| 1 | OLD FORGE BOROUGH COUNCIL |
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| 2 | OLD FORGE, PENNSYLVANIA |
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| 5 | IN RE: COUNCIL WORK SESSION |
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| 8 | |
| 9 | APRIL 6, 2021 |
| 10 | 7:00 P.M. |
| 11 | EAGLE-MCCLURE HOSE COMPANY |
| 12 | MILWAUKEE AVENUE |
| 13 | OLD FORGE, PENNSYLVANIA |
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| 18 | COUNCIL MEMBERS: |
| 19 | COUNCIL MEMBERS. |
| 20 | RUSSELL RINALDI, VICE-PRESIDENT LOUIS FEBBO |
| 21 | RICK NOTARI MICHAEL LETTIERI |
| 22 | MICHELLE AVVISATO |
| 23 | WILLIAM RINALDI, ESQUIRE, SOLICITOR MARYLYNN BARTOLETTI, BOROUGH MANAGER |
| 24 | |
| 25 | Mark Wozniak Official Court Reporter |
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of tonight's meeting is to set our agenda for our regular meeting, which will be held on Tuesday, April 20th.

We'll go through some of our department heads, we'll go down our table, we'll hear from our mayor, our police chief, borough manager and our solicitor and the council members, see if anybody has anything to add to the agenda for our next meeting.

With that said, we'll start off with Paul Papi. Anything coming up, Paul, from code and zoning department?

MR. PAPI: Well, Dave Solfanelli is here tonight, in case you guys have any questions or if you care to entertain a zone change hearing at the next council meeting, where he's representing Bell Enterprises as the owner and the Summit Towers, LLC as the applicant. That's up on Railroad Street and Marion.

I left a packet in front of everybody for an application because if you want to go forward I have to get the advertisement in the paper and to all the houses.

ATTY. RINALDI: Council voted to send it to planning for recommendation.

Planning recommended it at last month's meeting. Now it comes back to council to decide if they want to go forward, and if they do, then we have to have a public meeting and we have to put a notice for two successive weeks, not more than 30, not less than seven days.

The public hearing is on the proposed zoning change to hear from the public. Then after that meeting you guys can caucus or wait until the next month, and then we would advertise the actual ordinance that we're changing, the amendment to the ordinance. Advertise that before the meeting. Then you would vote on it.

So public hearing first, then you would vote on it after that.

MR. PAPI: Bill, it has to go to zoning, too. It goes from here to zoning. If it gets past council it goes to zoning.

ATTY. RINALDI: No, it doesn't. Not for an amendment to the ordinance. Are you thinking about the cell tower part?

MR. PAPI: Yes.

ATTY. RINALDI: No, we didn't even get there yet. The zoning amendment. It's from R-1 to C, and if you make that change, then he can make an application to put a cell tower in that area or whatever else is in a C-1 zone.

MS. AVVISATO: So this is to change from residential to commercial.

ATTY. RINALDI: That's all this is going to be. The public hearing is going to be on that cluster of lots, changing it from residential to C-2.

MR. NOTARI: R-2 to C-2.

ATTY. RINALDI: So it will be posted within 100 feet of the property boundaries, it gets put in the newspaper two successive weeks, posted in the borough building. We can get that rolling now or if council wants to vote on it at the next meeting to make it official. Assuming everybody still wants to go forward with it after the recommendation from planning, you can either vote on it then or we can start scheduling stuff.

MR. FEBBO: If council decides to vote against it, then everything's off the table?

ATTY. RINALDI: Right.

ATTY. SOLFANELLI: If I may, just by way of background, if you'll recall I was here some time ago, and pursuant to the statute when we submit the application it goes to county and borough planning commissions for review and recommendation.

Now, since that time it has gone to both, they both recommended the plan. The public hearing would be the time for anybody who has problems with the change to come and voice those concerns to you, ask their questions, raise the issues that go with it, and my client is able to come in and answer any questions you may have. I know there were questions -- we're really only on the zoning, but we're looking at it in the grand scope of the project. There's issues about aesthetics, issues about safety, issues about land use. We'd like the opportunity to come in and say why we think this is a good project in more detail, answer the

questions you may have, respond to public inquiries and put everything on the table on the merits and be heard.

At that point the decision would be made on whether to move forward or not. I think we're ready to do that at this point.

MS. AVVISATO: So this would be just for the change of the zoning right now?

ATTY. RINALDI: Right, and if they wanted to do anything in a C-2 zone, put up a store or whatever, put up a cell tower they would go back to planning, make sure they clear those hurdles and zoning hurdles, then planning would make a recommendation for whatever they're going to construct, then council would approve that.

So it's a two step. Zone change first, then if they want to do something else it comes back.

MR. NOTARI: Bill, if we were to change the zone to C-2, they then have to go before planning or zoning?

ATTY. RINALDI: No, that's all done.

The only thing now council is going to

decide is whether to change it from R-2 to

C-2. That means if you vote yes anything under that C-2 zone can be built on that property.

MR. NOTARI: Which does not include a cell tower. Is that correct?

ATTY. RINALDI: Under C-2 it does include cell tower.

MR. NOTARI: Permitted uses, special exception use.

ATTY. SOLFANELLI: That's when it would have to go back to zoning.

MR. NOTARI: To planning.

ATTY. SOLFANELLI: No, we need a special exception from zoning.

 ${\sf MS.}$ AVVISATO: Zoning first.

ATTY. SOLFANELLI: If the zone is changed, then to move forward for a cell tower that's a special exception use and we'd need an additional set of approvals from the zoning.

ATTY. RINALDI: So I don't want the cart to get ahead of the horse. Don't worry about the cell tower issue. Right now it's just look at the list of things you can do in a C-2 zone.

MR. NOTARI: My second question, even though I'm putting the cart ahead of the horse, if we do change it to C-2 and they then apply to put a cell tower and need a special exception, if that exception is not given can we switch it back to R-2?

ATTY. RINALDI: It stays C-2.

MR. NOTARI: You can't switch it back to R-2?

ATTY. RINALDI: Well, theoretically you can go through the whole process again and say we want to switch this back to residential, but why would you. You're supposed to be considering all the things under C-2, not what somebody wants to put there. You can amend your ordinance.

MR. NOTARI: That's why I'm leery to switch it to C-2, because I'm not looking for anything -- I'm not looking for those other things that are allowed under C-2 to be put there.

ATTY. RINALDI: Well, once you switch it, then anything in a C-2 zone can be put there.

MR. NOTARI: I got it.

ATTY. SOLFANELLI: I think that would be one of the discussions at the hearing, because we can talk about this particular parcel of land. There's issues with that property that, even though under the law they might be allowed, other factors would eliminate their use because of towers and things going to that power plant.

MR. NOTARI: Again, that hearing is going to happen after we approve it?

MR. LETTIERI: We're approving the hearing.

ATTY. RINALDI: You don't have to make a decision at the public hearing. You can wait and say okay, advertise the ordinance and go forward and then you can all vote.

MR. NOTARI: Understood. I guess we can put it on the agenda for the regular meeting. Right?

MR. PAPI: No, you have to decide tonight, because then I -- you want me to put all the advertisements in?

ATTY. RINALDI: I'll draft the proposed ordinance and say here, approve

this, and we're going to advertise this proposed ordinance for a public hearing changing the zoning from R-2 to C-2.

MR. PAPI: I have it written up already. I have the information for the hearing. Like, all the ads that go to the people's houses.

ATTY. RINALDI: Right, but there's certain things it has to contain, meets and bounds, show where on the map it's going to be, all that, so that everybody knows in the advertisement. You don't just say we're rezoning. You have to tell them this property bordered by this street, this street, this street, this street, show it on a map. I can do it all for you. It's got to be filed at the county library. Couple hoops you have to jump through.

MS. AVVISATO: That will be in two weeks?

ATTY. RINALDI: I'll draft it and say okay, advertise it, and giving dates for the public hearing. So you can have the public hearing prior to the work session next month. I think that will give me

enough time to advertise. As long as I can get the ad in two successive week within 30 days.

MR. PAPI: I think you have to start this week, Thursday.

ATTY. RINALDI: So the next meeting is the 20th. So, yeah, if I got it in the paper -- not going to make it.

MR. NOTARI: We can delay our work session if we needed to or we can have a special meeting on --

ATTY. RINALDI: We'll work around it. We'll figure something out. I just thought it would be easier to do it at a work session, but you can do a special date just for the special hearing. We can even do it before the meeting on the 18th or you can do a special. It would only be for the people to come in and voice their opinion on the zoning change. Your vote is separate. So we can have your vote at any regular meeting because I've got to re-advertise the ordinance again.

MR. RUSSELL RINALDI: How much time do you need to let the public -- to notify

the public?

ATTY. RINALDI: I need two successive weeks within 30 days. So it could go in on a Tuesday and then run it again on the following Tuesday, as long as we don't have the public hearing more than two weeks from that.

MR. RUSSELL RINALDI: We're going to have to have a special meeting.

ATTY. RINALDI: Yes, because I can't squeeze it in.

 $\label{eq:mr.RUSSELL RINALDI:} \mbox{Two weeks is} \\ \mbox{the 20th.}$

ATTY. RINALDI: So you can have it on May 18th and then just listen to the public, and I can then run the ad for the proposed ordinance, because that only needs seven days, and then officially vote on the ordinance amendment on June 15th.

MR. RUSSEL RINALDI: Can we have it at our work session in May?

ATTY. RINALDI: Well, you could have a special meeting on the ordinance in May.

MR. RUSSELL RINALDI: May 18th is election day. We're not going to have a

and then make it May 10th, which would be a Monday night.

ATTY. RINALDI: That would be fine with me. I'll have enough time to do that.

Just make sure you're going to be here for it. I can do that.

So it would be public hearing only on May 10th. If you want to make your work session after that, that's fine. May 10th, Monday.

MR. LETTIERI: I'm good with that.

MS. AVVISATO: I'm good.

MR. RUSSELL RINALDI: What time do you want to do the public hearing? Do the public hearing earlier?

MR. NOTARI: I would say before the work session. We have to agree to have that public --

ATTY. RINALDI: We'll put it on the agenda for the next meeting.

MR. NOTARI: Why don't we wait until the next meeting to make all the decisions.

This way we can all check our calendars.

ATTY. RINALDI: Paul, on Tuesday

I'll have an ad ready to go. You can copy

CHIEF DUBERNAS: I was at the magistrate's the other day, I saw a guy drop one, pick one up and leave with it. King Coil. It was theirs.

MR. NOTARI: Please look into that. We don't need that to turn into a parking lot for empty or broken down, old trailers -- for any trailers, a staging area.

MR. RUSSELL RINALDI: Anyone else for Paul? Thanks, Paul.

Joe Lenceski, DPW manager, anything for the agenda?

MR. LENCESKI: Nothing for the agenda.

MR. RUSSELL RINALDI: Anything to update us on?

MR. LENCESKI: No. We're going to be getting prices on a blacktop driveway for Mr. Nardone. I don't think they put grass seed down yet. Get that wrapped up with the break in the weather.

MR. RUSSELL RINALDI: I know

Councilman Hoover is not here tonight. I

know he mentioned last meeting or the

meeting before about the crack sealing. Did we move any further with that?

 $\label{eq:MR.LENCESKI: No, not that I know} \mbox{ of. }$

MR. RUSSELL RINALDI: I'll check with him. I know he wanted to set it up and we all discussed it and agreed on it. He was going to take a ride around some of the roads, maybe go with you, he said, as well. I'll check with him. Anything else, Joe?

MR. FEBBO: Joe, the list of streets that you mentioned for paving, is Sonny Drive on that?

MR. LENCESKI: I don't believe so.

MR. FEBBO: We took it off because of the water company last year running that line.

MR. LENCESKI: That list I gave wasn't streets that needed to be paved, those were exact areas where maybe you want to patch an area, not an entire street.

MR. RUSSELL RINALDI: Was that in an e-mail?

MR. LENCESKI: That would have been with my report from last month.

MR. RUSSELL RINALDI: I don't have that. My iPad updated. I was looking for it.

MS. AVVISATO: It's in here.

MR. LENCESKI: They're all over

town.

MR. FEBBO: The few streets we talked about needed paving desperately. Maybe just certain sections of certain streets.

MR. RUSSELL RINALDI: I know we talked about some cut and patching. I wasn't sure about whole streets. The other part was ask Jimmy about the crack sealing.

MR. LENCESKI: I did talk to

Councilman Hoover about that. I thought

maybe we'd go around. There's tons of

cracks everywhere. Maybe try to look at the

way we do our routes snowplowing or how we

do recycling runs, try to have a long term

plan and do certain areas in the borough.

This year do this area, next year -- make it

a five-year plan on crack sealing. There's

cracks everywhere.

MR. RUSSELL RINALDI: Anybody have

anything else for Joe?

MR. NOTARI: No.

MR. RUSSELL RINALDI: Thanks, Joe.

Dave Lopatka, anything?

MR. LOPATKA: Nothing for the

agenda.

MR. NOTARI: Give us the building

status.

MR. LOPATKA: Things are moving.

There's some finishes going in. They started painting, some ceilings are in, some tile is in. It's starting to get to the point where we're starting to get stuff finished. I know that today some of the steel work out front, the canopy went up. They're doing foundation work for the

elevator in the back.

That kind of hit a little bit of a roadblock. We had to get a little change order done for the county on that because the footing for the -- not the footing -- I guess the footing for the existing building wasn't deep enough. It was only 15 inches deep. We had to do a little structural work underneath that, the existing building,

before they put the foundation in for the elevator. They're in the process of doing that now.

All the windows and all that stuff is ordered. They should be starting to receive that, start getting the windows in soon.

MR. NOTARI: Are we still looking at the end of June?

MR. LOPATKA: That's still the date. The date for the elevator is a little bit later. So overall it's probably going to be a little bit later than that. The rest of the building we're kind of moving in the right direction right now.

MR. RUSSELL RINALDI: We discussed it with Marylynn, she gave us a little tour last time we were there for one of our personnel meetings. Did we ever do anything -- remember we were asking about the platform of the council table? Did we ever do that? Or no?

MS. BARTOLETTI: No, we're still working on it.

MR. LOPATKA: The council table, I

was telling Marylynn tonight the architect's going to contact her before the end of the week to go over what the thought is and kind of give her a picture of what it is so she can kind of see it. She can probably share it at that point once we have it.

MR. RUSSELL RINALDI: I think I meant to ask that at the last meeting and I forgot. I know Marylynn did say she was going to take care of it. I was just curious about it tonight. Anything else?

MR. LOPATKA: No.

MR RUSSELL RINALDI: Anybody have anything for Dave? Thanks, Dave. Chief, anything coming up for the agenda?

CHIEF DUBERNAS: Nothing for the agenda. I just want to give you an update. Panusky Way, both houses, Mark was there the other day, Mark and Luke. We received what number is going to be which. That's all set. Comm center updated it, so it's up to them to notify the post office. But Panusky Way is complete on our end with comm center and everything.

And if I can just get you for about

five minutes afterwards. I want to discuss the Diamond Club.

MS. AVVISATO: You read my mind.

MR. RUSSELL RINALDI: Anybody have anything else for the chief? Thanks, Chief.

Bill, anything from the solicitor's end for the agenda?

ATTY. RINALDI: For the agenda I'll have the proposed ordinance so that we can advertise for the public hearing for the zoning change. Also, I was going to make the return date -- well, maybe I'll make it for the work session, the garbage bids, put them out. It might be a little too tight to get them in before the -- it will be too tight before the regular meeting.

What I'll do is have them return the night of May 10th or whatever you decide, and then you can award either at the 5/25 meeting or thereafter.

I'm going to ask for an executive on two litigation items. One real estate and one personnel.

MR. RUSSELL RINALDI: Okay.
Anything else?

ATTY. RINALDI: That's it.

MR. RUSSELL RINALDI: Anybody have anything for Bill?

MR. NOTARI: I have a question regarding real estate, but I'll ask it in the executive.

MR. RUSSELL RINALDI: Anybody else? Thanks, Bill.

Marylynn, borough manager?

MS. BARTOLETTI: Okay. The May meeting that we changed to the 25th, we're going to be having the CDBG hearing on that night as well. So mark that on your calendar. That's to discuss our future plans and projects.

We need to schedule a personnel meeting. I don't know if you want to do that now or wait until we go to executive. That would be for the police contract and zoning code endorsement job.

MR. RUSSELL RINALDI: Yes, because I'm going to have an executive as well. We can do it then.

MS. BARTOLETTI: The planter that's going to be in the front of the building, I

had George Dunbar come in to look at it and work up a design for us because he was responsible for planting in there. So he said it's going to take a few weeks to get back to us. So whenever he comes back to us you guys can see what he's going to do there. What should be in there, what's going to look good in front of the building, the colors, that type of thing.

The other thing that I wanted to mention is we need to redo the area that's in front of the Wall of Honor. That's not part of the actual project, but I feel like since everything else is going to be so beautiful and band new we can't leave that the way it looks. So that's another thing I'm working on, the planter, as well.

MR. RUSSELL RINALDI: The pavers in front?

MS. BARTOLETTI: Pavers, the walkway, plants in there, shrubbery.

Thinking possibly taking out some pavers and putting a walkway that goes to an archway in front of it, putting the plants in the middle, having the plants that go there

match the one that are going to go in the planter. That type of deal.

Dave and I have been working on the lighting to make sure that the light in front of that matches the rest of the building now. Because if you leave what's there it looks like old lights compared to what's going to be with all the new stuff.

MAYOR LEGG: Do you think it would be prudent to talk to Tony Turquato?

MS. BARTOLETTI: I already did. I gave him free range, whatever you think you need to do there. I just want that to stand out now like everything. There's no way you could leave all that old stuff when everything else is going to be so new and nice looking.

MR. FEBBO: Would that be part of Dunbar looking at that?

MS. BARTOLETTI: That's who I spoke to about it, yes.

MR. NOTARI: How about around the left side with the War Mothers monument?

MS. BARTOLETTI: That's being involved as well. All the monuments are

getting basically like a facelift, new lights. That's all included in the project now. But the Wall of Honor, because that was in front of the senior center, that's kind of where the line was, but there's no way we could leave it the way it is.

For those of you who haven't been in the building in a little while you need to come in, let me show you around. The inside is starting to look amazing. Especially -- I have a little bit of an obsession right now with the restrooms, what used to be there and the way they look now with the tile on the floor and one of the walls, the colors, and the ceilings are in. It's really amazing.

MR. RUSSELL RINALDI: I love a nice restroom.

MS. BARTOLETTI: But when you start to see the ceilings being put in and the walls and how it's all coming together you're really going to be amazed. That's all I have for tonight.

MR. RUSSELL RINALDI: Anybody have any questions for Marylynn? Thanks, Mare.

We'll go down the table. Mayor Legg, anything?

MAYOR LEGG: I have nothing, Mr. Chairman. Thank you.

MR. FEBBO: No, I'm good.

MR. NOTARI: I have nothing.

MR. LETTIERI: Nothing at this time.

MS. AVVISATO: I'm good.

MR. RUSSELL RINALDI: I don't have anything as well. The only thing I'm asking for is a brief executive along with a few of the other executives we're going to have.

We'll move into public comment. Melissa
Flynn?

MS. FLYNN: During the summer I was outside and Paul Papi came by because Barletta was putting up a shed in our neighborhood, and I stopped him to ask because I want to put a shed in my yard, but the way my yard is I don't know -- well, some of you know where I live. I can't cut down the hill because it will start to recede. So I have one space next to my driveway about 14 by 14. It's 12 feet from the road and 16 feet the other way.

I can't put the shed starting at may house moving backwards because I have gas lines that run underneath the property. So the gas company came and they spray painted all of the ground in front that shows how deep. And we had a leak in the summer, so they had to come and rip it up. So they said it would be easier for me to just put the shed in front of the house, but Paul Papi said I have to come to the council meeting to get that approved.

MS. AVVISATO: The variance?

MR. PAPI: I don't even recall.

MR. RUSSELL RINALDI: Did Paul direct you to go to planning instead of council?

MS. FLYNN: No, he said I had to come to a council meeting for it.

MR. PAPI: What are you trying to do, put the shed too close to the property line?

MS. FLYNN: It would be 12 feet and 16 feet.

MS. BARTOLETTI: It's in the front yard.

MR. PAPI: You're not allowed to put it in the front yard. That would have to go through zoning.

ATTY. RINALDI: See Paul, get an application to go to zoning.

MR. RUSSELL RINALDI: Give Paul a call, he'll set you up with an application. Thanks, Melissa.

Dave Solfanelli? I know you spoke a little bit.

ATTY. SOLFANELLI: I had my say. That's all.

MR. RUSSELL RINALDI: Anybody else from the public? Okay, if no one has anything, the chair would entertain a motion to adjourn the work session.

MR. NOTARI: I'll make the motion.

MR. RUSSELL RINALDI: Motion by

Councilman Notari. All in favor?

(Unanimous. Meeting adjourned.)

<u>C E R T I F I C A T E</u>

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 30 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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