# OLD FORGE BOROUGH COUNCIL OLD FORGE, PENNSYLVANIA 2 3 4 COUNCIL WORK SESSION 5 IN RE: 6 7 8 9 AUGUST 6, 2019 10 7:15 P.M. 11 OLD FORGE MUNICIPAL BUILDING 314 SOUTH MAIN STREET 12 OLD FORGE, PENNSYLVANIA 13 14 15 16 17 COUNCIL MEMBERS: 18 19 20 ROBERT SEMENZA, PRESIDENT JOSEPH FERRETT 21 RUSSELL RINALDI LOUIS FEBBO 22 RICK NOTARI MICHAEL LETTIERI WILLIAM RINALDI, ESQUIRE, SOLICITOR 23 MARYLYNN BARTOLETTI, BOROUGH MANAGER

Mark Wozniak Official Court Reporter



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MR. SEMENZA: Good evening, ladies and gentlemen. Welcome to the August 6th work session for Old Forge Borough Council. The purpose of tonight's meeting is to set the agenda for the August 20th council meeting. We'll hear from our department heads, see if they have anything for the agenda. We'll go down the table, see if council has anything to address.

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

MS. BARTOLETTI: Councilman Febbo?

MR. FEBBO: Present.

MS. BARTOLETTI: Councilman Notari?

MR. NOTARI: Present.

MS. BARTOLETTI: Councilman

### Lettieri?

MR. LETTIERI: Present.

MS. BARTOLETTI: Councilman Ferrett?

MR. FERRETT: Present.

MS. BARTOLETTI: Councilman Rinaldi?

MR. RUSSELL RINALDI: Here.

MS. BARTOLETTI: Councilman Semenza?

MR. SEMENZA: Here. Paul, the DPW,

anything for the agenda?

MR. PAPI: No.

MR. SEMENZA: Anybody have any questions for Paul? Thank you, Paul.

Steve, zoning/code enforcement, do you have anything for the agenda?

MR. BIERYLA: Pride Mobility, when we had the last heavy rains, that storm drain that we were asking them to put in and include, Mr. Serino sent me a picture and I sent it to Dave. It's flooding worse now than it had been before. I don't know where that stands with them with the drain and with us.

MR. SEMENZA: Can we set up a meeting with their engineer and Pride Mobility?

MR. BIERYLA: I think Dave took care of that. He talked to their engineer.

MR. LOPATKA: I met them out there.

I told you. I met them and then I talked to
Bob Aulisio, and he met with Pride's people
and their engineer. I told you last meeting
they're not doing anything.

MR. SEMENZA: I want to have a

meeting with them. Steve, can you present those pictures for that meeting? Bill, I'd like you at that meeting also. I guess it's getting flooded worse. Their engineer for that project, their contractor. I don't know who else we have. I knew this was going to happen from day one.

MR. LOPATKA: We said it. We commented on it. They said no discharge.

MR. SEMENZA: They said there was going to be nothing, we weren't going to have a problem, it's going to be lees than what it was. Here we are today talking about how it flooded. It's a shame.

MR. FERRETT: Dave, correct me if I'm wrong, did you not tell me that they notified you that they didn't want us putting water into their dam --

MR. LOPATKA: That's what we talked about last meeting.

MR. FERRETT: I don't understand.

We try to be good fellows to them, allow
this thing to come and everything, and what
I see up there now definitely, without any
question or doubt, I would never vote for

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this project from my standpoint of view. I would tell them go to the other side, from the other side, and let them go to work and put the thing over there.

You know what's going to happen now? If you go up there and take a look at this situation you're going to have a truck problem on Wood Street. Believe me when I tell you this. They're going to be sneaking down, coming down through Old Forge trying to go out through Moosic and all different kind of ways unless we take the ball by the horns.

I'm going to tell you something.

You better start thinking about looking at the ordinances and come with an ordinance, if we don't have one, about truck traffic on that street and do something now, because these people are not reliable. When we have a water problem that's coming from their property onto our property and they tell us we don't want no water going into their dam, that's to me doesn't make sense whatsoever. Because you know what? They should be a good neighbor just like we were to them.

MR. SEMENZA: That's the last word they said to us, we want to be good neighbors. Dave, set it up with Marylynn and them and the contractor, engineer, Pride Mobility.

MR. LOPATKA: I have a meeting with Pride's engineer and contractor and you guys.

MR. SEMENZA: Have the people come. We said from day one it wasn't going to work. We stood in the woods and said there's going to be an issue.

MR. PAPI: I was up there after a major storm and that area that we checked out was perfect. What he's talking about is up above.

MR. SEMENZA: I know where he's talking about. We're getting water and I knew water was going to be somewhere.

MR. PAPI: Everything at that area was fine.

MR. SEMENZA: Anything else, Steve?

MR. BIERYLA: I just want to make council aware at 345 Sussex I had made the one half of the house uninhabitable due to

the animals and the ammonia smell. I was with Laura from Griffen Pond today. They removed an emaciated dog, nine live cats, four dead cats. She's coming back tomorrow to check out the ammonia level in the house, and there's cockroaches. When she does that I'm going to have her test the other side, because if they're in one side they're in the other side, and see if CYS could do something. That side is almost as bad as the left-hand side. It was supposed to get cleaned up and taken care of. I'm going to make that unfit for habitation, too. You can't live in that.

MR. SEMENZA: Nope. Anything else?
MR. BIERYLA: No.

MR. SEMENZA: Last meeting an older lady came in and asked about the Mariotti property.

MR. BIERYLA: I went down and seen the secretary at Mariotti's. I know he did clean up over here. They requested that he clean up everything in front of her house.

MR. SEMENZA: On that corner, as of a couple days ago.

MR. BIERYLA: I also stickered all the couches and mattresses that were on the left-hand side.

MR. PAPI: Marion and Railroad? I called Mariotti, too. There was silt all over the road, too. She said Louis was away. As soon as he comes back.

MR. BIERYLA: I'll reach out tomorrow.

MR. SEMENZA: Anybody else?

MR. NOTARI: Steve, the vegetation at Ray's --

MR. BIERYLA: I spoke with him today. I got a hold of Melissa on Monday. He called me today. He said he would get on it. I also told him about the truck that was in there running all night long, using it for a sleeping spot, and the vagrant that the police had chased out of the lot. I made Officer Buggy aware and I told Marylynn about it.

Also the property down at 706 South Main Street. They cut the grass but never trim around the trees. I made him aware of that.

MR. NOTARI: On the corner of Henderson and Main?

MR. BIERYLA: The next one over.

MR. PAPI: They did trim the hedges on that corner.

MR. NOTARI: There is a backhoe on First Street across from Earl Talerico's house. Doesn't look like it was moved in weeks. Can you find out if it's part of the Moosic Road construction project or if it's privately owned and somebody has it parked there? I mean, it's like a brand new --

MR. PAPI: It's part of the project.

I saw it working there.

MR. NOTARI: If it's somebody that -- privately owned and they're parking it there, is that legal? It's not like it has any tags on it or anything.

MR. PAPI: I'll ask the contractors tomorrow if it's their machine.

MR. NOTARI: We have to draw the line somewhere. Old Forge is becoming Junk Forge.

MR. SEMENZA: I believe it is part of the paving project, if I'm not mistaken.

MR. NOTARI: You drive around town it's just like -- it's got to stop. We've had a nice residential community for such a long time and it's just -- we just can't let people park stuff, junk in their yards, on the street, wherever they want. That's it.

MAYOR LEGG: Steve, I got a call about a property on West Grace Street, 534, Angeli.

MR. BIERYLA: Yes.

MAYOR LEGG: He called me and said you had been down to see him. The roof is buckled in. He doesn't think he can do any repairs or a roof. He thinks it's going to have to be torn down. I don't know why he called me. He's crying poverty. Does the borough do anything?

MR. BIERYLA: It's a dangerous building. It's private property. The reason I gave it to him, the house is into a V and the children next door, if that roof buckles the glass windows are going to come out like a rocket. God forbid they're walking down the sidewalk.

MR. SEMENZA: Have them call Steve

so it's not interpreted the wrong way.

MR. BIERYLA: He was in here and I told him get a contractor and get a price, see if they can shore it up or support it for right now so it doesn't buckle until you do something about it. Right now it's a dangerous situation.

MAYOR LEGG: I'll tell him give you a call.

MR. SEMENZA: Anybody else? Thanks, Steve. Dave?

MR. LOPATKA: I don't have anything for the agenda. Just discussion on the housing project, paving project. We did inspect that last week, we walked it.

Everything was basically installed per plan, per ordinance.

MR. SEMENZA: The last storm drain on the corner of Eisenhower going down towards Drakes Lane, there, that storm drain is a dead storm drain. It doesn't go anywhere.

MR. LOPATKA: We were looking at paving.

MR. SEMENZA: They installed that

storm drain.

MR. PAPI: It ties into a manhole right on the corner.

MR. SEMENZA: We couldn't find any outlet in that storm drain.

MR. PAPI: It goes nowhere. It's dead. That's the way they did the project 30 years ago. They never completed it because they didn't know where to go with it. The only place to go is down to Drake's Lane but they didn't want to add more, but it all goes there anyway. We don't have any storm drains on Drake's Lane. We have a sewer line.

They called me about that ten years ago. We walked through the bamboo and there was the lid popped off. I had Mike Ford come down and he said it's a dead manhole.

MR. SEMENZA: You have a storm drain system that goes absolutely nowhere. We might as well not even put one in.

MR. PAPI: If we ever do anything with Drake's Lane we'll tie it in.

MR. SEMENZA: Could that be one of our issues for Drake's Lane there?

MR. PAPI: Absolutely. It just adds to the whole street.

MR. SEMENZA: Anything else, Dave?

MR. LOPATKA: We'll be meeting

weekly with the architect, mechanical, electric, plumbing, structure. We have a meeting tomorrow morning at 9:30. We're going to have one every week until the end of the month.

MR. SEMENZA: Where are we at? What are we looking at for time frame? Are we on schedule?

MR. LOPATKA: At the end of the month is what I told all them. That's why we are having weekly meetings.

MR. SEMENZA: Anything else?

MR. LOPATKA: No.

MR. SEMENZA: Anybody have any questions for Dave?

MR. NOTARI: Just on top of that, we're looking for a plan by the end of the month and then we'll put it out to bid to approve it? So probably not anytime before October.

MR. LOPATKA: Around there.

MR. NOTARI: That's if everything goes as planned, that we can agree on cost. Okay.

MR. FEBBO: DPW runoff over at the garage, where are we at with that?

MR. LOPATKA: We're waiting for the bids. I sent it out, two people I haven't heard back from. I'll send it out again. I think we have one bid.

MR. FEBBO: How long ago?

MR. LOPATKA: After the last meeting. Everybody is busy now. Nobody gets back to me. I'll have them within the next week.

MR. SEMENZA: Anybody have any questions for Dave? Thanks, Dave. Bill, do you have anything for the agenda?

ATTY. RINALDI: The CDBG agreement we are going to do at the next meeting.

Allocation of money. Marylynn will fill you in. Basically our share and what goes to us. Right now they have \$269,219, and \$129,964 for fiscal year 2018 CDBG fund. So the county gets \$269,219 and the borough gets \$129,964, which is pretty much on par

with what we usually get.

I just need a brief executive meeting to go over some litigation stuff and a real estate matter.

MR. SEMENZA: Anybody have any questions for Bill?

MR. FERRETT: You were spoused to check into Angela Drive with Ciuccio.

ATTY. RINALDI: I did. I called his attorney. He hasn't called back. I suspect there's a reason for that. We may hear about it tonight. I asked him if he would be willing to dedicate the roads. I have a feeling he probably hasn't called his attorney back because he's got some issues down the street here with a job, with Steve.

MR. SEMENZA: What's going on there?

MR. BIERYLA: A cigar store they

started.

ATTY. RINALDI: They started without a permit or a plan.

MR. BIERYLA: Next to Billy G's, where Wansacz's office was. They start ripping it apart and they're putting a cigar store in there. I shut them down. I put a

stop work order. The contractor came over with the workers. I told him you can't work in here unless you've got three sets of architectural plans. It's got to go through Joe, you have to come to planning. The sticker's still there and they're not working on that side that I know of.

ATTY. RINALDI: I talked to his attorney twice. I can follow up again. I haven't heard back from him.

MR. SEMENZA: Anybody have anything else for Bill?

MR. FEBBO: Bill, do you want to touch base with the Stocki deal?

ATTY. RINALDI: I was going to do that in executive session.

MR. SEMENZA: Anybody else? Thanks, Bill. Marylynn?

MS. BARTOLETTI: One thing I wanted to bring up, since there's so much talk about the paving, Joe and I were discussing that -- do you want to talk about crack sealing?

MR. FERRETT: I'm not going to talk about it, I'm just going to bring it up to

put it on the agenda.

MS. BARTOLETTI: I had told you how much we had budgeted. We budgeted \$50,000 for crack sealing for roads.

There's two other things. They're not agenda items. LLVSA has given the borough a check for \$20,000. So we received that last week, I believe.

I have a meeting set up on August 30th at 10:30 a.m. to meet with Senator Blake and Representative Kosierowski to discuss with them future grants that I'm applying for and asking them to come to our property so we show them firsthand what we're planning on doing as far as remodeling the borough building and eventually remodeling the Main Street. They can see firsthand what we really need here and why we're asking them for money. So if any of you are available it's August 30th, 10:30.

The other things I have are for executive session. That's all I have.

MR. SEMENZA: Anybody have any questions for Marylynn?

MAYOR LEGG: I know you worked very

hard applying for grants and what have you.

The school just got a half-million dollar

grant. Great for them. I'm happy for them,
but what gives?

MS. BARTOLETTI: I'm not sure. But that's why -- I had this set up actually for about two months already. I figure by having them come here to look at the borough building and see how -- I'm going to use the word dilapidated and antiquated. That's why I want them to come and personally see the crumbling part of the front of the building and everything and see what we're asking for money for so when they say other projects are better they will know that's not the case.

MR. FEBBO: They agreed to come?

MS. BARTOLETTI: Yes.

MR. SEMENZA: Anybody else? Thanks, Marylynn. At this time the chair is going to go into public input. Anybody want to speak?

MR. GENOVESE: Bill Genovese, 112
South Main Street, Old Forge. Billy G's.

I'm here to -- we're going to open a cigar

bar next door. Steve came over and we were cleaning the place out. The only construction in there is going to be putting two smoke eaters in. Besides that there's actually no physical construction going on. We're not adding to it. We're putting in a humidor. The only construction part is the air vent.

So I'm here to find out what I have to do to get this ball rolling.

MR. BIERYLA: Actually, you were to be here last Thursday for the planning meeting.

MR. GENOVESE: I was here last Wednesday. They told me the wrong day.

MR. BIERYLA: Because I had you on the agenda for the planning meeting.

Basically you just have to get the approval, get plans from BIU. Once you get the plans, come back to planning for the approval, that will be the first Thursday of September.

Then explain to them, and by that time you should have your plans and know exactly what your building aspect is. Whether you have to have handicapped bathrooms or not. Then

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legitimate violations, police violations.

MR. BIERYLA: Officer Buggy and Officer Kimbal went over there, I want to say Thursday or Friday. They ran eight cars parked on the road. Seven of them were people in the neighborhood. That was it. Seven out of the eight were people in the neighborhood that lived there. That was last week. I know Officer Kimbal was going to call the state police and find out the rules and regulations for cars, service stations. I believe he was going to ask a state inspector to come down and review the That was last Thursday or Friday. You'd have to really talk to Officer Davies or Kimbal. They came back and told me they had it reported.

MR. FEBBO: So what we're doing is taking it to the next level.

MR. NOTARI: I just want to add something to Mr. Jurosky's evidence, I guess. Within the last week I was looking to make a short cut, so I left Turkey Hill and I made a right up Main Street. I was going to go around the block and go down at

Center. When I went to turn onto Butler
Street there was a Snap tool truck in the
middle of the road. There was nowhere to
park because of all these cars. The big
truck was parked in the middle of the road,
nobody in it. There was a car coming down
and was on the wrong side of the road as I
turned and then had to swerve out of the way
to let that car now come through. Then she
could barely get up the street because now
there's a car on the corner to go to Garber.

If these cars aren't there and that truck is parked to the side of the road there's enough for anybody to get through.

There could have easily been an accident, an emergency there.

I mean, I don't know. There has to be something we can do. There has to be.

Because it's not only a nuisance to the neighbors up there but now it's a safety hazard. I don't know. The only reason that truck is parked in the mile of the road is because they were doing service to that business.

MR. SEMENZA: I'm going to go to

what he said one more time, that he's using the public roadway for his parking lot for his business. And I know what you're saying, that seven of the eight cars were -- that might have been that day, but there's a lot of times -- I see three or four cars right here, Steve, that definitely are for his business.

MR. BIERYLA: I know Dave was going to look into the statute of what a garage can and can't do as far as public street parking. So what I'm telling you is some of those are state laws that would supersede our regulations but he's going to get back to me on it.

MR. JUROSKY: There's cars with no tags. That's a junkyard. They're there for months or two years. This is a residential neighborhood.

MR. FEBBO: Can you cite him for a nuisance property?

MAYOR LEGG: I'm going to sit with Mr. Kimbal and Officer Davies, see when the state police are coming down. In two weeks I'll report back to you how we're making

out.

MR. JUROSKY: Since Thursday or Friday he has tried to straighten up a little bit but he's nowhere near where he should be.

MR. SEMENZA: I wish we could physically go up there and remove them ourselves, but unfortunately -- it's not that we don't want to do something for you.

MR. JUROSKY: If I give up it will be forgotten about. That's why I'm here.

MR. SEMENZA: Nobody else? At this time the chair is going to go down the table, see if anybody has anything to add.

MAYOR LEGG: Paul, I got a call before I came here. Where Diane's place is, she cuts dog hair, on Sundays, usually, people from church are blocking the driveway and she can't get her car out. She has asked me about a no parking, driveway or something sign. I talked to the chief before, he recommended I ask you. Is that feasible? Is that something we can do? Or is there anything we can do?

MR. PAPI: It's up to council. They can put signs wherever they want. I'll have to order a sign and put it up.

MR. SEMENZA: When you have calls
like that refer them to Marylynn's office so
she can note it and bring it to council's
attention. Councilman Febbo?

MR. FEBBO: I'm good.

MR. NOTARI: Being we're into August and we're going to be talking budget soon, I'd like to seriously consider thinking about hiring a parks and rec director. I think that position is in the budget and I think it is something that we should discuss and talk about filling. Discuss in executive.

Also, a part-time position for the code enforcement/sewer department to give us an extra hand. Steve is overwhelmed with things, I belive, just from sitting here the last year and a half, two years.

MR. SEMENZA: We have that allocated, too, I think.

MR. NOTARI: Not to take away from the job that Steve's doing. Not at all. I

just think that with some help I think he could do a better job just because it would give him more time to do the actual enforcement of the codes and not necessarily paperwork and things of that nature.

So I'd like to consider that as we move forward with the budget. That's all I have.

MR. LETTIERI: The only thing, when I was looking at the packet from Bill Rinaldi about the school police officer, what are we doing with that? Because there's all these options on here. Have we decided what we're going to do over there?

MAYOR LEGG: We can't do anything without the chief here. We're down three cops. We have nothing in the pool as far as hiring part-timers, so until the chief gets back we may be able to pop over. We're going to be over there in the mornings when the kids are going in, and we'll be there when they're coming out. But we don't have the manpower to put somebody in there.

MR. LETTIERI: What about speaking to the school? Because there's some options

here for --

MR. NOTARI: When we met with them last time -- I don't think you were here. When we met with them we gave them our thoughts about them hiring their own police officer. We told them where we were staffing wise. We let them know we would not be able to have somebody in the building during the entire day at this point. So they were going to look into what they had to do. We have not heard anything different from them.

So as the mayor said, that's the plan right now going forward. We'll have somebody there in the beginning and at the end of the day. Obviously we're right here if something were to happen.

MR. SEMENZA: Could you set up another meeting before school starts?

MR. NOTARI: Sure.

MR. SEMENZA: With all this stuff going on it makes me nervous. I'd like to see something happen even if we have to push them into it or whatever.

MR. NOTARI: I have no problem

meeting with them, but are we going to push them into something they can't afford, too.

They're going to try to probably do the same thing to us.

MAYOR LEGG: They got \$500,000. I think I saw something in there about putting up some kind of thing in front of the school.

MR. SEMENZA: A vestibule.

MR. NOTARI: My discussions with the board president, they were still looking into what they could do with the money.

Obviously, our first suggestion is would you hire an officer. But they were looking to see if they could use that for salary. I'll set up another meeting.

MR. SEMENZA: Anything else?

MR. LETTIERI: No.

MR. FERRETT: The only thing I want to bring to council's attention is that we talked the last time about crack sealing.

I'd like to put for the next meeting on the agenda that we approve a program that we're going to present. The paving committee is going to be looking at some roads in town

with Marylynn. There's a couple different ways that Marylynn said we can look at this.

The only thing I want to bring to council's attention is be aware of one thing, that any crack sealing that we're going to recommend is going to be the streets that we paved in 2015 and 2017. They're going to have priority.

MR. SEMENZA: I agree with you.

 $$\operatorname{MR.}$$  NOTARI: He reminded me of something.

MR. FERRETT: That's all.

MR. NOTARI: Paul, can you stop at Jason O'Hern's house in Rosemount, the corner of Edgewood and --

MR. PAPI: I know where he lives.

MR. NOTARI: He's having a problem with water, since the pave, going into his garage.

MR. PAPI: I believe it's all down hill.

MR. NOTARI: He said all he's asking for is a little bituminous curb.

MR. PAPI: I'll go meet with him.

MR. NOTARI: He said he thinks it's

an easy fix. That's all.

MR. RUSSELL RINALDI: No items,
Mr. Chairman.

MR. SEMENZA: I don't think I have anything. The only thing I want to do is tip my hat to Paul and the DPW, fire department, police, and Marylynn for the last storm. Everybody was out. Paul especially. I mean, he had some water issues in his house and he came out when we called for him. They did a great job.

MR. PAPI: So you guys know, I sent all the guys to get the trucks and the rakes. When they got to the garage they had no power. They couldn't open the doors. So they were in their own vehicles. They just grabbed tools and ran.

MS. BARTOLETTI: That's a first.

MR. RUSSELL RINALDI: Do you need a generator over at the garage?

MR. PAPI: In 25 years it happened once.

MR. SEMENZA: Don't we have any manual pull for the doors?

MR. PAPI: But they're three or four

hundred pounds.

MR. SEMENZA: Do you get a flyer of the state surplus stuff? Maybe a generator is something that comes through.

MS. BARTOLETTI: Haven't seen anything recently.

MR. SEMENZA: Do we have backup on this building? Anybody have anything else? At this time the chair is going to entertain a motion to adjourn.

MR. NOTARI: I'll make that motion.

MR. SEMENZA: By Councilman Notari.

All in favor?

(Unanimous. Meeting adjourned.)

## CERTIFICATE

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 31 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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\$129,964 [2] - 14:23, 14:25 \$20,000 [1] - 17:7 \$269,219 [2] - 14:22, 14:24 \$50,000 [1] - 17:3 \$500,000 [1] - 28:5

#### 1

**10:30** [2] - 17:10, 17:20 **112** [1] - 18:23

#### 2

2015 [1] - 29:7 2017 [1] - 29:7 2018 [1] - 14:23 2019 [1] - 1:9 20th [1] - 2:5 25 [1] - 30:21

#### 3

30 [1] - 12:8 30th [2] - 17:10, 17:20 31 [1] - 32:6 314 [1] - 1:12 345 [1] - 6:24

### 5

**534** [1] - 10:8

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6 [1] - 1:9 6th [1] - 2:2

### 7

**706** [1] - 8:22 **7:15** [1] - 1:10

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**9:30** [1] - 13:7

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