

1 approval.

2 MR. DUNBAR: Exactly.

3 ATTY. RINALDI: I'm going to put not
4 to exceed the preliminary plan approval --

5 MR. DUNBAR: No, no, not to exceed
6 80 and 12.

7 MR. RUSSELL RINALDI: Tonight or at
8 the public hearing?

9 ATTY. RINALDI: At the public
10 hearing. It will be drafted. They're not
11 going to pass it tonight anyway.

12 ATTY. GALLACHER: The proposal is we
13 requested that the hearing be held on the
14 condition that the plan as submitted, which
15 is up to 80 units, that that would be the
16 one that's being considered at the public
17 hearing.

18 MR. DUNBAR: So it's 65 townhomes
19 and 96 apartments which the preliminary
20 plans are currently approving. The entire
21 project is approved for 65 townhomes and 96
22 apartments. What I'm asking is 80 --

23 ATTY. RINALDI: That's not in the
24 plan. Did you change it?

25 ATTY. GALLACHER: It's up to. It's

1 not on the current plans now. That's
2 correct. That's up to.

3 MR. FEBBO: Then you have to go to
4 planning and zoning and change it.

5 ATTY. RINALDI: Right.

6 ATTY. GALLACHER: Then we would be
7 back here on a LERTA issue again.

8 MR. DUNBAR: We're not asking -- and
9 I'd like to bring this to council's
10 attention. No one touched on this tonight.
11 We're not asking for a full ten year,
12 hundred percent. We're asking for a phase
13 in. So after the second year we're paying
14 taxes, 90, 103, 103, 90, 80, 70, 60. We're
15 not asking for a full ten year freight.
16 Everybody else in municipalities, they did
17 that. I'm not asking that. I understand
18 the situation the school district is in. I
19 want to help my community.

20 MR. RUSSELL RINALDI: The same LERTA
21 as Birchwood.

22 MR. DUNBAR: You got it. Same exact
23 thing.

24 MR. NOTARI: Does the LERTA work
25 where every year your property gets

1 assessed?

2 MR. DUNBAR: Yes.

3 MR. NOTARI: So year one you're not
4 finishing, so let's just say the assessment
5 will be the same. Year two you finish two
6 buildings that you have occupancy permits.

7 ATTY. GALLACHER: Correct. So as
8 long as there's a new building constructed
9 there is a new assessment for the overall
10 development.

11 MR. NOTARI: So the assessment -- is
12 the property going to be assessed at a
13 greater value assumed?

14 ATTY. GALLACHER: Correct. As the
15 buildings increase it increases the value of
16 the property. There's a new assessment
17 every time there is an occupancy permit
18 issued.

19 MR. NOTARI: So if you were -- and I
20 know it's more than ten, but just say the
21 tenth building is done in year ten. That
22 building now has a ten year cycle for taxes,
23 that property? Or no?

24 ATTY. RINALDI: That's the problem
25 with the county right now. The county was

1 managing that LERTA, so what the county
2 decided to do is every time we gave him an
3 occupancy permit for an apartment unit so
4 the people could move in, even though the
5 development wasn't completed they were
6 saying okay, we'll start it here. So that's
7 going to be an issue that you guys have got
8 to talk about. Technically he can't get
9 occupancy permits until the development is
10 completed, but I know you want to be able to
11 move people in as soon as you finish each
12 unit.

13 MR. DUNBAR: Well, we phase it in.

14 MR. NOTARI: But it's one property,
15 so that property, when you're finished --
16 say you're finished in year ten. Say in ten
17 years you do the whole property. In year 11
18 we should realize the full zero percent.

19 ATTY. RINALDI: Not the way he wants
20 to do it.

21 ATTY. GALLACHER: No, you would. In
22 year 11 of the first buildings that were
23 constructed --

24 MR. DUNBAR: You'll get a hundred
25 percent.

1 ATTY. GALLACHER: For the buildings
2 that were completed in year one.

3 MR. NOTARI: They're not separate
4 properties.

5 MR. DUNBAR: Maybe this will help.
6 So as I mentioned at the work session, I'm
7 going to start off of Forge Street. I'm
8 going to do a cluster of nine and nine. So
9 a total of 18 townhomes. Once those 18
10 townhomes are completed and I'm in
11 compliance with the building codes and I'm
12 issued my certificate of occupancy, then the
13 LERTA clock starts then. So for the first
14 two years it will be a hundred percent on
15 that phase, and then the third year will be
16 90. In the meantime I'm starting on phase
17 two, building 18 more houses. So the first
18 two years of that is going to be a hundred
19 and a hundred and then the clock starts
20 ticking in your favor and the school
21 district, so on and so forth. It's called a
22 phasing LERTA.

23 So let me propose it like this. If
24 you have ten developers come in here wanting
25 a LERTA to develop for over a ten year

1 period, you have ten developers coming in,
2 mine is that I'm phasing in. The bank only
3 allows me to do X amount of buildings at a
4 time because it's a huge project, the money
5 involved. So I'm ten developers. You're
6 giving ten LERTAs to me, to George Dunbar,
7 because I have to phase this in. No one in
8 their right mind could build or afford to
9 build that, so we have to phase it in. Just
10 look at me as being ten developers asking
11 this body to grant me a LERTA, phased in
12 LERTA. That's the only way financially this
13 project will success. As I mentioned, if I
14 didn't have a LERTA on Birchwood with Covid,
15 inflation, lumber going up 300, 400 percent
16 it never would have succeeded. It was huge
17 for me. It's an excellent economic tool for
18 developers. That's why I'm asking we phase
19 in the LERTA. Again, look at me as ten
20 developers.

21 MR. NOTARI: Is that in the
22 documents you sent to us?

23 ATTY. GALLACHER: It is.

24 ATTY. RINALDI: No, it's got to read
25 you're giving them a tax exemption on the

1 assessment attributable to the actual cost
2 of new construction or all improvements for
3 a period of ten years beginning January 1 of
4 the year following the year which the
5 borough issues the occupancy permit for the
6 improvements as defined under the ordinance.

7 ATTY. GALLACHER: That's what it
8 says.

9 ATTY. RINALDI: "And shall be exempt
10 from real property taxes otherwise payable
11 to the borough of Old Forge as a result of
12 increase in the tax assessment for the
13 property and attributable to the cost of
14 future improvements, constructed" --

15 ATTY. GALLACHER: And that's the
16 exact language that was in Birchwood. It's
17 ten years from when an occupancy permit is
18 granted for any particular improvement to
19 the property.

20 ATTY. RINALDI: The first occupancy
21 permit. You have to have all the
22 entranceways done.

23 ATTY. GALLACHER: Correct. We can't
24 get the occupancy permit unless that's
25 there. Absolutely. We have to be able to

1 have people living there --

2 ATTY. RINALDI: That's what I have
3 in here. Then it's going to be provide --

4 MR. DUNBAR: Say that again.

5 ATTY. RINALDI: I know you're going
6 to come down and say hey, I have a building
7 done. I want people to move in. Well, I
8 know people are going to complain that the
9 corners aren't done --

10 MR. DUNBAR: Well, you're basing
11 that opinion on a hypothetical and I'd like
12 to refer to the SALDO. The municipality
13 SALDO requires one ingress and one egress.
14 We have to go by the SALDO, Bill. That's
15 what it states. Birchwood has one ingress
16 and egress. What he's trying to say is that
17 we have both of our ingresses and egresses
18 done on Howard Street and Forge Street.

19 ATTY. RINALDI: He's got to be able
20 to say people can safely drive in and out of
21 there.

22 ATTY. GALLACHER: You can't get the
23 occupancy permit unless there's access to
24 it.

25 MR. RUSSELL RINALDI: Mike, I have

1 no problem staying here all night. When you
2 guys came back I would ask that you just
3 take a few minutes when we're done with
4 this, write up that proposed motion, let our
5 solicitor read it, and then see if that's
6 how we're going to work.

7 MR. DUNBAR: Okay, we'll go out,
8 write it up.

9 MR. RUSSELL RINALDI: Give it to our
10 solicitor, let him review it, just the way
11 you said, and then bring it back in so he
12 can read it.

13 ATTY. GALLACHER: Sounds good. Do
14 you understand? Good.

15 MR. FEBBO: I just want to speak on
16 behalf -- I appreciate you people coming out
17 tonight to listen to this whole
18 presentation. It's very important for the
19 whole community here. We have pro and con,
20 my feeling. Mr. Dunbar brings a lot to this
21 community. If you ever have a chance to
22 really take a ride, especially at night,
23 through the development down at Birchwood.
24 This is going to be done -- he's going to
25 invest between 80 and 100 million dollars in

1 our community. That's 80 to 100 million.
2 That's a lot of money.

3 Yes, we have concerns. I
4 understand, Doctor, you're saying the school
5 district is in dire straits right now and we
6 won't realize money for ten years, but
7 without --

8 MR. NOTARI: He just said it's not
9 ten years.

10 MR. FEBBO: Could be longer. It
11 could be 20. If he doesn't finish the
12 project until year ten.

13 MR. NOTARI: It's ten years from
14 there.

15 MR. FEBBO: One phase based on the
16 property tax. Again, I brought it to
17 council here nobody is understanding the
18 fact that right now we are drawing a
19 tremendous amount of money from wage taxes.
20 His clientele are all higher-end people.
21 You have doctors, lawyers, retired people.

22 MR. NOTARI: If they're retired
23 you're not getting any.

24 MR. FEBBO: They have income,
25 whatever. It's just the amount of money

1 taken in in wage taxes.

2 MR. NOTARI: We don't know that
3 number.

4 MR. FEBBO: We don't know that
5 number?

6 MR. DUNBAR: We'll present that
7 momentarily.

8 MR. FEBBO: Unless while you're
9 waiting here you want to put it in right
10 now. If we're going to have a public
11 hearing this is what we need. We need the
12 public involved here to see what their
13 opinion is on what we want to do here in the
14 community.

15 Again, am I in favor of this
16 development? Yes, I am, because I love Old
17 Forge and I see the things that he has done
18 in Old Forge and you promote it. We don't
19 have tax base movement. Our tax base is the
20 taxpayers or Mr. Dunbar. That's where we're
21 going to get our money from. We don't have
22 industry, we don't have Montage Mountain, we
23 don't have shops. We have nothing here and
24 we have no room for it. So, consequently it
25 becomes either on the shoulders of the

1 taxpayers or it comes on our development.
2 Quality people come into the community.

3 In addition to what he's bringing in
4 in terms of money, these people are
5 servicing our restaurants, our gas stations,
6 our community stores. They spend a lot of
7 money in the community here.

8 So again, it's important to have
9 public input. The public has to be here.
10 There are pros and cons. I thank you for
11 your patience sitting here tonight because
12 it's important.

13 MR. RUSSELL RINALDI: Doctor Notari,
14 do you want to come back up?

15 DR. NOTARI: I'm not as smart as the
16 attorney here, but I would like to pass
17 these out to council, which is the LERTA
18 Act. You can have it in your possession and
19 read it at your leisure. Especially on page
20 three where it says a LERTA should not be
21 legally more than ten years. So, I submit
22 in 2016 the Birchwood LERTA is illegal
23 because it is not ten years. Currently,
24 right now, it is up to 17 years.

25 The number two bullet on page -- I'm

1 sorry, number one, "the length of the
2 schedule of taxes exempted should not exceed
3 ten years on the property." If he wants to
4 subdivide the property and do it,
5 absolutely. Each phase, let him subdivide
6 it and let him come every single time he's
7 ready for a LERTA. Absolutely.

8 But on one property for an
9 indefinite time, it's great to take
10 somebody's word that I'm going to get this
11 done in three or four years. You were on
12 the board in 2016. It was going to be done
13 in two or three years. Seven years, it's
14 still not done. Still building. And I
15 understand everything goes -- Covid came,
16 prices went up. You don't know the
17 unforeseen of what could happen. You're
18 making my case that while he's building
19 these great things for tax exempt it's
20 putting the burden on the rest of the
21 taxpayers to make up for what he's building.
22 There's no way to get around that.

23 MR. RUSSELL RINALDI: If you're
24 stating that by him building buildings and
25 bringing more taxes into the community, how

1 is he burdening the residents?

2 DR. NOTARI: What I said before
3 about the property tax.

4 MR. RUSSELL RINALDI: Property taxes
5 have gone up, in 15 years, 2.125 mills --
6 our taxes in the borough have gone up
7 1.75 --

8 DR. NOTARI: We reside in the same
9 borough. The school --

10 MR. RUSSELL RINALDI: We didn't put
11 a burden on you.

12 DR. NOTARI: Sure you did, because
13 by allowing this for the last -- I just
14 explained the story.

15 MR. RUSSELL RINALDI: It went up 1.57
16 mills.

17 DR. NOTARI: The last seven years
18 the school district has gone up about 45
19 mills.

20 MR. RUSSELL RINALDI: I don't
21 control the school district.

22 DR. NOTARI: Right, but the
23 decisions you are making are impacting what
24 the school could do. That's the first part
25 that came up.

1 MR. RUSSELL RINALDI: Not to point
2 the finger, but maybe the school board
3 members. They're the ones making the
4 decisions for the school, not us.

5 DR. NOTARI: No, no, no. That's why
6 I came up before about the state formula.
7 We're losing money from the state because we
8 cannot tax our residents up to the level
9 determined on what everything states. So we
10 have all these households, we have all --
11 per taxable property. We have all this
12 increase in median income.

13 MR. RUSSELL RINALDI: Isn't this
14 development like this bringing in a lot of
15 school taxes?

16 DR. NOTARI: No.

17 MR. RUSSELL RINALDI: It's not?

18 DR. NOTARI: It's not being taxed,
19 Russ.

20 MR. RUSSELL RINALDI: It's being
21 taxed as it's being built according to the
22 LERTA.

23 DR. NOTARI: At a sliding scale. So
24 in 2016, when it was supposed to be ten
25 years -- Correct? When it was supposed to

1 be ten years we were going to see
2 approximately \$400,000 in year 11.

3 MR. RUSSELL RINALDI: Does anybody
4 have the number that Birchwood paid so far
5 to the school?

6 DR. NOTARI: I just gave it,
7 \$45,000. I just gave it an hour ago.

8 MR. WARTELLA: My name is Chris
9 Wartella. I spoke last week.

10 DR. NOTARI: Excuse me, I have the
11 floor. I don't know why my word is
12 questioned over their word. Like, why are
13 we going to them when I'm giving you
14 information --

15 MR. RUSSELL RINALDI: I'll listen to
16 both your numbers.

17 DR. NOTARI: -- generated by the
18 school district.

19 MR. RUSSELL RINALDI: I have no
20 problem hearing both of you.

21 DR. NOTARI: So this year -- again,
22 this is by our business manager, Brian
23 Rinaldi. July of 2023, \$47,545.81.
24 Seventy-one percent of the current
25 properties are being taxed.

1 ATTY. RINALDI: So why isn't the
2 LERTA -- he says it does --

3 DR. NOTARI: Because if you go by
4 this document that's how it was written. If
5 you read the document that was enacted by
6 everybody he has the sliding scale in there.
7 So you can't beat the legal actions of the
8 borough, the school and the county, how it
9 was written.

10 ATTY. RINALDI: It's only a ten year
11 LERTA.

12 DR. NOTARI: So here's the first
13 part. Here's the second part where it says
14 "as is resolved." The first part is the ten
15 years, then there's this additional part
16 that allows it for the sliding scale as is
17 occupied for them to go under this scale.
18 This is 2016.

19 MR. RUSSELL RINALDI: Doctor, just
20 so you know I thought you were saying that
21 the school district has to raise their taxes
22 because of the decisions we make.

23 DR. NOTARI: What I'm saying is just
24 like actions that we have at the school
25 affects the borough, actions you have here

1 at the borough affect the school. So by
2 allowing this tax deferment, tax abatement,
3 whatever you want to call it, it's changing
4 the metrics of how our town is viewed. Our
5 town is more wealthy, so the state says to
6 the school you're more wealthy. You can
7 afford taxes. We don't have to give you any
8 more money. You have more households that
9 can be taxed, but when the school goes to
10 tax, because these are abated it then has to
11 be spread amongst everybody else. So maybe
12 we only had to raise taxes one mill if
13 everything was taxed appropriately, but
14 because it's not we have to go to formulas
15 to get that same amount of money. We're
16 looking to get \$200,000. We're not getting
17 it from his development currently. We're
18 only getting \$45,000.

19 MR. RUSSELL RINALDI: From what
20 development?

21 DR. NOTARI: From the current one
22 that's abated. The other ones he built had
23 no abatements. He paid taxes immediately.
24 But this abatement, so now we have to find
25 the hundred fifty thousand spread amongst

1 everybody else.

2 MR. RUSSELL RINALDI: Let me stop
3 you there. The development before that that
4 weren't tax abated, that the borough made
5 decisions on, they had helped the school.
6 Correct?

7 DR. NOTARI: Sure.

8 MR. RUSSELL RINALDI: We impacted in
9 a good way, is what I'm saying.

10 DR. NOTARI: The opposite of that
11 is -- I would say yes. I have no problem
12 saying yes. However, I don't know the
13 properties that were there before. You'd
14 have to look back when he built The
15 Orchards, Maple Leaf and Edith Street. I
16 don't know the taxes that were there.

17 MR. RUSSELL RINALDI: The school's
18 probably getting maybe, like, 2,000 a year
19 and the borough's getting about 400 on
20 certain properties. Right? But my point is
21 those properties that the borough makes a
22 decision on to approve, that George took all
23 the rights through the planning process and
24 permitting and everything --

25 DR. NOTARI: I'm not against the

1 development, I'm against the tax abatement.

2 MR. RUSSELL RINALDI: I'm just
3 saying that the borough is making decisions
4 that also help the school.

5 DR. NOTARI: Absolutely. I'm not
6 saying you're doing anything negative.

7 MR. RUSSELL RINALDI: I know what
8 you mean now. In the beginning I thought
9 you were saying because of us approving
10 developments school taxes have to be raised.

11 DR. NOTARI: If we allow this --
12 taxes are being raised disproportionately
13 because of the abatement. All the great
14 things that brings with it, the state looks
15 at it and goes oh, that's wonderful. They
16 have no idea that we are not taxing it.

17 MR. FEBBO: Are you saying that if
18 we had a lesser income population come into
19 the community that we'd get more money?

20 MR. RUSSELL RINALDI: The school
21 would, not the borough.

22 DR. NOTARI: No. Let's start again.

23 MR. FEBBO: A lesser income
24 population we would get more money for the
25 school district.

1 DR. NOTARI: I can't say that's the
2 way the formula works because -- you're
3 talking about the low income person. All
4 right? Are they sending kids to the school?
5 That's where that becomes a factor.

6 MR. FEBBO: How many --

7 DR. NOTARI: You're not listening to
8 me. You're trying to twist my words.

9 MR. FEBBO: How many children in how
10 many developments do you have going to Old
11 Forge?

12 MR. DUNBAR: So great question. As
13 I stated last week at the work session, I
14 believe -- plus or minus, I think I
15 currently have 233 units in this
16 municipality. Please be advised that I have
17 ten students in the school district. Six of
18 them were already in the district. So let's
19 do the math. So I injected four. I
20 injected four in the school district.

21 DR. NOTARI: That's not what I'm
22 talking about. Your question was am I
23 advocating for lower income people to
24 benefit the school district.

25 MR. FEBBO: Are you not saying

1 that --

2 DR. NOTARI: No. You're talking
3 about two different parts of the equation.
4 You asked lower income people into the
5 school or lower income in general and
6 they're raising the higher income. It's two
7 different variables you're talking about and
8 three different things.

9 MR. RUSSELL RINALDI: Explain to
10 Councilman Febbo. What you were saying was
11 according to the state and the way the
12 state --

13 DR. NOTARI: Formulates our funding.

14 MR. RUSSELL RINALDI: -- gives their
15 aid to the school districts throughout Pa.
16 lower value areas would receive more funding
17 or get funding --

18 DR. NOTARI: Currently.

19 MR. RUSSELL RINALDI: Not saying
20 that he's for that.

21 DR. NOTARI: I have nothing to do
22 with what anybody wants to build anywhere.
23 I just want them to be taxed appropriately
24 so the residents don't have to feel the
25 burden of the non-taxable buildings.

1 MR. LETTIERI: Is there any way that
2 the school -- did you explore all avenues
3 about making cuts and stuff like that?

4 DR. NOTARI: We don't have anything
5 at the school now, Mike. There's nothing at
6 the school now.

7 MR. LETTIERI: Three principals at
8 the school? I mean, can we get rid of one?

9 DR. NOTARI: No.

10 MR. LETTIERI: We can't?

11 DR. NOTARI: No.

12 MR. LETTIERI: For the number of
13 kids we have we have three principals?

14 DR. NOTARI: Correct, and guess
15 what? You don't have to take my word for
16 it. You can talk to everybody else. We are
17 at, so far, the low end of the services we
18 provide, that we were in Harrisburg, how
19 many administrators do you have?

20 Five.

21 You only have five administrators?

22 Yes.

23 Well, you can't cut there.

24 We were back and forth to the state
25 constantly. We had state --

1 MR. LETTIERI: Right.

2 DR. NOTARI: We are -- out of 500
3 school districts we are the 464th in money
4 spent in the schools. We have a thousand
5 students. We are the 389th sized school in
6 the state. You're going to see school
7 districts up and down this valley -- we
8 spend 16 million a year at the school --
9 less than us spending 25 mill a year. The
10 state has already told us we're 5 million a
11 year short in spending to be average to give
12 our students. That we're so far behind they
13 don't even know how to help us. That's the
14 answer. Now, a lot of it is political talk
15 because we don't have political power but --

16 MR. ZUPON: So you're basically
17 saying that with the school right now we're
18 better off leaving that property as blighted
19 culm dumps. You're going to make more money
20 than what he's trying to do.

21 DR. NOTARI: By the sate formula,
22 yes. As I said earlier, the more houses you
23 put -- you may think it's crazy. I'm not
24 making it up. Ask him for the presentation
25 of why we are being penalized --

1 ATTY. RINALDI: You guys have to
2 tell me how long you want. I mean, I was
3 doing ten years.

4 MR. RUSSELL RINALDI: Anyone else
5 want to come up?

6 MR. KARAM: Chuck Karam. I live
7 here in Old Forge. A project of this size,
8 what's the value of it?

9 MR. DUNBAR: The project right now
10 is about 80 million.

11 MR. KARAM: That all need permits?

12 MR. DUNBAR: Permits,
13 infrastructure, building material.

14 MR. KARAM: What's the permit cost
15 on the project? Estimate.

16 MR. DUNBAR: The permit costs were
17 about 325 to 350 thousand dollars for
18 permits.

19 MR. KARAM: Do we get a portion of
20 that money? I know we used to.

21 MR. RUSSELL RINALDI: We do.

22 MR. KARAM: How much, 50 percent?

23 MR. RUSSELL RINALDI: Twenty
24 percent.

25 MS. BARTOLETTI: Less than that.

1 MR. KARAM: Fifteen? Can I have
2 ten? So that's \$30,000. What are we
3 collecting in taxes on the property
4 currently?

5 MR. DUNBAR: About 4,000.

6 MR. KARAM: It's going to take some
7 years to get it on the tax roll. Right?
8 Take a little time. Okay? If we're
9 collecting \$400 a year currently and it's
10 going to give us \$30,000, well, if we just
11 collect the tax it's going to take us how
12 long? Fifty, 60 years? Whatever the math
13 is.

14 Listen, the only way Old Forge can
15 continue to move forward is economic
16 development. Plain and simple. We have
17 nothing else going on here in town. Right?
18 Do we have any big industry coming in? Big
19 shopping? You look at Moosic, Dickson City,
20 those guys have stuff. They have retail,
21 they have warehousing. They have all that
22 stuff going on. They have the right zones
23 for it. What do we have? We have a little
24 bit of housing left. I don't know where you
25 can build a new home in Old Forge today.

1 Are there any developments that are actively
2 doing new homes?

3 MR. RUSSELL RINALDI: Rosemount.

4 MR. KARAM: Anybody else? Anything
5 new happening that I'm not aware of? I
6 don't know. My only advice is this. I know
7 the school needs help, but to do a project
8 like this, tools like LERTA, right, exactly
9 what it is. It's a device to help
10 developers accomplish what they need to
11 accomplish in blighted areas. Right? When
12 I sat on council there was talk about the
13 project that he's on right now, Birchwood.
14 I had fellow councilmen who were upset.
15 They said oh, section eight. He's going to
16 turn it into low income. Right? Can't be
17 any better than it is, gentlemen. All
18 right? And that's just my take on things.

19 MR. RUSSEL RINALDI: Anybody else?

20 MR. BROWN: Good evening, council.
21 Devon Brown. I know that Mr. Dunbar has his
22 attorneys and his representatives here
23 tonight. I know that Mr. Notari has given
24 facts on behalf of the school district. I'm
25 not saying that I doubt or don't disbelieve

1 one side or the other, but as I heard
2 attorney Rinaldi mention at some point the
3 state association of boroughs, he
4 referenced.

5 Was there anyone that conducted a
6 cost/benefit analysis as to the current
7 projects that Mr. Dunbar has completed from
8 the borough standpoint? From the school?
9 What I mean --

10 MR. RUSSELL RINALDI: How much money
11 they generated so far?

12 MR. BROWN: Yes. Like, what their
13 expenses are, how many kids are coming in
14 from the district done by a professional
15 that certifies it, that can say here's the
16 pros, here's the cons. Here's what happened
17 and what has gone wrong. You know, what has
18 impacted since --

19 MR. RUSSELL RINALDI: Mr. Dunbar's
20 addressed that there's only four children
21 currently.

22 MR. DUNBAR: Six were already in
23 school.

24 MR. BROWN: And I'm sure that we can
25 believe that with obviously conferring with

1 the school district. But at the same time
2 if you reach out to any public entity,
3 non-profit. Wilkes has a program where they
4 consult non-profit and governmental
5 entities. I know the state department of
6 community and economic development, which
7 the county has to report to for LERTAs,
8 compiles data. They have outreach
9 specialists known as policy specialists
10 which are dedicated for these issues. So I
11 would just advise all that when conducting
12 an in-depth study for such a big decision.

13 My other thing is I heard Mr. Notari
14 comment about the budget and the school with
15 their funding, and I would be in agreeance
16 that the formula that is set up for public
17 schools does not benefit us currently.

18 However, the state budget is not passed. It
19 was supposed to be passed June 30th. They
20 are at a budget impasse, the house and the
21 senate. Right now it comes down to the fair
22 funding formula.

23 So while this decision might not
24 impact the school it's more of the state
25 government, and what I would be doing as a

1 community is reaching out to your state
2 senators and your state legislators because
3 they're the ones that are holding us up
4 right now. Bills are not being paid, grants
5 are not being paid, employees soon will not
6 be paid.

7 So I don't think that Mr. Dunbar's
8 project right now would have that drastic
9 impact on the budget because the fair
10 funding formula may change depending on this
11 impasse with the budget, with the house and
12 the senate.

13 So I would definitely form a
14 lobbying group as well to lobby your state
15 representative and state senators. I know
16 that Senator Flynn -- it was brought back in
17 the past about representatives not bringing
18 funds back to the school district. The
19 Scranton School District, which I want to
20 say maybe ten years ago, I'm not sure,
21 passed a LERTA. The city passed a LERTA as
22 well. Both entities were financially
23 distressed. The city was in Act 47, which
24 means it was financially distressed. It was
25 before a takeover comes in and appoint a

1 consultant, as did the school district.

2 They were able to and developers were able
3 to still receive LERTAs while these
4 financial distresses were going on and it
5 didn't impact them.

6 Actually, I want to say at the
7 beginning of the year the city of Scranton
8 actually exited the distressed acts from the
9 state and they're not even going to go into
10 receivership and the funds are back in the
11 city's control. The school district, I
12 think, is working that as well. So I'd just
13 like to keep that in mind.

14 So the two things are lobbying your
15 state senators, state representative because
16 the fair funding is not fair, but it
17 shouldn't be blamed on this council here, it
18 shouldn't be blamed on Mr. Dunbar. It's
19 been like this for years, and it's at the
20 state level, not at the municipal level.

21 Two, I would do a cost/benefit
22 analysis by a certified firm to study it.
23 While I know that Mr. Notari has provided us
24 figures I'm not disputing them, but I'm just
25 saying for council's sake as a whole just to

1 gather and engage. Always reach out to
2 other avenues. I know that it can be costly
3 obtaining these things, but there's some
4 non-profits and even state entities that can
5 maybe assist. That's all.

6 MR. RUSSELL RINALDI: Thank you.

7 ATTY. RINALDI: What council does
8 here today won't -- what they do in enacting
9 a LERTA won't affect the school district.

10 DR. NOTARI: I'm here as a resident.
11 I'm not here as -- I know I happen to have a
12 spot on the school board. I'm here as a
13 resident to talk about only information that
14 you get on the internet. Budgets that are
15 available, tax assessments that are
16 available on the internet. I've obviously
17 been to presentations at the school district
18 to see why our funding keeps dropping. I've
19 been to Harrisburg. We've had dignitaries
20 here at the school several times. We've
21 been with Senator Flynn. We've been with
22 the leadership on both sides in the house
23 the last two years. We've done all our due
24 diligence. We've actually met with Governor
25 Wolf when he was here at Mr. Rinaldi's

1 restaurant, we've met with Governor Shapiro
2 last week in Pittston. We've done the due
3 diligence.

4 MR. RUSSELL RINALDI: Larry, did you
5 want to come up?

6 MR. SEMENZA: Larry Semenza. As you
7 know, I work for George. I think a lot of
8 the things that happened happened because of
9 miscommunication with a lot of these things.
10 If this agreement goes through and you're
11 going to have a meeting next week -- I talk
12 to a lot of you guys daily, weekly about
13 different things in the borough. Don't
14 hesitate to call. If somebody calls and has
15 a question about the project, about
16 Birchwood, call me. You might not be able
17 to get George. Come over and see what goes
18 on. Nobody's here to pull the wool over
19 anybody's eyes. I work for the guy. Trust
20 me, there's no secrets, there's no shady
21 deals going on. He'll tell you anything you
22 want to know that he could. Believe me.

23 With that, I'm going to defer my
24 rebuttal to Doctor Notari until the dentist
25 chair. You guys might as well make a motion

1 to adjourn.

2 MR. WARTELLA: I'm Chris Wartella.
3 I just wanted to add a couple comments.
4 Real estate development, especially real
5 estate development of this size, takes time.
6 You know, this borough's been established
7 since 1899. Been here a long time, and it's
8 grown over that long time. The fact that
9 Mr. Dunbar would have to phase this in is an
10 economic decision. It's not a decision to
11 get anything extra out of the borough. It's
12 to use the tools -- as the gentleman before
13 me had spoke, to use the tools of
14 development to help increase economic
15 development in a community.

16 Currently, let's just take Birchwood
17 that has the LERTA and has had the LERTA.
18 Again, it's a rolling LERTA. I think it's a
19 misnomer to say it's 17 years. It's not.
20 Each phase, think of it as it's own
21 development. On each development it's ten
22 years. Not longer. These buildings go ten
23 years. Will he do another group of
24 buildings? Ten years. Another. So it's
25 not cumulative effect, it's a rolling LERTA,

1 but taxes get paid along the way.

2 But take Birchwood. Let's just take
3 the school district. Again, he's asking for
4 time because real estate development takes
5 time. Last year, in 2022, Birchwood
6 accounted for almost \$39,000 of school
7 district taxes. At that end or the
8 expiration of the LERTA, of all of the LERTA
9 in Birchwood that's going to increase to
10 \$482,000. That takes time. That doesn't
11 happen in a year. It won't fix the
12 short-term problem. Mr. Dunbar cannot
13 account for nor can he recommend anything
14 about the fiscal responsibilities of the
15 school district or their actions. He can
16 handle his fiscal responsibilities to build
17 and invest into this community. That's what
18 he's choosing to do. He's putting at
19 risk -- he's putting a greater amount of
20 risk than anyone else because he's
21 personally responsible for this debt that
22 he's incurring.

23 Let me say that again. At the
24 expiration of the LERTA on Birchwood the
25 school district will receive \$482,000. He's

1 asking for time to get that money built up
2 to the school district. They're getting
3 more each and every year that increases.
4 I'm sure the doctor could attest to that.
5 But those taxes on Birchwood increase every
6 single year.

7 So let's talk Holly Ridge for a
8 minute. Right now the school district
9 receives \$2,534 from that blighted property.
10 If we use the same metrics that we applied
11 to Birchwood to determine the taxes, what we
12 estimate those to be based on what the
13 assessed values may be -- but I think fair
14 is to say kind of what's going on with
15 Birchwood now. To the school district at
16 the expiration of the LERTA on Holly Ridge
17 it will go from \$2,500 to \$600,000, and he's
18 only asking for time to grow the tax to
19 \$600,000.

20 DR. NOTARI: A child born today will
21 never see that money to the school district
22 because a child born in 2016, the number you
23 used, \$480,000, will be 2033. Correct?
24 Seventeen years. That child will never see
25 the full fruition of his development, which

1 is fine. I'm not against that.

2 MR. WARTELLA: You have to agree
3 with me his tax payments to the school
4 district are increasing every single year
5 since 2016. Correct?

6 DR. NOTARI: Obviously.

7 MR. WARTELLA: So we've established
8 that those taxes are increasing every single
9 year of the LERTA. Every year.

10 MR. NOTARI: That's not true.

11 MR. WARTELLA: It is true.

12 MR. NOTARI: The first year is zero
13 percent. Right?

14 MR. WARTELLA: Every single year
15 from 2016 there --

16 MR. NOTARI: First year is zero
17 percent of the LERTA. Correct? Yes or no.

18 MR. WARTELLA: Sure.

19 MR. NOTARI: Well, then, they're not
20 increasing every year.

21 MR. WARTELLA: Okay, let's split
22 hairs. Are they higher taxes now than they
23 were when he started the project?

24 MR. NOTARI: Now they are, but not
25 the first two years.

1 MR. WARTELLA: Are they going to
2 continue from --

3 MR. NOTARI: You're the one that
4 chose to use the words every year, not me.
5 So let's be clear.

6 MR. WARTELLA: Then I'll amend that
7 and I will say from this point forward every
8 single year those taxes are increasing.
9 Correct?

10 MR. NOTARI: Yes.

11 MR. WARTELLA: Now, let's talk about
12 if the development doesn't get done at Holly
13 Ridge on that blighted property. How do the
14 taxes look ten years from now, then? Let's
15 take ten years from now if he does the
16 project. What do they look like? I think
17 one word can answer it. More. More help.
18 Right? If there's a problem with school
19 district funding that's a problem with the
20 state, not with Mr. Dunbar. That you have
21 to talk to your state representatives about
22 and how they compute. He has no control
23 over that.

24 But he's adding every year -- except
25 for the first two -- additional taxes to the

1 borough and the school district and the
2 county. Every -- from this point forward
3 every single year. And it's a fact. Ten
4 years from now we know there will be more
5 taxes paid on Holly Ridge than are being
6 paid right now, which is a benefit.

7 Not only that, there are residents
8 that move into this community that do pay
9 earned income taxes. We can squabble over
10 how much that is. You have better access to
11 those numbers from your tax collector than
12 we ever can. It's private information.

13 But we can also say for a fact that
14 people spend money in the local economy.
15 People who move here spend money in the
16 local economy. There are 233 new units that
17 Mr. Dunbar has brought in since he's
18 established his developments and they spend
19 money in the local economy. I think that
20 goes without saying. That benefits
21 everybody.

22 So we can either do nothing, let
23 properties sit blighted, have costs continue
24 to increase, pension costs continue to
25 increase, teacher salaries continue to

1 it's not my venue. I just looked at the
2 long term effects of this. Are the long
3 term effects positive or negative, not short
4 term, and if it's a state funding issue take
5 it up with the state, not with a private
6 developer looking to invest another \$80
7 million into this community. That's all I
8 have to say.

9 ATTY. GALLACHER: Just the written
10 proposal. What we're asking for, again,
11 tonight is essentially the same thing we
12 have with Birchwood. The language was
13 approved, the language was there before.
14 We're asking that the -- the only thing
15 that's really changed is the description of
16 the number of units. Again, we're asking
17 for the up to 80 and the 12 apartment
18 buildings. The numbers have changed.
19 That's basically about it.

20 So we're asking tonight that council
21 vote to set the currently submitted LERTA
22 proposal, which, again, is identical to the
23 Birchwood one, for a vote one week after the
24 advertisement of the meeting, that the vote
25 be conditioned upon dissolution of the TIF

1 with the approval of the LERTA, and that the
2 advertisement of the meeting be submitted or
3 put out there pretty much timely. By the
4 end of this week, we would request. So
5 that's what we're asking council to vote on
6 right now.

7 That was our compromise, I think, to
8 what we originally came in here. I'm hoping
9 that's acceptable to council and that's what
10 we're asking for at this point.

11 MR. RUSSELL RINALDI: Bill, is
12 that --

13 ATTY. RINALDI: I'm not going to use
14 their resolution, no. I don't mind
15 entertaining the LERTA but I'll draft it.

16 ATTY. GALLACHER: Well, I think
17 that's what we're having a problem with,
18 because by drafting it he wants to change
19 the number of units, the up to, the ten
20 years, the language of it. It was good for
21 Birchwood. When we came in last week that
22 was our proposal. We're not asking for
23 more. We could have come in here and we
24 could have said hey, we want a hundred
25 percent for ten years, abatement. That's

1 where we're at. But we didn't. We came in,
2 it's worked at Birchwood. Council had
3 approved it for Birchwood. We're asking for
4 the same thing. We don't want the language
5 to be changed, we don't want the numbers to
6 be changed. We don't want a whole bunch of
7 things changed in it because that's not what
8 we're looking for.

9 MR. FEBBO: Can we do that, Bill?

10 ATTY. RINALDI: No, I can't.

11 ATTY. GALLACHER: Why couldn't you
12 do it? We did it for Birchwood. What was
13 the problem?

14 ATTY. RINALDI: Because Birchwood
15 was run by the county. This is a stand
16 alone ordinance from the borough.

17 ATTY. GALLACHER: And Birchwood was
18 approved by Old Forge. They approved the
19 LERTA as well and the resolution.

20 ATTY. RINALDI: I have more
21 questions that they have to answer, and
22 there's a lot of litigation over that.

23 MR. DUNBAR: The litigation is over
24 the taxes, Bill. Everybody appeals their
25 taxes. There's not a person in this room

1 tonight that didn't appeal their property
2 tax. Can somebody tell me that they didn't
3 appeal their property tax?

4 MR. RUSSELL RINALDI: That's not
5 what I said. I said I wanted them to draft
6 a proposed motion that you and --

7 ATTY. RINALDI: That's the ordinance
8 I can give you. It does everything you guys
9 want, not necessarily what they want.

10 MR. DUNBAR: But I need to have that
11 to make this project successful or it
12 doesn't work for me and I won't waste any
13 more of your time.

14 MR. RUSSELL RINALDI: What was
15 our --

16 ATTY. RINALDI: They're getting a
17 ten year exemption under the act.

18 MR. DUNBAR: So a full hundred
19 percent for ten years, Bill?

20 ATTY. RINALDI: No, I'm going to
21 give you a ten year exemption. First year,
22 100 percent; second year, 100 percent; third
23 year, 90 percent; fourth year, 90 percent;
24 fifth year, 80 percent; sixth year, 80
25 percent; seventh year, 70 percent; year

1 eight, 70 percent; year nine, 60 percent;
2 and year ten is 50 percent.

3 ATTY. GALLACHER: The problem I have
4 with that is he's saying he's going to give
5 us. It's your decision as council on what
6 to do here.

7 ATTY. RINALDI: I can give you a
8 hundred percent every year.

9 MR. RUSSELL RINALDI: I thought we
10 were giving the same as Birchwood?

11 MR. DUNBAR: Exactly. That's
12 exactly what I'm looking for, Russell.
13 Exactly the same. I don't want anything
14 different. No more, no less.

15 MR. RUSSELL RINALDI: What we
16 discussed.

17 MR. DUNBAR: Exactly the same.

18 ATTY. RINALDI: They're the real
19 estate tax exemptions for Birchwood. I
20 didn't change them.

21 MR. DUNBAR: You're saying ten
22 years, so it's a phased-in ten years. We
23 want to make sure that's in the language.

24 ATTY. RINALDI: I'm going to go --
25 I'll follow the act. I mean --

1 MR. DUNBAR: Throwing a curve ball
2 there.

3 MR. RUSSELL RINALDI: I don't know
4 what it means follow the act.

5 MR. DUNBAR: He's throwing a curve
6 ball.

7 ATTY. RINALDI: Whatever the act
8 allows. I'm not going to make up new laws.

9 ATTY. GALLACHER: The act allows the
10 language of Birchwood. No one has
11 challenged the LERTA to Birchwood.

12 MR. DUNBAR: Guys, I want to get
13 there with you. Right? So again, it's up
14 to you. You heard our part, you heard their
15 part. We need to get this resolved tonight.
16 I'm not looking for any more. I'm asking
17 you to partner with me to make this project
18 successful. There is not a single
19 individual in the history of this community
20 who has injected more in their own community
21 than me. Than me. I need this LERTA to
22 make that high-end project work, and it has
23 to be a rolling LERTA because of the amount.
24 If I want to do a \$4 million project I'm not
25 before you. Maple Leaf, was I before you?

1 No. Orchards, was I before you? No.
2 Lilac, was I before you? No. They're much
3 smaller projects. That was something I can
4 handle money wise.

5 But these are massive. There's
6 probably not a bigger residential going on
7 in the commonwealth of Pennsylvania right
8 now than what I'm proposing with Holly
9 Ridge. And the quality, I want to emphasize
10 the quality. Not even close.

11 MR. RUSSELL RINALDI: Well, that's
12 what my question is. I thought council was
13 aware that we were going to propose the
14 motion tonight with the same LERTA as
15 Birchwood, same language as Birchwood. Am I
16 wrong?

17 MR. FEBBO: No.

18 MR. HOOVER: That's what I thought,
19 too.

20 ATTY. RINALDI: Whatever exemptions
21 you want to give him. Your obligation is up
22 to a hundred percent for ten years.

23 MR. RUSSELL RINALDI: I thought we
24 were doing the same as Birchwood. That's
25 what I'm asking.

1 MR. NOTARI: Does the Birchwood
2 LERTA comply with the law?

3 ATTY. RINALDI: I haven't reviewed
4 it.

5 MR. DUNBAR: I'd like to answer that
6 question.

7 MR. NOTARI: No, I have to get an
8 answer from our solicitor.

9 ATTY. RINALDI: I haven't looked at
10 it.

11 MR. DUNBAR: Rick, a LERTA has
12 already been established for Birchwood,
13 approved.

14 MR. NOTARI: I understand that, but
15 I keep reading it and I don't see -- and
16 maybe it's just the wording, but I don't see
17 the sliding phase part of it, and that's
18 kind of what the sticking point for me is
19 right now.

20 ATTY. GALLACHER: The Birchwood
21 LERTA's been in effect for seven years. No
22 one has challenged, no one sought to
23 challenge it. It was approved by the
24 county, it was approved by the school board,
25 it was approved by council seven years ago.

1 So it was good enough then. It was looked
2 at by the solicitors of the county, I'm
3 sure, at that time, of the school board, and
4 I'm sure it was looked at by council here,
5 the solicitor, which I believe was Bill at
6 that time.

7 MR. DUNBAR: Rick, if I'm doing 18
8 units I have no problem. It's huge.

9 MR. NOTARI: I get it.

10 MR. DUNBAR: I hope you do. You
11 have to be in the trenches to truly
12 understand what's involved with this.

13 MR. NOTARI: I agree with you, but I
14 understand what you're doing.

15 MR. HOOVER: I thought we were doing
16 the same LERTA as Birchwood, and I thought
17 we were going to make a motion, contingent
18 on county's answer, to give you the LERTA.
19 That's what I thought we were doing tonight.
20 Am I right?

21 MR. FEBBO: You're right.

22 ATTY. RINALDI: I didn't advertise
23 the ordinance.

24 MR. NOTARI: After speaking with
25 Bill earlier in executive session I came to

1 the conclusion that we need to advertise it.
2 Do we have to advertise?

3 MR. DUNBAR: I'm okay with that,
4 Rick.

5 ATTY. RINALDI: You're not binding
6 yourselves in it. You're saying you'll
7 entertain a proposed LERTA that they're
8 requesting.

9 ATTY. GALLACHER: But we're asking
10 the LERTA to be entertained is the one we
11 submitted, not with changes.

12 MR. RUSSELL RINALDI: That's what I
13 thought. The LERTA we're entertaining is
14 the same as Birchwood.

15 ATTY. RINALDI: Just say we're going
16 to entertain this exact document and only
17 this?

18 ATTY. GALLACHER: Correct.

19 ATTY. RINALDI: No.

20 ATTY. GALLACHER: That's what we're
21 asking.

22 ATTY. RINALDI: I can't approve
23 that.

24 MR. DUNBAR: Have to approve it.

25 ATTY. GALLACHER: It was drafted

1 back in 2016 with input from --

2 ATTY. RINALDI: That's all for your
3 benefit.

4 MR. DUNBAR: It's the same thing.
5 It's the same exact verbiage. The only
6 thing that changed is Holly Ridge --
7 Birchwood to Holly Ridge and the pin number.
8 That's it.

9 ATTY. GALLACHER: And the number of
10 units.

11 MR. HOOVER: Isn't it different
12 wording in the TIF than there is in the
13 LERTA?

14 MR. GALLACHER: There is, but we're
15 not proposing the same as the TIF. We're
16 proposing what was the Birchwood LERTA.
17 We're not saying we want to take the TIF
18 that was granted for Holly Ridge.

19 ATTY. RINALDI: He's asking for --
20 I'm using the preliminary plan that was
21 approved. He's asking for more than that.

22 MR. DUNBAR: I think it's 80 and
23 then the 12.

24 ATTY. RINALDI: He's asking for 80
25 townhouses --

1 MR. DUNBAR: Not to exceed.

2 ATTY. RINALDI: But that's not the
3 project. He's approved for 65 townhouses,
4 and he's asking for 12 apartment buildings
5 and he's only approved and he only has seven
6 on the property with 84 units.

7 MR. DUNBAR: Not to exceed. I may
8 not ever be able to do that but I want to
9 have that in so I don't get in the same
10 position that I am with the school district.

11 ATTY. RINALDI: You guys have to
12 think about it. Thirty years from now he
13 comes in and he says I'm going to put this
14 structure and I want a ten year abatement.
15 Thirty years from now. That's what he wants
16 to be able to do. He wants a rolling one.

17 MR. DUNBAR: No, that's not --
18 that's so far in left field. I'm not asking
19 for that.

20 ATTY. RINALDI: I didn't know the
21 school district had an issue. I thought the
22 LERTA was pretty much coming to an end.

23 MR. RUSSELL RINALDI: No matter what
24 he wants to do after the 65 townhouses and
25 six apartments approved he has to come back

1 and get all the approvals. He can't do what
2 he wants.

3 ATTY. RINALDI: Council at that time
4 might say you know what, now this isn't a
5 deteriorated property, we don't want to give
6 a LERTA. That's for --

7 MR. RUSSELL RINALDI: Then let them
8 decide that at that time. This council
9 wants to decide something different.

10 ATTY. RINALDI: He wants you to
11 decide it now. You can't. I'll give you
12 the classic example. North Pocono did a
13 contract. If and when we ever build a
14 school up in Clifton Township you're going
15 to use this contractor, this site, this --

16 MR. RUSSELL RINALDI: That's not
17 what this is.

18 ATTY. RINALDI: Yes, it is.

19 MR. RUSSELL RINALDI: No, it's not.

20 MR. DUNBAR: If I may just add one
21 thing, and hopefully this clears everything
22 up. You want me to build 80 townhomes as
23 opposed to 65 because what does that do? It
24 generates more economic development. So,
25 Bill -- and not being disrespectful to

1 you -- but instead of resisting why don't
2 you partner with us? You have a fiduciary
3 duty to this municipality to move this town
4 forward. So let's do that.

5 No one's trying to pull the wool.
6 Right? I have a proven record here. I
7 finish my projects. My projects are top
8 shelf. We don't have police there, there's
9 not people off the streets pointing guns at
10 people, there's not people shooting up
11 crack. We don't have that. These are
12 quality people I bring in this community.
13 So I'll asking you, Bill --

14 ATTY. RINALDI: You want to increase
15 the LERTA?

16 MR. RUSSELL RINALDI: I thought we
17 were doing, number one, the same as
18 Birchwood --

19 ATTY. RINALDI: I thought we were
20 doing -- now we're doing the project plus.

21 MR. RUSSELL RINALDI: No, no, we're
22 doing not to exceed. We weren't doing
23 anything plus.

24 ATTY. RINALDI: His project is -- I
25 told you what his project is, 65 townhouses

1 and seven apartment buildings. Now you want
2 to increase that.

3 MR. RUSSELL RINALDI: No, not to
4 exceed --

5 ATTY. RINALDI: He wants to increase
6 it.

7 MR. DUNBAR: Maybe, Bill. I don't
8 know. If the --

9 MR. RUSSELL RINALDI: He might not
10 increase it. He can't go any more.

11 MR. LETTIERI: Not to exceed 80 or
12 not to exceed 12.

13 MR. DUNBAR: Right, so we're not
14 back in the quagmire again.

15 MR. LETTIERI: It's 65 and seven.

16 ATTY. RINALDI: So I can put not to
17 exceed how many townhouses?

18 ATTY. GALLACHER: We put it in the
19 draft resolution, 80 townhouses and 12
20 apartment buildings. We sent the proposed
21 resolution. I have another copy of it if
22 you'd like.

23 ATTY. RINALDI: So the 12 apartment
24 buildings. What's the maximum number of
25 units?

1 MR. DUNBAR: It's four, four, four,
2 so it's 12. This may never happen. The
3 storm water calcs may never change. I may
4 not be able to do that.

5 MR. RUSSELL RINALDI: If it does
6 happen you'll have to come back here.

7 MR. DUNBAR: Exactly. It would take
8 about two years to get those approvals, by
9 the way.

10 ATTY. GALLACHER: Again, we're
11 making changes. We're asking for the same
12 thing that we have at Birchwood. The
13 language is exactly the same.

14 ATTY. RINALDI: Currently it's
15 proposed for this. The LERTA can be
16 extended upon approval from planning and the
17 borough up to this amount.

18 MR. DUNBAR: We want the term not to
19 exceed. I don't know what the big issue is.
20 Again, it may never happen.

21 ATTY. RINALDI: I don't want them
22 banging this over your head saying you
23 already approved this development.

24 MR. RUSSELL RINALDI: But we didn't
25 approve it. We just put not to exceed.