We spend \$200,000 and nobody hooks up?

21 MR. SEMENZA: Then you won't be
22 paving the road.

23 MR. HOOVER: You're not going to put
24 this gas main in unless you have more than
25 half the customers.

1 MR. BROMINSKI: No, that's not true.

2 MR. HOOVER: I can't see you putting
3 a gas line in here and take the chance.

4 MR. BROMINSKI: Jim, we're taking a
5 hundred percent of the risk.

6 MR. SEMENZA: You'll run a gas main
7 right up the road?

8 MR. BROMINSKI: At our cost, and
9 we're going to try and get -- we would love
10 if everybody does it at once, but that's not
11 how it works. It takes time for people to
12 convert and it's our risk. If oil prices
13 drop to 20 cents a gallon and gas prices go
14 up nobody's going to convert.

15 MR. SEMENZA: How many inquiries do
16 you have on this?

17 MR. BROMINSKI: I'm not sure. I
18 don't have that number in front of me.

19 MR. NOTARI: You come in and dig up
20 the road and put the gas main in, nobody
21 hooks up initially. How are you going to
22 repair the road? Are you just going to
23 patch the trench that you put in or are you
24 going to repave the whole road?

25 MR. BROMINSKI: One foot cutback.

1 So if it's a two-foot-wide trench it would
2 be the one foot cutback --

3 MR. NOTARI: Four foot patch going
4 all the way up the road.

5 MR. BROMINSKI: Right. I was
6 informed that there is a potential water
7 project?

8 MR. HOOVER: No, we're doing Mine
9 Street. I thought Mine Street was the
10 street you were putting the gas in.

11 ATTY. RINALDI: You use an
12 assumption of five years payback. Is that
13 what you said?

14 MR. BROMINSKI: No, the five years
15 is how long we're going to guarantee our
16 trench, which is normally -- significantly
17 longer than --

18 ATTY. RINALDI: When you're
19 programming your numbers for your budget
20 you're just anticipating a customer using
21 gas for five years or ten years.

22 MR. BROMINSKI: No, we assume once
23 they convert that they'll probably use it
24 for 40 years. But we're assuming those
25 people will convert over a 12 year period of

1 time.

2 ATTY. RINALDI: You're saying you
3 only have a Get Gas program that allows so
4 much for each customer. In other words,
5 you're programming in not 40 years of
6 income, you're only programming, I think,
7 ten grand, which is payback of the trench
8 over so many years.

9 MR. BROMINSKI: The allowance is
10 \$10,000 per anticipated customer. So when
11 you say there's 40 --

12 MR. HOOVER: There's 20 houses.

13 MR. BROMINSKI: So let's assume 14
14 customers over a ten year period of time.
15 Fourteen times 10,000 is -- our project has
16 to come in under \$140,000. That's all main
17 installation, services, meters and
18 restoration. So when the restoration code
19 is curb to curb we can spend \$140,000 in
20 restoration alone to pave the street before
21 we even talk about the cost of installing
22 our gas main.

23 ATTY. RINALDI: That's what I'm
24 saying. That 140, why is that capped there?

25 MR. BROMINSKI: That is when we put

1 the program in our tariff with the
2 Pennsylvania Public Utility Commission those
3 were the numbers that were agreed upon. It
4 has to do with the base revenue of the
5 customer and the revenue we get from the
6 additional surcharge that Get Gas customers
7 pay.

8 ATTY. RINALDI: So when you do base
9 revenue, is that like for a particular
10 period of time?

11 MR. BROMINSKI: That changes with
12 every rate base. So our base revenue would
13 be customer charges and delivery charges.

14 MR. HOOVER: So basically you want
15 to put a new gas main up the road, you want
16 to run, say, 14 services at \$50 a service.
17 The borough's going to get \$700 for a street
18 that's destroyed and not overlaid, just
19 permanent restoration, and no inspector on
20 site to make sure you're compacting the
21 road. Right?

22 MR. BROMINSKI: Not destroyed.
23 We're going to fix whatever we disturb and
24 we're going to guarantee it for five years.
25 So I wouldn't characterize it as destroyed.

1 In fact, depending on the condition of Sunny
2 Drive, which I'm not sure, sometimes in
3 areas where we do this our restoration is
4 the best part of the street.

5 MR. SEMENZA: It's actually not in
6 bad shape.

7 MR. FERRETT: Good shape right now.

8 MR. RUSSELL RINALDI: I think
9 Council President Semenza asked that you
10 guys don't know of any potential people up
11 there who were interested in it?

12 MR. BROMINSKI: No, the reason there
13 is a project is because we have had
14 inquiries.

15 MR. RUSSELL RINALDI: How many?

16 MR. BROMINSKI: I don't have that
17 number off hand.

18 MR. RUSSELL RINALDI: Did you guys
19 send people door to door asking?

20 MR. BROMINSKI: We have not yet
21 because right now the project does not pass
22 our \$10,000 qualification because of the
23 restoration ordinance.

24 MR. RUSSELL RINALDI: So only people
25 contacted you guys. You didn't contact

1 anybody.

2 MR. BROMINSKI: Right. Correct. We
3 have not done -- to my knowledge we have not
4 knocked on doors up and down --

5 MR. RUSSELL RINALDI: Mailed
6 anything to them?

7 MR. BROMINSKI: Not to my knowledge,
8 no. If a rep was out here talking to
9 neighbors when they were talking to some of
10 the people that requested that's possible,
11 but because it does not pass our criteria
12 right now we're not doing heavy marketing.

13 MR. RUSSELL RINALDI: Are you doing
14 light marketing?

15 MR. BROMINSKI: The only thing that
16 would have been done, to my knowledge, is if
17 the sales rep met with the customer that
18 requested gas and perhaps saw some neighbors
19 or talked to some neighbors. I don't think
20 we've done any mailing, we haven't -- let me
21 just put it this way, if we get this
22 ordinance and there's going to be a project
23 we're going to make sure everybody has been
24 contacted both by mail and, hopefully, in
25 person as well to answer all their questions

1 about what's required with the Get Gas
2 program because we want to serve these
3 customers. Our goal would be to get all 20
4 customers year one. It doesn't happen that
5 way.

6 MR. RUSSELL RINALDI: So my first
7 question, why Sunny Drive? You guys either
8 had to go out there and contact people and
9 do a little bit of marketing or people up
10 there had to contact you guys.

11 MR. BROMINSKI: Right.

12 MR. RUSSELL RINALDI: So they
13 contacted you first?

14 MR. BROMINSKI: Correct.

15 MR. RUSSELL RINALDI: How many
16 people?

17 MR. BROMINSKI: That I don't know.

18 MR. RUSSELL RINALDI: A few.

19 MR. BROMINSKI: Could be.

20 MR. RUSSELL RINALDI: What other
21 boroughs, whether in our area or wherever
22 else you guys have done this before,
23 accepted this ordinance?

24 MR. BROMINSKI: We are doing all of
25 Dupont right now, Duryea. We did a couple

1 streets in Duryea. Another big area is
2 Riverside, which is right near Danville,
3 right near the plant. Tunkhannock has
4 signed this ordinance, so we're doing a huge
5 project there. Just to name a few.

6 MR. SEMENZA: See, the thing is
7 Duryea and Dupont, they don't have programs
8 in place like we have. We have a paving
9 program in place that we plan on doing, and
10 maybe Councilman Ferrett could elaborate on
11 that. He's our chairman of our paving. But
12 like I said, this borough plans on putting a
13 lot of money into the streets of Old Forge.

14 And from what I understand this
15 resolution is not only for Sunny Drive but
16 for all of Old Forge wherever there is not
17 gas.

18 MR. BROMINSKI: No, this is a
19 specific Get Gas project. If there's
20 another large area of Old Forge where people
21 request service and we think it's
22 potentially --

23 MR. SEMENZA: We would have to pass
24 another resolution?

25 MR. BROMINSKI: Correct.

1 MR. SEMENZA: When I asked Bruce
2 Davis to have Sunny Drive put on this only
3 he stated that if somebody else in Old Forge
4 wanted it -- because I had actually given
5 it to our solicitor and he changed it up a
6 little bit and gave it back to Bruce Davis,
7 which he never got back to us.

8 MR. FERRETT: Why does this apply to
9 only one street?

10 MR. SEMENZA: Well, it's a Get Gas
11 program, Joe, and we pass this resolution
12 they can do it anywhere in the town that
13 there's not gas. They could potentially cut
14 up many roads in Old Forge. That's why I'm
15 saying if we're going to do it I would like
16 it specifically for Sunny Drive.

17 MR. FERRETT: Right.

18 MR. BROMINSKI: I'm fine with that
19 if you want to keep it project by project,
20 but it's going to be the same discussion.
21 If somebody else requests gas that's a block
22 away from our main and there's 15 other
23 potential customers and we think that with
24 these paving rules that we would have an
25 economic project we'd come here and make the

1 same request.

2 MR. SEMENZA: I get it. But another
3 thing that's missing here is that the 20
4 residents that aren't speaking right now
5 saying they want their road paved or not for
6 12 years, if we can't pave a road for 12
7 years, this program goes on I will -- I'm
8 only one of seven votes, but I can guarantee
9 I'll vote no for paving that road just
10 because I'm not going to pave a road that's
11 going to possibly be cut up in bits and
12 pieces. I mean, like I said, everybody's in
13 agreement on that street, but they're
14 taxpayers in the borough. These people pay
15 taxes like everybody else. They're paying
16 to pave roads but their roads aren't going
17 to get done. I don't know how people will
18 feel about that.

19 MR. BROMINSKI: That's your
20 decision.

21 MR. SEMENZA: I'm trying to make the
22 best decision for the taxpayers of Old
23 Forge. That's what I'm sitting here for.
24 I'm not trying to just make the best
25 decision for six, seven taxpayers and that's

1 it. I have to look out for everybody. A
2 few of the things in here I don't agree on.
3 We have a third-party inspection company
4 that I'd like to keep doing the compaction
5 testing because we do have an ordinance
6 passed that we use them as a compaction
7 testing company.

8 And another thing, like Councilman
9 Hoover said, we mirror image the state's
10 pave cut, how many feet is the cutback for
11 the pave.

12 MR. BROMINSKI: We're not going to
13 doing many or any Get Gas projects on state
14 roads because of their ordinances.

15 MR. SEMENZA: I'm not saying on a
16 state road, I'm saying we mirror their --

17 MR. BROMINSKI: But it's so
18 expensive we won't be doing Get Gas projects
19 on state roads. Because of the paving
20 requirements we can't get the \$10,000 per
21 customer hurdle.

22 MR. SEMENZA: And you're saying it's
23 not to be a big deal to put that many cuts
24 in the road, but really, once you cut a road
25 there's no way to stop water from getting in

1 there, freezing, cracking, lifting. Once
2 roads start getting cut up it's a mess.
3 Joe, you've seen it for years. You've been
4 involved in paving. Once you start cutting
5 a road up forget about it.

6 MR. FERRETT: That's what it's all
7 about. That's what bothers me. Don't we
8 have an ordinance after 50 percent the road
9 has to be completely restored?

10 MR. SEMENZA: Full pave, curb to
11 curb. I'm not here to stop anybody from
12 doing anything, I'm just trying to make --

13 MR. FERRETT: I'm a little confused
14 on this whole situation. I happen to know a
15 party that wanted gas and they were told by
16 the gas company that only one person we're
17 not going to move forward whatsoever.

18 Now, here we are, we're talking back
19 Sunny Drive, you're saying that you haven't
20 been out, you haven't sent any business
21 people out there to see how many customers
22 you have and everything. It's like you're
23 taking a chance on doing something and
24 hoping that everything falls in line. It
25 doesn't seem to make sense to me how you can

1 say one thing one minute and then turn
2 around and say another thing another minute.

3 Now, you're telling me that you're
4 going to take a big investment on Sunny
5 Drive and you haven't been out there, that
6 four, five or six people said we definitely
7 want gas.

8 MR. RUSSEL RINALDI: Joe, the only
9 thing is if we pass the resolution. That's
10 when they're going to start going out there.

11 MR. FERRETT: They wouldn't -- no
12 businessman is going to go to work and put
13 money out there with nothing coming in.

14 MR. RUSSELL RINALDI: If we pass
15 this resolution they're going to be more
16 than happy to do it. Correct?

17 MR. BROMINSKI: Correct.

18 MR. FERRETT: Why don't they do it
19 in other places with other people that want
20 gas, then? Not Sunny Drive, in other
21 places.

22 MR. BROMINSKI: I would have to look
23 at the particular situation. But if you're
24 talking about -- let's take so you can have
25 a block that has 20 homes on it or you can

1 have a block that has two homes on it. If
2 it has two homes, even with the resolution
3 maybe it's not economically viable. So it
4 depends on the situation, and many times you
5 need the density of homes to be able to meet
6 the \$10,000 per customer hurdle.

7 MR. RUSSEL RINALDI: Just so you
8 know, I'm agreeing with you.

9 MR. SEMENZA: I want these people to
10 have gas.

11 MR. FERRETT: I really don't agree
12 with that whatsoever. The area we're
13 talking about we're talking, like, 12 or 13
14 homes that are there, and because somebody
15 wanted gas they were told we're not going to
16 do it unless we get more customers.

17 MR. HOOVER: I'd like to find out
18 how many people definitely do want gas and
19 what is the condition of the road. What
20 does the road look like.

21 MR. SEMENZA: The road's not in bad
22 shape. I was up there after work.

23 MR. FERRETT: They didn't make a
24 survey to find out anything whatsoever.

25 MR. HOOVER: I don't want to tell

1 the neighbors or customers --

2 MR. SEMENZA: If UGI would add to
3 this paving the road at the end of the
4 program I'd do it.

5 MR. BROMINSKI: That kills it.

6 MR. SEMENZA: How? You're going to
7 make so much money over 40 years. You said
8 these people are going to use gas for 40
9 years. Do you know how much money you're
10 going to make over 40 years? You're going
11 to make ten times the amount you're putting
12 in. You know.

13 MR. BROMINSKI: It all rolls back
14 into the \$10,000 per customer. We're
15 assuming we're getting those customers for
16 40 years. Then you take the present value
17 of that revenue plus the Get Gas surcharge,
18 and that's where you come up with the
19 \$10,000 per customer. That's already taken
20 into account. So to the extent that this
21 project goes over \$140,000 total, assuming
22 70 percent at 20 homes, 14 homes times
23 \$10,000, we have \$140,000. Figure at least
24 \$3,000 per home just for the service and
25 meter. So that leaves \$7,000 per home for

1 the whole gas main plus any restoration.
2 You're talking paving a whole street.
3 You're going to blow right through that.

4 MR. SEMENZA: Off the top of your
5 head what does it cost to pave that road?

6 MR. LOPATKA: I don't know how long
7 the road is.

8 MR. SEMENZA: It's probably about --
9 Joe, how long is that road? Chief?

10 CHIEF DUBERNAS: I could speak from
11 experience. I have two lots on Sunny Drive.
12 When I contacted them to get gas, because I
13 was going to build a house there, they told
14 me straight up 70 percent of the residents
15 have to have gas before you even consider
16 gas, and they told me it would be a lot
17 cheaper if I got an easement for Ms.
18 Revello's house on Mine Street and tap Mine
19 Street and run a line through her yard and
20 into my yard so I would have gas at my
21 house.

22 MR. BROMINSKI: So like I said,
23 there are two ways we can serve customers.

24 CHIEF DUBERNAS: That was six years
25 ago they told me that.

1 MR. BROMINSKI: The Get Gas program
2 is five years old, so it was probably in its
3 infancy. Our regular tariff still applies,
4 which means if the customer requests gas we
5 look at the cost to serve them. If there's
6 a cheaper way to serve them other than a Get
7 Gas project we'll look at that.

8 ATTY. RINALDI: I think you need to
9 find out if you can use the non-paved
10 right-of-way. Then you're not talking about
11 digging up the street at all.

12 MR. SEMENZA: But you have to go
13 across --

14 ATTY. RINALDI: It still eliminates
15 going down one side. Then it's going to be
16 a determination if you can bullet across.

17 MR. SEMENZA: What if you bullet
18 three and the next three don't work?

19 ATTY. RINALDI: It's going to cut
20 down the cost.

21 MR. BROMINSKI: At a minimum you
22 have to spot the utilities. If there's
23 sewer and water there's going to be at least
24 two of those core bores to make sure when
25 we're shooting across that we don't hit

1 them.

2 MR. HOOVER: There's going to be a
3 trench in the road, a water main ten feet
4 away. They have to dig a one by one hole to
5 locate the water main, one by one hole to
6 locate the sewer main so they don't hit it.
7 So two little potholes.

8 MR. RUSSELL RINALDI: What do we
9 tell the next utility company that comes in
10 when we send them a bill or we tell them
11 before they start doing any work, and
12 they're like pass a resolution for us so we
13 don't have to pay inspection fees?

14 MR. BROMINSKI: Well, let me ask you
15 this, are a hundred percent of the people
16 required to hook up to that service, whether
17 it's water or sewer?

18 MR. RUSSEL RINALDI: The next
19 service company?

20 MR. BROMINSKI: What service company
21 are you talking about?

22 MR. RUSSELL RINALDI: Just a utility
23 company that comes in and does work.
24 American Water came in, they made a pave cut
25 last week. They've got to pay us \$975.

1 MR. BROMINSKI: I'm not talking
2 about replacement and betterment. We're not
3 asking to waive the rules for a replacement
4 and betterment project. This is strictly to
5 service residents that there is no gas there
6 now.

7 MR. SEMENZA: I understand that and
8 I want the residents to have gas. But on
9 the other hand --

10 MR. NOTARI: I'd feel more
11 comfortable if I knew exactly how many
12 people are interested in this service,
13 because then we can kind of look at it and
14 say all right, ten of the 20 homes are
15 interested. Maybe it will not be as long as
16 12 years. Maybe it will be quicker that the
17 rest of them will sign up and then we can
18 pave the road. So even though you're saying
19 12 years, maybe it will happen in five. But
20 I think for you to come in --

21 MR. BROMINSKI: But I can't restrict
22 people as to when they want to do it.

23 MR. NOTARI: I understand that, and
24 that would be for us to perceive and guess
25 and gamble. But for me to gamble on zero

1 customers I would say no. But if you came
2 back and said we have ten ready to go right
3 now or we have ten that are thinking about
4 it, then I might be a little on your side.

5 MR. BROMINSKI: We can do that. We
6 can survey the residents.

7 MR. NOTARI: Survey the residents on
8 the street and say in the next five years
9 would you be getting gas. Maybe all 20 will
10 tell you yes.

11 MR. BROMINSKI: We can do that.

12 MR. NOTARI: Then when they come to
13 us and say well, my road's a mess, how come
14 you haven't paved it, we can say well, you
15 were interested in this Get Gas program.
16 This is what you wanted, so this what we
17 agreed to. Again, this is me. I'm not
18 speaking for anybody else on this council.
19 But this would put my mind at ease if I knew
20 what the percentage was who wants gas.

21 MR. HOOVER: How many people are
22 actually going to spend the five or six or
23 seven thousand dollars to put a gas heating
24 system in their house if they don't have it
25 now?

1 MR. BROMINSKI: That's my whole
2 point. Some people are going to do it right
3 away and take the savings right away. Some
4 people say I'm going to have to save for a
5 couple years to afford to convert to natural
6 gas. Other people are going to say I'm just
7 going to wait for my unit to die. When it
8 dies they have to make an investment, and we
9 think we'll get the customers then. So
10 that's why we need that time period, because
11 it's not like we're running sewer lines and
12 guess what, everybody has to hook up. You
13 can't have a septic. It's a hundred percent
14 our risk running this gas main because we
15 can't force people to take natural gas. We
16 just have to make sure they realize the
17 economic benefits of natural gas so when
18 they're ready to make a decision that they
19 choose us. So that's why it's our risk.

20 MR. FERRETT: One thing I want to
21 know. Any other company besides the gas
22 company comes into this town, if they tear
23 up a street more than 50 percent of the
24 thing whatsoever do they have to pay?

25 MR. SEMENZA: Absolutely. That's

1 why my standpoint is I want the road paved
2 at the end of the program.

3 MR. FERRETT: My idea behind all
4 this, why should one company be exempt and
5 another company has to pay? I don't know
6 how the answer will come later. I'm talking
7 about the roads and everything that we're
8 supposed to try and upkeep as much as we
9 possibly can.

10 MR. BROMINSKI: Well, if that's the
11 stand you take, then these residents won't
12 have access to natural gas. That's the end
13 result.

14 MR. RUSSELL RINALDI: They could
15 through the Mine Street side.

16 MR. BROMINSKI: I'm not familiar
17 enough with the setup, if we would have to
18 get a right-of-way from every neighbor to go
19 back. But that is something that we really
20 do not want to do, and, in fact, if that was
21 six or seven years ago I have a feeling if
22 they requested that now we're not going to
23 be running services through rights-of-way to
24 the back of people's homes. So that's not
25 something -- let's not even talk about that

1 as an option. I'm not familiar with that
2 situation. Let's assume we're not going to
3 be running rights-of-way through neighbors.
4 It's not safe enough.

5 MR. RUSSEL RINALDI: No? Why would
6 they offer that to him, then?

7 MR. BROMINSKI: I can't answer that.
8 I don't know the situation. I don't know if
9 it was a paper street. I just don't know
10 enough about the situation.

11 MR. SEMENZA: Any idea how long that
12 road is?

13 MR. LOPATKA: I figure 1,500 feet.
14 Probably \$70,000, \$80,000.

15 MR. SEMENZA: You couldn't do a 70,
16 80 thousand paving project at the end of 12
17 years?

18 MR. BROMINSKI: Not going to work.

19 MR. SEMENZA: How could it not work?

20 MR. BROMINSKI: We have all that
21 other investment.

22 MR. SEMENZA: After 40 years of
23 getting bills off people you're going to
24 tell me you're not going to make that over
25 tenfold?

1 MR. BROMINSKI: I already told you
2 how the economics work.

3 MR. RUSSELL RINALDI: If we pass
4 this resolution you're going to save 30,000
5 in fees at least. So really, you only have
6 to pay \$50,000.

7 MR. BROMINSKI: We're going to be
8 investing a lot of money and it has to be
9 under \$140,000, and it's not going -- it
10 will not be able to absorb \$80,000 in
11 restoration. It won't.

12 MR. RUSSELL RINALDI: Fifty. You're
13 saving \$30,000 in fees.

14 MR. BROMINSKI: The economics won't
15 work.

16 MR. RUSSELL RINALDI: Make the
17 economics work and you might get the
18 resolution passed.

19 MR. BROMINSKI: Under the Get Gas
20 the customer is only responsible for their
21 fuel line and their equipment. When they
22 get their gas bill they will have a
23 secondary customer charge on their gas bill
24 that's different from somebody else's gas
25 bill for a ten year period of time. If they

1 want to buy that out they can buy it out
2 with a one-time payment.

3 MR. SEMENZA: They're going to pay X
4 amount of dollars more for you guys to
5 recoup your money that you put into it. Am
6 I correct?

7 MR. BROMINSKI: Correct. Part of
8 the secondary customer charge goes into that
9 \$10,000 per customer --

10 MR. SEMENZA: And that's going to be
11 over a how many year period?

12 MR. BROMINSKI: Ten years.

13 MR. SEMENZA: So that's over a ten
14 year period.

15 MR. BROMINSKI: It's \$44.90 a month.

16 MR. SEMENZA: On top of their bill?

17 MR. BROMINSKI: Correct. The way
18 that -- we had to make sure that when we
19 added that surcharge there was still an
20 economic benefit for customers to convert.
21 So basically instead of saving \$2,000 versus
22 oil they might only be saving \$1,000. So
23 there's still an economic benefit to these
24 customers versus their alternate fuel, it's
25 just not as great an economic benefit if it

1 wasn't under the Get Gas program.

2 MR. SEMENZA: Basically at the end
3 of the ten years, when they're done paying
4 this, the project is basically paid for,
5 close to being paid for?

6 MR. BROMINSKI: No, the secondary
7 customer charge ends, but we're still
8 assuming in that \$10,000 per customer
9 calculation that they're going to continue
10 to use gas under the standard rates.

11 MR. SEMENZA: But I'm saying the
12 surcharge on top, the \$44.90, is basically
13 to pay for the project that was done.

14 MR. BROMINSKI: That's part right.
15 That's part of it. The \$44.90 times -- it
16 works out to 5,480 over ten years.

17 MR. SEMENZA: Per customer.

18 MR. BROMINSKI: Right, times 14
19 customers that's only about \$70,000.

20 MR. SEMENZA: So you recoup half
21 your money.

22 MR. BROMINSKI: Pretty much. Half
23 would be in the surcharge, the other half
24 would be through their base rates.

25 MR. RUSSEL RINALDI: This proposed

1 sheet of paper with this ordinance on it,
2 you have ten things on here. You want ten
3 things from us in order to get this passed.
4 A lot of these, the permit fee's cheap, the
5 pave cutting, saving you 30, 40 thousand
6 dollars, you want 12 things from us. You
7 don't want to give us one.

8 MR. BROMINSKI: We're guaranteeing
9 the trench for five years. That's huge.
10 That's the big thing. We're saying you give
11 us this on the restoration, we're
12 guaranteeing the trench for five years.

13 MR. SEMENZA: But our third-party
14 compaction company is doing the same thing
15 that we hire.

16 MR. BROMINSKI: But your ordinance,
17 I think, is one or two years.

18 MR. HOOVER: You're spending
19 \$200,000. Inspector costs aren't going to
20 be -- they're going to be what, \$8,000? How
21 long does it take you to put 1,400 feet of
22 pipe in or 1,500 feet? Inspection fees
23 aren't going to be a lot for this job to
24 have an inspector there. I think if you
25 paid the inspection fees we'd feel a little

1 bit more about the trench being compacted
2 and lasting a little bit longer. By not
3 paying the inspection fee and leaving --

4 MR. BROMINSKI: We're going to
5 complete the trench to your specification --

6 MR. HOOVER: I know that, but we're
7 not going to have anybody there to verify.

8 MR. BROMINSKI: You can be there if
9 you want.

10 MR. HOOVER: But you have to pay for
11 it.

12 MR. BROMINSKI: No. We have our own
13 inspectors.

14 MR. HOOVER: This is the problem I
15 have.

16 MR. RUSSELL RINALDI: We have our
17 own ordinances. We don't need yours.

18 MR. HOOVER: When I dig in Old Fore
19 I have my inspector there and I also have
20 the third-party form there. You do the same
21 thing. So why can't you do the same thing
22 up here and just pay for the inspection?

23 MR. BROMINSKI: This is a project
24 that has to meet our \$10,000 per cut
25 customer hurdle. I'm not going to say we

1 can do it for \$120,000, here's a check for
2 \$20,000 because we think we're going to get
3 two more customers. That's not how it's
4 going to work for these customers to have
5 access to natural gas.

6 MR. HOOVER: I do, but it's our
7 street. It's not your street. You don't
8 have to deal with the customers in three
9 years saying I have a speed bump in front of
10 my house, I have this in front of my house.

11 MR. BROMINSKI: We'll fix it. If it
12 sinks we'll fix it.

13 MR. HOOVER: Then we have to pave
14 the road.

15 MR. SEMENZA: The problem is the gas
16 company doesn't call our third-party
17 inspection company and they don't come down
18 to do the project until after it's said and
19 done. That's a problem. But that's a
20 different story.

21 This is what we'll do. I want the
22 residents to have gas up there. I really
23 do. I don't want to push anybody off. But
24 UGI is coming here with a mask and a gun
25 saying this is what you're going to do, and

1 that's not how it's going to work. If you
2 guys want to get gas to these customers as
3 much as we do you'll work with Old Forge
4 Borough. If you don't, we're not going to
5 come in here and say yes, sir, these are
6 demands that we will follow. It's not going
7 to happen. We're willing to work with UGI,
8 but we have ordinances in place. Do you
9 understand what I'm saying?

10 MR. BROMINSKI: I understand.

11 MR. SEMENZA: I just can't do that.
12 I'm here for the taxpayers, their dollars.

13 MR. LOPATKA: Is this the only
14 program you have to provide services to
15 someone?

16 MR. BROMINSKI: No. The other would
17 be under our normal tariff, which would just
18 be, then, these customers would have to pay
19 a contribution in aid of construction of
20 five to ten thousand dollars each, and all
21 that would basically go to pave the street.
22 Customers aren't going to pay that kind of
23 contribution in aid of construction because
24 then they lose their economic benefit for
25 switching to natural gas.

1 That is the whole reason for the Get
2 Gas program, is because contributions in aid
3 of construction were too large because it
4 was so expensive to serve customers given
5 ordinances like this.

6 MR. SEMENZA: But UGI is asking us
7 to throw all our ordinances out the window
8 and say do it our way or don't do it at all.

9 MR. BROMINSKI: In exchange for a
10 five-year guarantee.

11 MR. SEMENZA: Listen, there's no
12 five year guarantee. We have a company that
13 I have faith in because I sat here, we
14 interviewed with them and we know the
15 quality of their work. So you're saying a
16 five year guarantee --

17 MR. BROMINSKI: Our tariff is
18 approved by the Pennsylvania Public Utility
19 Commission. So if I can't get the cost
20 under \$10,000 I can't violate my tariff and
21 do this project because I want to. It's a
22 tariff provision as approved by the
23 Pennsylvania Public Utility Commission.
24 They're our boss.

25 MR. SEMENZA: Well, at this point in

1 time, me, personally -- and I don't know
2 about anybody at this table, but I'm not
3 willing to meet any of the demands that are
4 on this piece of paper. I'm willing to work
5 with some of them. And like Councilman
6 Notari said, not even knowing if more than
7 one person wants to do the project. We
8 might cut that whole road up and in ten
9 years nobody wants to do it. We had to wait
10 12 years on the paving.

11 MR. HOOVER: I think we should go
12 with what Mr. Notari said just for starters.
13 I don't like a lot of this either. Let's
14 see how many people want gas, and then maybe
15 we'll be able to address these issues. I
16 don't think they're going to change, but
17 it's worth it to find out how many people do
18 want gas up there that are going to foot the
19 expense of doing this.

20 MR. SEMENZA: If you're getting half
21 the money back at \$44.90 a month, ten years
22 you're getting half that money back, then
23 the next 30 years how much money are you
24 going to make? It's true. Come on. What
25 do you think? I was born at night. It

1 wasn't last night, though.

2 MR. BROMINSKI: The Pennsylvania
3 Public Utility Commission has gone through
4 all these numbers. It all has to do with
5 cash flows, present values versus cost.

6 ATTY. RINALDI: Did the PUC ask you
7 to go to all the towns and ask them to waive
8 their statutes?

9 MR. BROMINSKI: The PUC said you
10 have to meet the \$10,000 -- our program is
11 approved by the Pennsylvania Public Utility
12 Commission that our cost to serve
13 anticipated customers has to be under
14 \$10,000. The only way we can do that --

15 ATTY. RINALDI: They mandate the
16 municipalities to waive --

17 MR. BROMINSKI: It is not mandated.
18 However, economically the only way we can
19 meet that is by not paving everybody's roads
20 curb to curb, intersection to intersection.
21 It's impossible to meet that criteria if we
22 have to do that paving. So that's why we're
23 here. That's what these other
24 municipalities that I named agreed to. They
25 felt that it was more important for the

1 residents to have access to natural gas than
2 to stand by their ordinances and just say
3 we're not changing.

4 MR. SEMENZA: It's not only stand by
5 the ordinance saying we're not changing, we
6 have paving programs in process. We spend a
7 lot of money on paving. It could be very
8 soon that that road up there is going to get
9 paved. Definitely within the next ten, 12
10 years. I can tell you that much. I don't
11 know if anybody else agrees, but that's how
12 I feel.

13 MR. FERRETT: Why isn't it possible
14 that we can sit down some day amongst
15 ourselves and discuss this, what direction
16 we want to go or ask different questions,
17 that maybe we can have a private meeting
18 with them at another time and explain this
19 is our views, this is what --

20 MR. SEMENZA: We definitely could do
21 that, Joe, but they're not going to budge on
22 what they're doing, is what they're saying.

23 MR. FERRETT: Well, that's up to
24 them. Whatever this council wants to do.
25 So those people up on Sunny Drive understand

1 what this council wants to do, not what they
2 want to do, because that's the reason why we
3 make regulations. That's the reason why
4 we're here. Either submit different things
5 or discuss different things. I don't want
6 those people to think for a minute --

7 MR. SEMENZA: I don't want them to
8 think that either.

9 MR. FERRETT: Them people know how
10 many customers is coming in. They know.
11 They wouldn't invest something if they
12 didn't have some idea. So we have to sit
13 down amongst ourselves and talk about this.

14 MR. BROMINSKI: I'm telling you
15 right now that we anticipate 70 percent over
16 12 years --

17 MR. FERRETT: I'm not talking about
18 anticipating. I'm talking about --

19 MR. BROMINSKI: That's how our
20 program works. I don't know. I don't know.
21 If it really makes a difference I'll survey
22 the customers and I'll share the results
23 with you if that would ease your mind. I
24 have no problem with doing that. But what's
25 going to happen is all these people are

1 going to get excited, and if there's no
2 project they're going to want to know why
3 there's no Get Gas project on their street.

4 MR. RUSSELL RINALDI: Tell them
5 their street might look like a checkerboard.
6 When you survey them let them know that.
7 Let them know what their road might look
8 like when you're done.

9 MR. BROMINSKI: The survey is not
10 going to say if you want natural gas it
11 means your street looks checkered.

12 MR. RUSSELL RINALDI: Then I'll go
13 up and I'll explain to them.

14 MAYOR LEGG: I'll go with you.

15 MR. RUSSELL RINALDI: I'll show them
16 what roads look like after they're patched
17 and cut and paved, repatched, cut and paved,
18 and I'll show them photos and say this is
19 what your road could potentially look like
20 after this project is done. I'll do that.
21 You go survey them, I'll do that.

22 MR. BROMINSKI: We'll send out
23 surveys.

24 MR. SEMENZA: Do you think you can
25 get it done in a month?

1 MR. BROMINSKI: I can have it mailed
2 out in a couple days. That's doesn't mean
3 people respond. Lot of times people get a
4 postcard in the mail and just throw it away.
5 But of the people that respond I'll let you
6 know, and I'll tell you how many people have
7 already requested on Sunny Drive. I don't
8 have that number, but the sales rep that
9 works the area, I'm sure, has it.

10 MR. SEMENZA: I know one that's a
11 go, I know there's other inquiries. But
12 there's one that's a go. It's weighing on
13 my mind, believe me. As much as you think
14 I'm just sitting here trying to get every
15 bit out of you, I'm not. I'm here for the
16 taxpayers.

17 MR. FERRETT: Are you saying that
18 you don't know of anybody that would want
19 gas at the present time?

20 MR. SEMENZA: One person.

21 MR. BROMINSKI: I'm not the sales
22 rep that handles the area.

23 MR. SEMENZA: One person right now.

24 MR. FERRETT: I know who the person
25 is.

1 MR. BROMINSKI: I'm not the sales
2 person. I'll talk to my salesperson and
3 we'll try and get a survey out and let you
4 know how many existing inquiries. It's not
5 a secret. I just don't know it.

6 MR. FERRETT: Let me say one thing.
7 I done a lot of paving in this town for over
8 ten years. There's no question or doubt in
9 my mind there's always someone going to take
10 the responsibility in the future or at the
11 present time, and if you're saying all this
12 time, 12 years, and then the road is
13 deteriorated, how come my road ain't getting
14 paved, they're paving this and paving that.
15 What do we do? We got rules and
16 regulations, ordinances that we go by that
17 we're not going to live by because this
18 thing we have to go by. I'm not for it.
19 I'll be very frank.

20 MR. BROMINSKI: Well, if that's your
21 stance, then people don't have access to
22 natural gas.

23 MR. FERRETT: That's only strictly
24 me.

25 MR. BROMINSKI: That's fine, but you

1 have to realize the result is that you're
2 keeping potentially thousands of dollars per
3 year of savings away from your residents.

4 MR. FERRETT: I just don't think
5 you're being very honest as far as finances
6 are concerned. That's my own personal
7 opinion.

8 MR. BROMINSKI: I can show you the
9 tariff as approved by the Pennsylvania
10 Public Utility Commission that we have to
11 meet the \$10,000 per customer hurdle. That
12 is not something I'm making up. That's
13 approved -- everything we do is approved by
14 the Pennsylvania Public Utility Commission.

15 MR. SEMENZA: I believe that. I
16 really do. I believe that. But what I also
17 believe, too, is -- and you're going to
18 laugh again -- is that UGI is making tons of
19 money.

20 MR. BROMINSKI: What if nobody hooks
21 up?

22 MR. RUSSELL RINALDI: Let me ask you
23 a question. Why is it pointing towards us
24 like -- you're making it seem like the
25 residents up there -- you just told

1 Councilman Ferrett that we're stopping them
2 from potentially saving money. Aren't you
3 stopping them? You want us to alter ten
4 things in our ordinance. Ten things you
5 want us to alternate. I think you're
6 stopping them, too. Why are you saying
7 we're stopping them from saving money?

8 MR. BROMINSKI: The resolution as
9 written is stopping the project because we
10 cannot meet the economic hurdle. I'm not
11 saying you're doing it, but if you do not
12 pass the resolution, then the ordinance as
13 it stands makes it economically unfeasible
14 for us to do the project.

15 MR. RUSSELL RINALDI: So rewording
16 what you just said, still you're also
17 stopping them, though. Correct? You're
18 asking us to work with you but you're not
19 willing to work with us. You want us to
20 work with you on ten things. You don't want
21 to work with us, though.

22 MR. BROMINSKI: I can just reword it
23 to say we'll fix it to previous conditions,
24 and that's a lot, but that's not enough
25 detail. So there's one thing I'm asking.

1 We're going to disturb it and we'll fix it.

2 MR. RUSSELL RINALDI: But you're not
3 going to fix it to our ordinance.

4 MR. BROMINSKI: Correct. I said
5 we're going to fix what we disturb. That's
6 what we're asking for.

7 MR. RUSSELL RINALDI: But not to our
8 ordinance.

9 MR. BROMINSKI: Because your
10 ordinance as written --

11 MR. RUSSELL RINALDI: Is not
12 economically --

13 MR. BROMINSKI: Okay. But again,
14 Councilman Ferrett -- I think all the
15 councilmen addressed it. Economically it's
16 not going to be right for us to go in there
17 12 years from now, pave that road at our
18 taxpayers' cost, for a job you did that you
19 didn't want to pay for.

20 MR. BROMINSKI: We're going to fix
21 what we disturb. We don't want to pave your
22 streets curb to curb, intersection to
23 intersection. We want to fix what we
24 disturb.

25 MR. RUSSELL RINALDI: Right. You

1 don't want to follow our ordinance. Then
2 you want to point the finger at us and say
3 we're stopping from saving our taxpayers
4 money on gas.

5 MR. BROMINSKI: If you do not pass
6 the resolution --

7 MR. RUSSELL RINALDI: If you do not
8 follow our ordinance you're stopping them,
9 too.

10 MR. HOOVER: You can actually do
11 this in Taylor, you can do it anywhere. But
12 that's why boroughs have their ordinances
13 that if you put a trench in a road or you do
14 three cuts within 100 feet you have to pave
15 the road curb to curb. If you put more than
16 a 50 foot trench in the road you have to
17 pave curb to curb. I deal with it every
18 day. That's why a lot of municipalities on
19 the upper end you're not going to get this
20 done because they're going to do the same
21 thing. They're not going to go against
22 their ordinance that they wrote because
23 they'd require you to pave the road.

24 MR. BROMINSKI: Then we won't have
25 Get Gas projects there either.

1 MR. HOOVER: You have it in Duryea
2 and Dupont where they don't have that, and
3 that's the opportunity that you took in
4 those towns. They didn't require you to
5 pave the roads because they don't have it in
6 their ordinance. So that's what you're
7 doing. You're going to every
8 municipality -- and it's a smart thing to do
9 -- that doesn't have overlay in their
10 ordinance to go in and do the street.

11 MR. BROMINSKI: That's not true.
12 When people request natural gas we have to
13 respond to their request. When people on
14 Sunny Drive requested gas we look at it the
15 first way, under our regular tariff, and we
16 could have said to that person you owe us a
17 \$25,000 contribution. They're going to say
18 can't afford it.

19 Oh, okay. Well, we have the Get Gas
20 program. That's another way we could
21 potentially serve your area. Here are the
22 rules. We have to explain the rules --

23 MR. HOOVER: Again, you're not going
24 by our ordinance, and that's what I feel.

25 MAYOR LEGG: All this may be moot.

1 Until we find out how many people up there
2 are interested we're dancing around the
3 tulips. Get that information. There might
4 not be anybody and we may have wasted the
5 last 45 minutes.

6 MR. SEMENZA: Another thing I've
7 been thinking about --

8 MR. RUSSELL RINALDI: They would not
9 be here twice insisting we change our
10 ordinance if there was not people who they
11 already wanted it.

12 MR. SEMENZA: If we're going to pave
13 that road in two years or if we're going to
14 pave it 12 years do you know the cost
15 difference?

16 MR. NOTARI: At least double. You
17 can't perceive, but you would think by past
18 trends, yeah.

19 MR. SEMENZA: Oil is going to go up.
20 Like I said, I don't want you to think we're
21 against UGI putting gas in for these
22 residents. We're really not. I don't think
23 anybody at this table is. But like I said
24 before, we put a lot of time in discussing
25 and figuring out ordinances for this

1 borough, and a few of them that I've been
2 here to pass that are done, and for us to
3 just say abandon them and throw them out the
4 window, I just can't see that. I don't
5 know. Like I said, I'm only one guy up
6 here.

7 MR. BROMINSKI: Well, again, UGI's
8 position is the existing ordinance takes us
9 over the \$10,000 per customer hurdle because
10 of our rules under tariff from the
11 Pennsylvania Public Utility Commission.

12 MR. SEMENZA: I get what their rules
13 are there, but you're going to say UGI
14 doesn't have the money to come pave that
15 road?

16 MR. BROMINSKI: I'm telling you that
17 if we add \$80,000 --

18 MR. SEMENZA: I'm not saying in the
19 program, I'm saying take it from somewhere
20 else. Pave the road for us. Go back to
21 your boss and tell them we said here's our
22 deal. Seriously. You're not in business
23 not to make money. You guys are making
24 money.

25 MR. BROMINSKI: Same thing we're

1 telling them, if you don't work with us on
2 this type of resolution, then your residents
3 aren't getting gas.

4 MR. SEMENZA: But Duryea, Dupont and
5 Hughestown don't have pave cut ordinances.
6 They don't pave roads. Don't tell me.

7 MR. BROMINSKI: Hughestown right now
8 has not agreed, so they're not getting gas
9 either.

10 MR. SEMENZA: This is what we can
11 do, Don. Why don't you try to figure out
12 who you have and who are potential customers
13 over the next X amount of years.

14 MR. NOTARI: I'd say five years.

15 MR. BROMINSKI: What we'll do is the
16 way we'll word our survey is would you
17 commit immediately, one to five years, or
18 five ten years, or not at all. Something
19 like that. We'll see what kind of response
20 we get.

21 MR. SEMENZA: We want to try to work
22 with them. In the meantime, tell your boss
23 I want the road paved, see what he says.

24 MR. RUSSELL RINALDI: It's only
25 going to cost you \$40,000.

1 MR. FERRETT: Do you think PennDOT
2 would waive some of their regulations?

3 MR. BROMINSKI: No, and that's why
4 we don't do these projects. There many
5 people along state roads that aren't going
6 to have access to natural gas because we
7 can't meet this criteria.

8 MR. FERRETT: Well, if PennDOT won't
9 do it why do you expect the borough to do
10 it?

11 MR. BROMINSKI: Maybe the borough
12 has a more vested interest in having their
13 residents have the opportunity to save a lot
14 of money.

15 MR. FERRETT: The only way we'd save
16 money is if we take care of our roads, and
17 we're not going to take care of our roads if
18 you go to work and keep doing what you want
19 to do. If PennDOT won't do it, why should
20 we do it?

21 MR. BROMINSKI: Because your
22 residents have the opportunity to save
23 money. That's why. That's the only reason.
24 I don't know why you're shaking your head.
25 That's the exact reason. It's savings for

1 these people. Their home values will go up
2 if they switch to natural gas, and they'll
3 save, potentially, a thousand dollars. If
4 oil prices go up they can save \$2,000 a
5 year.

6 MR. FERRETT: If you were interested
7 in the residents getting gas you wouldn't
8 have to bring this before us.

9 MR. BROMINSKI: I can't violate my
10 tariff. My tariff says I have to keep the
11 cost under \$10,000 per customer. That's
12 approved by the Pennsylvania Public Utility
13 Commission. I would get fired if I ignored
14 that. I have to adhere to the rules in our
15 tariff. There's a balance we have to reach.

16 MR. SEMENZA: Why don't you guys
17 take the brunt of it?

18 MR. BROMINSKI: That goes to all
19 ratepayers, then. So what we can't do --
20 what the Pennsylvania Public Utility
21 Commission does is make sure that we do not
22 make uneconomic investments that are going
23 to cause us to raise our rates to the rest
24 of our customers.

25 MR. SEMENZA: How about from your

1 profit?

2 MR. BROMINSKI: Our profit margins
3 are set in base rate cases by the
4 Pennsylvania Public Utility Commission.

5 MR. LOPATKA: They also have
6 residents that live along state roads. So
7 they can't get gas service in certain areas.
8 Every municipality has people who live along
9 state roads. So they can't service their
10 own people if they're on a state road.

11 MR. BROMINSKI: It's very
12 economically challenging to run gas mains
13 along state roads. I'm not going to lie to
14 you.

15 MR. LOPATKA: What you're saying to
16 them is they're not allowing their residents
17 to get the benefit of gas service. UGI
18 won't run them along a state road. So it's
19 the same situation for people who live along
20 a state road as opposed to somebody who
21 lives on a public road.

22 MR. BROMINSKI: Very unfortunate
23 that many people along state roads would have
24 to pay a large contribution to get natural
25 gas. Absolutely.

1 MR. SEMENZA: Let's go with that.
2 But I see what you're saying, Dave. UGI is
3 blaming the borough, the state, this, that,
4 but they're not taking the fall for
5 anything.

6 MR. BROMINSKI: Hold on. We're
7 investing potentially hundreds of thousands
8 of dollars in your infrastructure that's
9 going to make Old Forge a better place.
10 Especially for those residents along Sunny
11 Drive.

12 MR. RUSSELL RINALDI: Are you going
13 to make money?

14 MR. BROMINSKI: We're hoping. I
15 hope a hundred percent goes, but the rules
16 are we would need 14 over the next 12 years.
17 That's our anticipation. There's no
18 guarantee. We could get two, we could get
19 18.

20 MR. RUSSELL RINALDI: How many
21 projects have you done, that you can take a
22 guess, past few years?

23 MR. BROMINSKI: We're only in the
24 fifth year, so we have not hit yet the 12
25 year cycle.

1 MR. RUSSELL RINALDI: Every project
2 that you've done so far have you reached
3 your mark?

4 MR. BROMINSKI: No, absolutely not.

5 MR. HOOVER: What streets have you
6 done in Duryea?

7 MR. BROMINSKI: Duryea was Adam
8 Street. Adam was the one we just did. Then
9 Dupont we did basically half the town. The
10 west side of town. We had to cross the
11 state route, but we didn't go up and down.
12 We basically crossed it where we could.

13 MR. RUSSELL RINALDI: Is there other
14 spots in Old Forge that you're looking at
15 doing this?

16 MR. BROMINSKI: I don't know off
17 hand if there are any requests in areas we
18 don't have gas.

19 MR. RUSSELL RINALDI: So as of right
20 now this is the only area you know about?

21 MR. BROMINSKI: That I personally
22 know about. I'm not the sales rep for Old
23 Forge. Maybe the sales rep has some other
24 ideas.

25 MR. SEMENZA: Who is the sales rep

1 for Old Forge?

2 MR. BROMINSKI: Lucy Sassi. I will
3 ask her to -- she's the one that will do the
4 survey. Again, I just don't know. She
5 might know well, yeah, there's five
6 definites and -- I mean, I don't know. But
7 regardless of whether there's five
8 definites, two definites, ten definites,
9 we're looking at the 70 percent over the 12
10 year period. So how many people are
11 committed right now is really irrelevant.
12 It's relevant for you guys if you're trying
13 to make some kind of risk assessment on
14 paving, but for the rules of our program we
15 don't need customers --

16 MR. SEMENZA: I'm not trying to make
17 a risk assessment, I'm just saying
18 everything on this page is a demand and most
19 of it goes against every ordinance that we
20 have. I don't know. I would like UGI to
21 work with us. I see what you're saying, but
22 you guys are in the business to make money.
23 You wouldn't be pushing this hard if you
24 knew you weren't making money. You don't
25 care about the residents in Old Forge.

1 MR. BROMINSKI: My job -- my whole
2 job, I'm director of business development.
3 My whole job, all my goals are to hook up
4 customers. So when a customer wants natural
5 gas I'm going to do what I can to get it to
6 them. I have to do it within the rules of
7 my tariff.

8 MR. RUSSEL RINALDI: Your goal is to
9 make profits for UGI.

10 MR. BROMINSKI: Sure. Profitable
11 growth.

12 MR. RUSSEL RINALDI: Right.

13 MR. BROMINSKI: I'm not allowed to
14 make unprofitable growth because then it
15 raises rates for everybody else to pay for
16 that. Our tariff is written that we have to
17 make --

18 MR. RUSSEL RINALDI: You go into
19 business to make profit. You guys should
20 have enough profit to make this project work
21 and work with us equally. That's how I
22 feel.

23 MR. BROMINSKI: What's wrong with
24 that is the way our rates are structured we
25 cannot -- if it comes out to \$15,000 a

1 customer, then I'm not going to win. We
2 would make an unprofitable investment.

3 MR. RUSSELL RINALDI: No, you would
4 make less profit. It wouldn't be
5 unprofitable, it would be less profit.

6 MR. BROMINSKI: We can invest
7 \$100,000 and nobody hooks up.

8 MR. RUSSEL RINALDI: What if 20 hook
9 up?

10 MR. BROMINSKI: That's our risk.

11 MR. RUSSELL RINALDI: Understandable.
12 That's business.

13 MR. BROMINSKI: When gas prices
14 dropped because of the Marcellus Shale we
15 got inundated with requests. Our tariff
16 was -- if you requested gas it cost \$50,000
17 to get to you and we're anticipating \$5,000
18 in revenue, we're going to ask you for a
19 contribution of \$45,000. That's why we had
20 to come up with the Get Gas program.

21 MR. SEMENZA: Don, contact your rep
22 for Old Forge, get some numbers on how many
23 people want to be on the program and we'll
24 go from there. That's as much as I can do
25 here. We'll sit amongst ourselves and talk.

1 Maybe we can even bring you guys for a
2 meeting and sit down and have a discussion,
3 see if we can work something out. I
4 appreciate you coming.

5 MR. BROMINSKI: I'll have our
6 engineers take a look to see if it's
7 feasible to go behind the curb.

8 MR. SEMENZA: Please do. Thank you.
9 That's it for public comment. Anybody else
10 want to speak? At this time, if there's no
11 new business, I'll go down the table, see if
12 anybody has anything to address. Mayor?

13 MAYOR LEGG: We got in 35 more
14 applications for banners. That takes us
15 over 250. We'll get those ordered, and I
16 think sometime in April we'll be putting
17 them up. That's all.

18 MR. NOTARI: Couple things. I went
19 to Senator Blake's legislative breakfast on
20 Friday. He had a speaker come in and talk
21 about storm water management, NS4
22 requirements. They suggested maybe this
23 company that the local storm water agency in
24 Scranton has hired to come in and talk to
25 us. Maybe at our next work session we can

1 invite them in. Marylynn was there as well.
2 They can come in and talk to the whole
3 council about it. Also, Bernie McGurl with
4 the Lackawanna River Corridor Association
5 had some things to say as well.

6 The only thing I have, I was
7 approached by a resident on Villa Drive that
8 says Villa Drive is a mess and needs to be
9 paved. It's my understanding that we do not
10 own Villa Drive. However, the complaint is
11 that there's been heavy truck traffic there
12 with the construction going on and was there
13 anything the borough could do.

14 MR. SEMENZA: Bill, correct me if
15 I'm wrong. Did we give them use or they
16 have use of Villa Drive for construction?

17 ATTY. RINALDI: We each have an
18 easement there to use as access. It's not a
19 road. It's for us to get to our property
20 and for him to get to his property.

21 MR. RUSSELL RINALDI: Ciuccio owns
22 it.

23 ATTY. RINALDI: He owns the ground.

24 MR. NOTARI: However, this resident
25 that lives on Villa, his driveway is on

1 Villa Drive, they're upset about the
2 condition of the road. So there's nothing
3 we can do for them?

4 ATTY. RINALDI: It's not a road.
5 It's an easement, an access to the
6 properties from Keyser Avenue.

7 MR. PAPI: We have a sewer line
8 running right down the center of it.

9 ATTY. RINALDI: But it's not a road.

10 MR. PAPI: I was told Lou Ciuccio
11 did a quitclaim deed and he bought the road,
12 and the only people who can use it are
13 people who abut it. Dunbar, the borough and
14 Mr. Vitori.

15 ATTY. RINALDI: It's just an
16 accessway.

17 MR. RUSSELL RINALDI: It's his
18 private drive. We own it by virtue of that
19 Project 70 piece we got. That was in the
20 chain of title that we have an easement to
21 get access to your property.

22 MR. NOTARI: So basically there's
23 nothing we can do? That's the answer?

24 MR. HOOVER: Dunbar's using it now.
25 Why can't he do something to the road. I'm

1 sure if you ask him he will.

2 MR. SEMENZA: He's probably not
3 going to do anything until the end of
4 construction.

5 MR. HOOVER: Why can't he just fill
6 it?

7 MR. NOTARI: I didn't get a chance
8 to go down there either. In the past it's
9 never been really great to drive on.

10 MR. HOOVER: If he's using it.

11 MR. NOTARI: Shall I tell the
12 resident to approach Mr. Dunbar or Mr.
13 Ciuccio?

14 MR. LETTIERI: You're not going to
15 get anywhere with Dunbar.

16 ATTY. RINALDI: We can do what we
17 want to it, Dunbar can do what he wants to
18 it, that neighbor can do what he wants up to
19 his property line. It's an easement.

20 MR. SEMENZA: Do we have any
21 modified laying around? If there's any bad
22 holes do you want to go over there and fill
23 them?

24 MR. PAPI: Sure.

25 MR. LETTIERI: I have nothing at

1 this time.

2 MR. FERRETT: Well, the only thing I
3 want to bring up is for the next meeting, on
4 the agenda, I would like to bring up the
5 paving and some crack sealing program. I'll
6 discuss it with the committee.

7 MR. NOTARI: Does that mean we can
8 pave it up to that part if we wanted to put
9 it on the paving list? I'm just asking.

10 ATTY. RINALDI: It's your easement.
11 If you want to spent money on it --

12 MR. FERRETT: No, we're not going to
13 pave Villa Drive.

14 MR. NOTARI: Then let's not say we
15 can do whatever we want and then say no.

16 MR. FERRETT: That's it.

17 MR. HOOVER: The week of March 4th
18 we're going to start the Moosic Road project
19 for four blocks. Probably start setting up
20 signs and things like that. It's going to
21 get hectic over there for a while. Main
22 Avenue to Hoover Street. The sidewalk on
23 the first two blocks and we're crossing by
24 the car lot and going in the middle of the
25 road the rest of it.

1 MR. RUSSELL RINALDI: Steve, one
2 quick question. Pride Mobility, the
3 retention pond. Just because two residents
4 asked me. When it's completed or when the
5 project is done what does the retention pond
6 consist of? Is there a fence around it? Is
7 there landscape around it?

8 MR. BIERYLA: You're going to have
9 an eight-foot-high fence surrounding the
10 whole perimeter. It's a hard vinyl, like a
11 wood grain.

12 MR. RUSSELL RINALDI: So the
13 residents won't see the retention pond?

14 MR. BIERYLA: You won't see
15 anything.

16 MR. LOPATKA: The bottom is going to
17 be grass. The front of it. The basin
18 itself will be grass.

19 MR. RUSSELL RINALDI: But that
20 fence, I remember that privacy fence, that
21 goes around the whole property.

22 MR. BIERYLA: The whole property.

23 MR. RUSSELL RINALDI: So they won't
24 see the retention pond once the project's
25 completed. Okay, that's all.

1 MR. SEMENZA: I have nothing. At
2 this time the chair would entertain a motion
3 to adjourn.

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

5 MR. SEMENZA: By Councilman Notari.
6 All in favor?

7 Unanimous. Meeting adjourned.
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C E R T I F I C A T E

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 88 pages, is a true and correct copy, done to the best of my ability, of same and the whole thereof.


Mark Wozniak
Official Court Reporter

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