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OLD FORGE BOROUGH COUNCIL  
OLD FORGE, PENNSYLVANIA

IN RE: REGULAR MEETING OF COUNCIL

AUGUST 16, 2022

7:00 P.M.

OLD FORGE MUNICIPAL BUILDING

314 SOUTH MAIN STREET

OLD FORGE, PENNSYLVANIA

COUNCIL MEMBERS:

- RUSSELL RINALDI, PRESIDENT
- RICK NOTARI, VICE-PRESIDENT
- LOUIS FEBBO
- JAMES HOOVER
- MICHELLE AVVISATO
- ANDREW BUTLER
- WILLIAM RINALDI, ESQUIRE, SOLICITOR
- MARYLYNN BARTOLETTI, BOROUGH MANAGER
- ROBERT LEGG, MAYOR

Mark Wozniak  
Official Court Reporter

1 MR. RUSSELL RINALDI: Good evening,  
2 ladies and gentlemen. I'd like to call the  
3 meeting to order with the Pledge of  
4 Allegiance.

5 (The Pledge of Allegiance was  
6 recited.)

7 MR. RUSSELL RINALDI: Roll call,  
8 please.

9 MS. BARTOLETTI: Councilwoman  
10 Avvisato?

11 MS. AVVISATO: Here.

12 MS. BARTOLETTI: Councilman Butler?

13 MR. BUTLER: Here.

14 MS. BARTOLETTI: Councilman Febbo?

15 MR. FEBBO: Present.

16 MS. BARTOLETTI: Councilman Hoover?

17 MR. HOOVER: Present.

18 MS. BARTOLETTI: Councilman  
19 Lettieri?

20 MR. LETTIERI: Present.

21 MS. BARTOLETTI: Councilman Notari?

22 MR. NOTARI: Present.

23 MS. BARTOLETTI: Councilman Rinaldi?

24 MR. RUSSELL RINALDI: Here. Once  
25 again, ladies and gentlemen, welcome to the

1 Old Forge Borough regular meeting. Tonight  
2 is Tuesday, August 16, 2022. I'd like to  
3 welcome you all to the first meeting in the  
4 new building. I know I'm very excited about  
5 that. It was a long construction project.  
6 Almost two years now. We went through  
7 Covid, we went through supply and demand and  
8 shortages and everything. We still have a  
9 few little items to do, but we're underway  
10 and we'll have our meetings here for the  
11 rest of the duration.

12 Big thanks to the fire department.  
13 for all your help the past two years.  
14 Regular meetings, work sessions, executive  
15 meetings. We really appreciate it. In the  
16 near future, Marylynn said they she would  
17 like to have an open house here and we would  
18 invite everyone from the town. We would  
19 have a few refreshments, some food, have the  
20 building open to the public and council  
21 members here, the mayor and everyone. We'll  
22 advertise it when we have it.

23 It's great to be here and I know I'm  
24 really happy to be in the new building. I  
25 know Marylynn is, Mr. Notari is.

1 MR. NOTARI: Very happy.

2 MR. RUSSELL RINALDI: Welcome all  
3 once again. We'll begin the meeting. First  
4 for tonight's meeting is we're going to go  
5 through a few housekeeping motions, we'll  
6 hear from our department heads, our chief of  
7 police, our assistant fire chief, our mayor.  
8 We'll go down the table, hear from our  
9 council members, our manager and solicitor.

10 There's a public sign-in sheet with  
11 the chief. Before we go into new business,  
12 if you'd like give him your name we'll give  
13 you a few minutes at the end of the meeting.

14 With that said, we'll move to our  
15 first housekeeping motion. It's going to be  
16 a motion to approve the minutes of the prior  
17 meeting.

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

19 MR. RUSSELL RINALDI: By Councilman  
20 Notari.

21 MR. BUTLER: I'll second it.

22 MR. RUSSELL RINALDI: Seconded by  
23 Councilman Butler. On the question? Public  
24 input? Roll call, please.

25 ATTY. RINALDI: Ms. Avvisato?

1 MS. AVVISATO: Yes.

2 ATTY. RINALDI: Mr. Butler?

3 MR. BUTLER: Yes.

4 ATTY. RINALDI: Mr. Febbo?

5 MR. FEBBO: Yes.

6 ATTY. RINALDI: Mr. Hoover?

7 MR. HOOVER: Yes.

8 ATTY. RINALDI: Mr. Lettieri?

9 MR. LETTIERI: Yes.

10 ATTY. RINALDI: Mr. Notari?

11 MR. NOTARI: Yes.

12 ATTY. RINALDI: Mr.

13 Rinaldi?

14 MR. RUSSELL RINALDI: Yes. Second  
15 item is motion to approve the treasurer's  
16 report. Please note this does not include  
17 the sewer account.

18 MS. AVVISATO: I'll make that  
19 motion.

20 MR. RUSSEL RINALDI: By Councilwoman  
21 Avvisato.

22 MR. LETTIERI: I'll second it.

23 MR. RUSSELL RINALDI: Seconded by  
24 Councilman Lettieri. On the question?  
25 Public input? Roll call, please.

1 MS. BARTOLETTI: Councilwoman

2 Avvisato?

3 MS. AVVISATO: Yes.

4 MS. BARTOLETTI: Councilman Febbo?

5 MR. FEBBO: Yes.

6 MS. BARTOLETTI: Councilman Butler?

7 MR. BUTLER: Yes.

8 MS. BARTOLETTI: Councilman Hoover?

9 MR. HOOVER: Yes.

10 MS. BARTOLETTI: Councilman

11 Lettieri?

12 MR. LETTIERI: Yes.

13 MS. BARTOLETTI: Councilman Notari?

14 MR. NOTARI: Yes.

15 MS. BARTOLETTI: Councilman Rinaldi?

16 MR. RUSSELL RINALDI: Yes. Third

17 item is motion to approve invoices for

18 payment. Please note this does not include

19 the sewer account.

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

21 MR. RUSSELL RINALDI: By Councilman

22 Notari.

23 MR. HOOVER: I'll second it.

24 MR. RUSSELL RINALDI: Seconded by

25 Councilman Hoover. On the question? Public

1 input? Roll call, please.

2 MS. BARTOLETTI: Councilwoman

3 Avvisato?

4 MS. AVVISATO: Yes.

5 MS. BARTOLETTI: Councilman Febbo?

6 MR. FEBBO: Yes.

7 MS. BARTOLETTI: Councilman Butler?

8 MR. BUTLER: Yes.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Yes.

11 MS. BARTOLETTI: Councilman

12 Lettieri?

13 MR. LETTIERI: Yes.

14 MS. BARTOLETTI: Councilman Notari?

15 MR. NOTARI: Yes.

16 MS. BARTOLETTI: Councilman Rinaldi?

17 MR. RUSSELL RINALDI: Yes. Fourth

18 item is motion to approve sewer department

19 financial report.

20 MR. LETTIERI: I'll make that

21 motion.

22 MR. RUSSELL RINALDI: By Councilman

23 Lettieri.

24 MR. HOOVER: I'll second it.

25 MR. RUSSELL RINALDI: Seconded by

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

3 MS. BARTOLETTI: Councilwoman  
4 Avvisato?

5 MS. AVVISATO: Yes.

6 MS. BARTOLETTI: Councilman Febbo?

7 MR. FEBBO: Yes.

8 MS. BARTOLETTI: Councilman Butler?

9 MR. BUTLER: Yes.

10 MS. BARTOLETTI: Councilman Hoover?

11 MR. HOOVER: Yes.

12 MS. BARTOLETTI: Councilman  
13 Lettieri?

14 MR. LETTIERI: Yes.

15 MS. BARTOLETTI: Councilman Notari?

16 MR. NOTARI: Yes.

17 MS. BARTOLETTI: Councilman Rinaldi?

18 MR. RUSSELL RINALDI: Yes. Fifth

19 item under housekeeping is a motion to  
20 approve sewer department invoices for  
21 payment.

22 MS. AVVISATO: I'll make that  
23 motion.

24 MR. RUSSELL RINALDI: By  
25 Councilwoman Avvisato.

1 MR. NOTARI: I'll second it.

2 MR. RUSSELL RINALDI: Seconded by  
3 Councilman Notari. On the question? Public  
4 input? Roll call, please.

5 MS. BARTOLETTI: Councilwoman  
6 Avvisato?

7 MS. AVVISATO: Yes.

8 MS. BARTOLETTI: Councilman Febbo?

9 MR. FEBBO: Yes.

10 MS. BARTOLETTI: Councilman Butler?

11 MR. BUTLER: Yes.

12 MS. BARTOLETTI: Councilman Hoover?

13 MR. HOOVER: Yes.

14 MS. BARTOLETTI: Councilman

15 Lettieri?

16 MR. LETTIERI: Yes.

17 MS. BARTOLETTI: Councilman Notari?

18 MR. NOTARI: Yes.

19 MS. BARTOLETTI: Councilman Rinaldi?

20 MR. RUSSELL RINALDI: Yes. We'll go

21 to our department heads. DPW manager, Joe

22 Lenceski. Joe, anything for the meeting?

23 We have the report.

24 MR. LENCESKI: Nothing.

25 MR. RUSSELL RINALDI: Anybody have

1 any questions for Joe?

2 MR. NOTARI: Could you or Dave  
3 provide an update on Smith Street and the  
4 problem with the water at the cemetery.

5 MR. LENCESKI: Right now?

6 MR. NOTARI: Yes.

7 MR. LOPATKA: So I think at the last  
8 meeting we went over --

9 MR. NOTARI: The two options.

10 MR. LOPATKA: Three options. One  
11 was just connecting to LLVSA. The other one  
12 was a pump system. We provided that at the  
13 last meeting with some rough numbers which  
14 are --

15 MR. NOTARI: Astronomical.

16 MR. LOPATKA: You guys need to tell  
17 me how you want me to move forward with  
18 that.

19 MR. NOTARI: I thought there was  
20 more coming.

21 MR. LOPATKA: No, that's basically  
22 what our options were.

23 MR. HOOVER: Any way we can get this  
24 to Susquehanna Avenue through Moosic Road,  
25 the first street? Is there anything on

1 Susquehanna Avenue we can pick up?

2 MR. LOPATKA: Where is that?

3 MR. BUTLER: The street that runs  
4 down.

5 MR. LOPATKA: Honestly, probably not  
6 because -- well, it's a little bit uphill,  
7 plus gravity-wise you're changing grade.  
8 You're getting deeper as you go to get  
9 there. As you chase the pipe you can't keep  
10 the same elevation the whole way. You have  
11 to have probably one percent grade on it.  
12 By the time you get over there you're going  
13 to be 15 feet deep or 20 feet deep.

14 MR. HOOVER: Okay, thanks.

15 MR. RUSSELL RINALDI: Any other  
16 questions for Joe? Thanks, Joe.

17 Chris Hart, code enforcement/zoning  
18 officer. Anything for the meeting?

19 MR. HART: Nothing at this moment.

20 MR. RUSSELL RINALDI: Anybody have  
21 any questions for Chris?

22 MR. LETTIERI: On the report --  
23 great report, by the way. Thank you.  
24 What's the definition of service? I see  
25 things that are straightforward, but what

1 does service mean?

2 MR. HART: Electrical service.

3 MR. RUSSELL RINALDI: Anyone else

4 have questions for Chris? Thanks, Chris.

5 Dave Lopatka, engineer?

6 MR. LOPATKA: I provided you guys an  
7 update on our meeting with D&M. I don't  
8 know if anybody has any questions on that  
9 that I can answer. I provided a breakdown  
10 on the last two weeks on numbers, payment  
11 applications that we have, what's  
12 outstanding, what we would consider minimal  
13 for retainment. So I don't know if anybody  
14 has any questions with regard --

15 MR. HOOVER: What is the number that  
16 we do owe?

17 MR. LOPATKA: The overall number is  
18 over a hundred, and that's including payment  
19 apps 19 and 20. It's on the back. It's  
20 \$151,671.18. It's based off that, I know  
21 through that discussion the payment apps,  
22 there's a remaining fee on 15 and then 16  
23 and 17. That's basically what we recommend,  
24 and retainage would be the remaining payment  
25 apps, which is 18, 19 and 20, which equates

1 to \$29,659.94.

2 MR. RUSSELL RINALDI: Any other  
3 questions for Dave? Do you have anything  
4 else?

5 MR. LOPATKA: Just that Dunn Ave., I  
6 know we're putting that out to bid. That's  
7 done and ready to go out.

8 Apache Drive, I know at the last  
9 meeting we had gotten some bids that were  
10 high, so I sent them back out to the  
11 contractors. Initially keeping the two bids  
12 that we had that had the two inlets, the  
13 pipe, we ended up removing that inlet to the  
14 center of their driveway and then extending  
15 a pipe over. So that actually has been sent  
16 back out to the contractors. I'm waiting  
17 for it --

18 MR. HOOVER: When is it coming back?

19 MR. LOPATKA: I should have it by  
20 the end of the week.

21 MR. HOOVER: Okay.

22 MR. LOPATKA: Then Hickory Street,  
23 as you know, is still something that needs  
24 to be approved so we can move forward with  
25 it.

1 MR. NOTARI: So we do have bids  
2 on -- these are on Hickory Street?

3 MR. LOPATKA: Yes.

4 MR. NOTARI: And the same with  
5 Apache?

6 MR. LOPATKA: Correct. Each of  
7 them -- I sent them an updated plan,  
8 revised, showing one inlet in the middle of  
9 the driveway. Neither one of them provided  
10 me with a bid with that revised layout.  
11 They gave me the one with multiple inlets  
12 and more pipe. So I sent it back to them  
13 saying I need an updated price with just the  
14 one inlet and pipe.

15 MR. HOOVER: First one we sent out  
16 didn't have the catch basin in front of the  
17 driveway. Then you voiced your opinion and  
18 you wanted one in front of the driveway and  
19 we did change it to that. So that's where  
20 we're at. I want to make sure that Apache  
21 Drive is done this year.

22 MR. NOTARI: Can we approve these  
23 tonight?

24 MR. HOOVER: We can probably approve  
25 Hickory Street. We can't approve Apache

1 because we're waiting for bids to come back.

2 MR. LOPATKA: Correct.

3 ATTY. RINALDI: That's an emergency  
4 repair there. You have to get that done.

5 MR. RUSSELL RINALDI: Anything else,  
6 Dave?

7 MR. LOPATKA: No.

8 MR. FEBBO: Angela Drive and  
9 Pittston Avenue, where are we at?

10 MR. LOPATKA: I sent it to Bill.  
11 Bill has the map and the deed description.

12 MR. FEBBO: Bill, where are we at?

13 ATTY. RINALDI: All the work is  
14 done. It's just whether you wanted me to  
15 circulate it or not. Might be the ability  
16 to get those for the next meeting. My work  
17 is done. It's surveyed, the deed is  
18 prepared. We need to set up the individuals  
19 on the meet. The other option is Louis was  
20 supposed to come down with a plan.

21 MR. RUSSELL RINALDI: We'd have to  
22 meet with Louis. He's supposed to be coming  
23 down with a plan for the rest of Park Drive  
24 in the development.

25 MR. FEBBO: That's still a problem

1 with him?

2 MR. RUSSELL RINALDI: No. He said  
3 he's looking to develop Park Drive.

4 MR. HOOVER: Park and the other one,  
5 too. He wants to take them all over. He  
6 can't take Park Drive without --

7 MR. FEBBO: He has to bring that in  
8 compliance with the code.

9 MR. RUSSELL RINALDI: Yes. It has  
10 to go to planning before.

11 ATTY. RINALDI: Either way I'm  
12 ready.

13 MR. NOTARI: We can talk about that  
14 in executive some more.

15 MR. RUSSELL RINALDI: Anybody have  
16 any other questions for Dave? Thanks, Dave.

17 MR. LOPATKA: One other item. The  
18 borough and the school district, that  
19 right-of-way, that plan is done. I'm  
20 sending it to Chris. It has to go through  
21 planning. That's for that subdivision of  
22 that piece of land you guys have that you're  
23 granting to the school district. Now we  
24 added the right-of-way there so that  
25 technically will be a street. There's a

1 piece of land that has to come from -- the  
2 borough has to acquire it from the school  
3 district, then we're creating a  
4 right-of-way, a new street, basically, down  
5 along that to the pit in the back, and then  
6 the piece that goes to the school district.  
7 That's going to Chris this week, so that  
8 will be on the agenda for the planning  
9 commission to get approved.

10 MR. RUSSELL RINALDI: Dave, anything  
11 else?

12 MR. LOPATKA: No.

13 MR. RUSSELL RINALDI: Thank you.  
14 Chief Dubernas?

15 CHIEF DUBERNAS: Nothing.

16 MR. RUSSELL RINALDI: Anybody have  
17 any questions for the chief? Thanks, Chief.

18 Bill Stull, assistant fire chief,  
19 anything for the meeting.

20 MR. STULL: Nothing at all.

21 MR. RUSSELL RINALDI: Anybody have  
22 any questions for Bill? Thanks, Bill.

23 Attorney Rinaldi, solicitor's  
24 report?

25 ATTY. RINALDI: So tonight I'm just

1 going to ask you to switch the order of  
2 numbers three and four to approve civil  
3 service rules as amended first, and then do  
4 item three, which would be appoint civil  
5 service commission members.

6 Number two is the vote to ratify the  
7 police union contract which was signed by  
8 the police union.

9 The only other thing in my report is  
10 mediation. I didn't put the date in because  
11 I thought maybe it was going to change.  
12 Right now Lilac Meadows and Birchwood and  
13 Maple Leaf there's a mediation for September  
14 19th. That's subject to change. Wait to  
15 hear from the judge on that. The judge  
16 wants all the school board members, all  
17 council members, all the tax assessment  
18 people there to try and get involved.

19 MR. NOTARI: That's different than  
20 the January 11th date you have there?

21 ATTY. RINALDI: That's the trial  
22 date. So mediation is -- when the judge  
23 moved the trial date to January she did not  
24 move the mediation, which I think she  
25 forgot. So she might be moving the

1 mediation as well. That's all I have.

2 MR. RUSSELL RINALDI: Anybody have  
3 questions for the solicitor? Thanks, Bill.

4 Marylynn, borough manager report.

5 MS. BARTOLETTI: Just waiting to see  
6 if any of you have any questions on my  
7 financial reports. That's all I have.

8 MR. RUSSELL RINALDI: Anybody have  
9 any questions for the borough manager?  
10 Thanks, Marylynn.

11 Before we go into new business we'll  
12 go to public comment. Lynn Andrioli?

13 MS. ANDRIOLI: So I'm here again  
14 about the property that is troublesome. So  
15 we know that she was arrested, I believe,  
16 two nights ago for domestic violence and the  
17 police were called again yesterday for  
18 domestic violence again. She was removed  
19 but, I believe, not arrested.

20 She's got a friend living with her  
21 who has zero ties to anyone who remains in  
22 the property, who is also not exactly what  
23 we wanted him to be.

24 So that's our question. How does he  
25 get to stay there? Does he get to come

1 back? I don't know what the status is of  
2 her arrest or whatever happened with that.  
3 I don't know that status of -- I know he has  
4 ten days and I think we're just coming up on  
5 that ten days.

6 MR. RUSSELL RINALDI: Let the chief  
7 answer for you first, then if Bill wants to  
8 answer and then if Chris wants to. But  
9 we'll let the chief go first because he has  
10 the legal answers.

11 CHIEF DUBERNAS: So she was arrested  
12 for domestic violence, was taken in front of  
13 a judge, county judge. There was a bail  
14 condition set on it, and part of the bail  
15 condition is she is to be removed from that  
16 house. So they're boyfriend/girlfriend.  
17 She's removed from the residence, he's still  
18 allowed to stay in the residence.

19 MS. ANDRIOLI: Can anybody, like,  
20 wrap their head around that? They're not  
21 boyfriend and girlfriend. They have been  
22 living together for three weeks tops, and  
23 it's because he has nowhere else to go. And  
24 I get it, it's her friend, but they don't  
25 have a relationship that way. If they do, I

1 mean, I guess it's possible. If I find an  
2 empty house in Old Forge and I just kind of,  
3 like, plop myself in it I get to stay? I  
4 don't understand it.

5 CHIEF DUBERNAS: She posted bail or  
6 whatever. She comes out Monday when our  
7 police officers are there. She has to get  
8 escorted to obtain her items, and I believe  
9 that's when she leaves with her items in a  
10 suitcase. So until she either gets a PFA to  
11 have him taken from the house she's not  
12 going to be allowed back there until next --  
13 the 24th. He's allowed there, she's not.

14 MS. ANDRIOLI: How can he be allowed  
15 there? He has no relationship with the  
16 owner. None.

17 CHIEF DUBERNAS: Saying that's his  
18 residence and boyfriend/girlfriend.

19 MS. ANDRIOLI: Can anybody help us  
20 here because this is really starting to be  
21 like a hotel/motel. It's almost like  
22 prostitution. How do we keep this out of  
23 our neighborhood if it keeps happening? She  
24 beat him up twice.

25 MR. RUSSELL RINALDI: She beat

1 up the boyfriend who is there now?

2 MS. ANDRIOLI: Yes, twice.

3 MR. RUSSELL RINALDI: Because she  
4 had a boyfriend before this. The boyfriend  
5 who was there.

6 MS. ANDRIOLI: He moved himself, so  
7 he left her and he took off. Now Dave is  
8 going to -- he claims he's going to take  
9 over the property. He's telling everybody  
10 that. He sticks the motorcycles on the  
11 sidewalk, the back yard, of course, still is  
12 a disaster. We keep having -- there's cars  
13 pulling up, guys getting out. She's going  
14 out 1:00 in the morning. Our other  
15 neighbors on Mary Street, two nights in a  
16 row people banging on their door, banging on  
17 their air conditioner. That's the first  
18 night. They go and get a camera the next  
19 day, had it installed. They come around  
20 again, they see the camera, they take off.

21 Now we're bringing new element into  
22 the neighborhood. Honestly, when we go out  
23 my neighbor texted me to let me know this is  
24 happening in our back yard, sort of bump up,  
25 and we go out there and the police were,

1 quite frankly, pretty rude to us.

2 Now, when they go over to the 528  
3 house and the girl's sitting on the porch  
4 oh, sit down. Everything's going to be  
5 okay. We go out and we get, like, what do  
6 you want? What are you doing here? Really?  
7 It's our neighborhood.

8 MR. RUSSELL RINALDI: If you felt  
9 that the police didn't treat you fairly  
10 would you contact the mayor?

11 MS. ANDRIOLI: We did.

12 MR. RUSSELL RINALDI: Did you let  
13 him know of the incident, the officer's  
14 name?

15 MS. ANDRIOLI: I don't know names --

16 MAYOR LEGG: I spoke to your husband  
17 this afternoon.

18 MR. RUSSELL RINALDI: My next  
19 question would be did you contact the chief  
20 but you contacted the mayor first. The  
21 mayor is in charge of the police department,  
22 so he would handle any of the officers and  
23 however they were treating you. That's  
24 number one.

25 Two, often the chief answers. Bill

1 also has a little bit of information for you  
2 because we discussed this already, prior.

3 ATTY. RPINALDI: This happened  
4 yesterday, so there's a hearing scheduled on  
5 the 24th right now. It's only a preliminary  
6 hearing. But Jason and myself, we're trying  
7 to make the judge aware of what's happening  
8 there and see if they can remedy that  
9 situation.

10 MS. BARTOLETTI: Am I allowed to go?

11 ATTY. RINALDI: Absolutely.

12 CHIEF DUBERNAS: It's up at the  
13 criminal justice center. The back side of  
14 the prison.

15 MR. HOOVER: The judge must think  
16 this girl lives there even though she  
17 doesn't.

18 ATTY. RINALDI: She does live there.

19 MR. RUSSELL RINALDI: There's two  
20 different judges. Am I correct? There's a  
21 judge for the first boyfriend and the PFA  
22 between them which the judge made the owner  
23 of the house leave and allowed her to stay  
24 because of the kids. But the kids are not  
25 there.

1 MS. ANDRIOLI: They never come back.

2 MR. RUSSELL RINALDI: She gets into  
3 a fight with --

4 MS. ANDRIOLI: She has another  
5 boyfriend --

6 MR. RUSSELL RINALDI: He left.

7 MS. ANDRIOLI: They had many  
8 domestic disputes on the porch. Many. Then  
9 he removed himself. Now Dave, because he  
10 has nowhere to go.

11 CHIEF DUBERNAS: She allowed them.

12 MR. RUSSELL RINALDI: So now the  
13 answer is we have to wait until the second  
14 judge hears her case?

15 CHIEF DUBERNAS: Magisterial judge.

16 MS. AVVISATO: Chris already had the  
17 hearing.

18 MR. HART: I had one. I told you he  
19 pled guilty and they put him on a payment  
20 plan. I just refiled today under the  
21 nuisance and everything that happened.

22 MS. ANDRIOLI: So what's the remedy  
23 you filed today?

24 MR. HART: Hopefully he pleads  
25 guilty and he comes and I'm going to ask the

1 judge if he'll meet me face to face to talk  
2 about the situation, what's going on.  
3 Unfortunately, if he pleads guilty, then  
4 it's back to --

5 MS. ANDRIOLI: What happens if he  
6 pleads guilty?

7 MR. HART: Pay the fine. I'm after  
8 him for the nuisance and the property.

9 MS. ANDRIOLI: She's no longer  
10 living there, he's technically a tenant?  
11 They don't have it set up as a rental  
12 property.

13 MR. NOTARI: No one does in Old  
14 Forge.

15 MS. ANDRIOLI: That's okay, then?

16 MR. NOTARI: It's not.

17 MS. ANDRIOLI: Can I do that? Now  
18 they're bringing other elements in. Every  
19 time we come here it's never in our favor in  
20 any way. They don't have to clean it, they  
21 don't have to register it. Anybody can  
22 literally move into an empty house, put  
23 their bas down and they get to stay.

24 MR. RUSSELL RINALDI: Well, they  
25 have to clean it. Talking about the outside

1 of the property? Why wouldn't they have to  
2 clean it?

3 MS. ANDRIOLI: Because he plead's  
4 guilty and pays \$30 a month. Just like he  
5 said about Stocki, he's pleading guilty,  
6 paying the fine, and it remains the way it  
7 remains.

8 MR. RUSSELL RINALDI: Chris, you're  
9 saying that the property is not cleaned up?

10 MR. HART: No, he didn't clean it  
11 up. That's why I refiled today at 2:00.

12 MR. RUSSELL RINALDI: So he didn't  
13 clean it up so you fined him?

14 MR. HART: Yes. He was fined the  
15 first time, and now he is fined and back in  
16 the magistrate's for another time.

17 MR. RUSSELL RINALDI: But this time  
18 he goes back to the magistrate. If the  
19 magistrate decides can he put him in jail?

20 MR. HART: He could. I have it  
21 noted on there for the maximum of our  
22 penalties. It is noted. I don't know. I  
23 can't say what the magistrate is going to  
24 do. I recommended maximum because it's been  
25 going on long enough, and like I said, the

1 last time he pled guilty he went on a  
2 payment plan and he has not touched the  
3 place yet and we're having more problems,  
4 clearly. So that's where I went on this  
5 ordinance. Just today at 2:00 I did it. I  
6 went for maximum. Now I have to wait for a  
7 hearing.

8 MR. RUSSELL RINALDI: Maximum \$600  
9 fine, ten days in jail?

10 MR. HART: Yes, ten or 30. That's  
11 the last, now. If he pleads guilt on this  
12 one I can't say what the magistrate is going  
13 to do.

14 MR. RUSSELL RINALDI: Well, maximum  
15 \$600, ten days in jail. If he pleads guilty  
16 he's going to have to pay \$600 and ten days  
17 in jail. Correct, Bill?

18 ATTY. RINALDI: I don't know what  
19 statute you have it under.

20 MR. HART: The private criminal.

21 ATTY. RINALDI: Then there's a fine  
22 and/or imprisonment the judge could order.

23 MR. RUSSELL RINALDI: That's going  
24 to be up to the judge.

25 ATTY. RINALDI: There's civil and

1 criminal penalties. I don't know which.

2 MR. HART: I asked for the maximum  
3 on it. I'm just waiting to get a hearing  
4 date, see what he does. It's not the only  
5 one I have. I have seven or eight of them  
6 there.

7 MS. ANDRIOLI: Back to that hearing  
8 he's going to have, if we go to that hearing  
9 what would be helpful to tell the judge?

10 ATTY. RINALDI: That hearing is  
11 going to determine whether there's enough  
12 evidence to proceed to county court in front  
13 of a jury trial. The charges are simple  
14 assault, M-2, and harassment, a summary. So  
15 they'll take evidence from the victim and  
16 the police officer and then the magistrate  
17 will make a determination on whether or not  
18 it should proceed to county court. It will  
19 be scheduled for a trial. She can modify  
20 bail conditions as see sees fit.

21 The problem is going to be her going  
22 back to living there, not him. I don't know  
23 how he's living there. They just remove  
24 people from situations. There's a couple  
25 fighting, one gets taken away, the other one

1 stays. So they don't get into who has a  
2 lease, who doesn't have a lease.

3 MR. RUSSELL RINALDI: The guy who is  
4 currently there now, the owner is the only  
5 one that can say I want him out?

6 ATTY. RINALDI: Whoever is on the  
7 deed to the house.

8 CHIEF DUBERNAS: There's a court  
9 order that says Brianna has to live there  
10 because of the PFA.

11 MR. RUSSELL RINALDI: The guy who's  
12 there now, Dave? But if John says he can't  
13 stay there, then he has to leave. Call John  
14 tomorrow and ask him if he wants him to stay  
15 there or not. Do we have a number of the  
16 owner of the home?

17 MR. HART: He disconnected the  
18 phone. I've even been to his house in  
19 Scranton. I cannot find him, get in touch  
20 with him. The magistrate was in contact  
21 with him. The magistrate's going to get me  
22 whatever information he possibly can on  
23 Thursday.

24 MR. RUSSELL RINALDI: But you have a  
25 court hearing set up --

1 MR. HART: Scheduled again. I don't  
2 know what the date is. I'm going to ask the  
3 judge if he could --

4 MR. RUSSELL RINALDI: So when you go  
5 down to the magistrate tomorrow, ask him if  
6 you could somehow have a number or contact  
7 for this guy, call this guy, you and the  
8 chief, and say there's a guy in your house,  
9 explain to him what's going on, because he  
10 has the authority to tell the guy to leave.  
11 Say do you want him in your house or not?  
12 If he says yeah, then there's nothing we can  
13 do about it. But if he says no, then he has  
14 to leave the house. Correct, Bill?

15 ATTY. RINALDI: He's got to leave,  
16 and then somebody's going to take action,  
17 and it can't be us, to get him out of there.

18 MS. AVVISATO: He can sell that  
19 house whenever he wants. Maybe he doesn't  
20 know what's going on.

21 MR. RUSSELL RINALDI: That's why I'm  
22 saying let's see if we can get a hold of  
23 him.

24 MR. HART: He's changed his number  
25 on me four times already. Every time I try

1 to contact him -- I've been to his house in  
2 Scranton and I still can't. My hopes are  
3 that there's an active phone number on this  
4 most recent one because he is on a payment  
5 plan. He paid the first one over the phone.  
6 So there has to be something and that's what  
7 they told me they would get me.

8 MR. RUSSELL RINALDI: Get a number  
9 for him, you and the chief get in contact  
10 with him, let him know what's going on and  
11 see if we can get to say do you want the guy  
12 living in the house or out of the house? If  
13 he says he wants the guy out let's take the  
14 steps -- help him take the steps to get the  
15 guy out.

16 MR. HART: The problem is he doesn't  
17 have the means to do that. That's why we're  
18 in this situation. The owner of the house.  
19 He has to pay for the eviction. He does not  
20 have the money to do it. We were through  
21 this before and then the judge's order put  
22 her in the house. That's what happened  
23 because he didn't have the money for the  
24 lawyer to actually defend himself. So they  
25 ruled in her favor. We tried this once

1 before. I'm going to try again.

2 MR. RUSSELL RINALDI: I'm saying  
3 about the guy who's in the house now. Is it  
4 trespassing?

5 CHIEF DUBERNAS: He said it's  
6 boyfriend/girlfriend.

7 MR. HART: It's not a rental  
8 property.

9 MR. RUSSELL RINALDI: He can't just  
10 have the Old Forge Police go down and say  
11 you got to get out or we're going to arrest  
12 you for trespassing.

13 ATTY. RINALDI: I don't think  
14 they're going to do that. He's there  
15 because she invited him there.

16 MS. ANDRIOLI: But she beat him up  
17 twice.

18 ATTY. RINALDI: And they will be  
19 back together next week.

20 MS. ANDRIOLI: I feel like you have  
21 the regulations on the website, just take it  
22 down if they're not enforceable. When it  
23 comes to a renter, if you read that whole  
24 thing, I mean, I know you're not calling her  
25 a renter --

1                   ATTY. RINALDI: She wasn't a renter  
2 because she was living with the guy who  
3 owned it.

4                   MS. ANDRIOLI: I don't know what the  
5 answer is, clearly, but we're going to keep  
6 coming.

7                   ATTY. RINALDI: We're working on it.

8                   MR. RUSSELL RINALDI: We're going to  
9 try to have Chris get a hold of him and see  
10 what the owner of the house says. Maybe  
11 he'll want to sell the house, maybe he'll  
12 want to have the guy removed from the house,  
13 maybe the judge will put somebody in jail.  
14 That's going to be up to the judge.

15                   Bob Gillette, you raised your hand.

16                   MR. GILLETTE: Aside from what she  
17 mentioned about the nuisance, the violence,  
18 the domestic disputes, the drugs, my  
19 business is right next door. We live right  
20 next door. The grass in the back of this  
21 yard has not been cut in four years. I  
22 don't need to tell you what that entails.  
23 There are weeds in that yard that are 30  
24 feet high, and I am not kidding. Not only  
25 with that does come the stench, comes the

1 animals. I've got a litany of animals that  
2 invade the neighborhood. It's beyond a  
3 fine, it's beyond giving him chances to  
4 clean this property. Something has to be  
5 done because not only is it a fire hazard,  
6 it's a nuisance to every single neighbor  
7 that surrounds that property, including us.  
8 And just to say that okay, you know, it may  
9 not be visible because there's a wall,  
10 there's a fence that surrounds the back  
11 yard, but we can see it. We live next door.  
12 We can see it. Our tenants can see it above  
13 the funeral home. They can smell it. They  
14 can't even go on their deck.

15 MR. RUSSELL RINALDI: There's weeds  
16 in the back 30 feet high?

17 MR. HART: Yes.

18 MR. RUSSELL RINALDI: You have  
19 pictures of it?

20 MR. HART: Yes, but like I said,  
21 this has been going on for so long, I mean,  
22 I'm taking every step that I have to take  
23 just shy of cleaning it ourselves.

24 MR. RUSSELL RINALDI: Bill, it's  
25 been to the magistrate, what Mr. Gillette is

1 expressing now?

2 ATTY. RINALDI: Yes. I don't know  
3 how much she'll entertain. You can say you  
4 put up with it, maybe push her to do  
5 something on the bail petition.

6 MR. NOTARI: Not that hearing, the  
7 hearing with Magistrate Seig.

8 ATTY. RINALDI: Yeah, you can go  
9 down.

10 MR. RUSSELL RINALDI: If Chris goes  
11 down on behalf of the borough and a few of  
12 you went down on the part of the  
13 neighborhood and your business is next door,  
14 your house is next door, and, I mean, if you  
15 had any pictures or documents or anything  
16 you wanted to bring, and Chris is going to  
17 bring pictures and documents from the  
18 borough, something to ask the magistrate as  
19 the neighborhood as well as Chris going down  
20 on behalf of the borough, maybe the  
21 magistrate will see something.

22 MR. GILLETTE: We call Chris to  
23 notify him, he does his job. My wife and  
24 children we're harassed verbally, they're  
25 giving my kids the finger.

1 MR. RUSSELL RINALDI: Did you call  
2 the police?

3 MR. GILLETTE: No, because we  
4 notified Chris. But we have to. We don't  
5 have a choice. We go outside we're gagging  
6 in our yard because the stench is so bad  
7 from over the fence. We shouldn't have to  
8 live like that. That's a public nuisance.  
9 That's the definition of a public nuisance.  
10 It's beyond acceptable.

11 MR. HOOVER: Can we condemn the  
12 house? We talk about this all the time. I  
13 don't think we've ever condemned a house.

14 MR. HART: We've condemned many  
15 houses so far in town but it stops.

16 ATTY. RINALDI: Weeds are not  
17 really --

18 MR. GILLETTE: I can't speak to the  
19 inside. I don't know.

20 MR. HART: I've inspected the  
21 inside. Unfortunately, I can say the  
22 inside's not -- trust me. This is why I'm  
23 hoping I can get John to show up to a  
24 hearing. I mean, I have the same issue with  
25 other properties down the road and I got the

1 property owner to show up the other day and  
2 I did have a neighbor show up and the judge  
3 did order a 30 day clean up notice and a  
4 fine on top of it. It's just this kid just  
5 keeps pleading guilty and a fine. I can't  
6 get him around the house to save my life.  
7 That's the issue I'm having.

8 MS. AVVISATO: When you get a  
9 hearing date please let me know.

10 MR. HART: Yes, and that's what I'm  
11 trying. I'm filing every single week. I'm  
12 hoping this time around he'll plead guilty  
13 and --

14 MR. RUSSELL RINALDI: Is the garbage  
15 still in the back yard?

16 MR. GILLETTE: There's garbage  
17 beneath the deck just strewn about for years  
18 and it is atrocious smelling. I'm not  
19 kidding you. I'm telling you my tenants  
20 cannot --

21 MR. RUSSELL RINALDI: I believe you  
22 110 percent.

23 MR. GILLETTE: You can't go outside.  
24 I tried to be nice, a good neighbor.

25 MAYOR LEGG: Can we send a crew in

1 there and clean it up and bill the owner?

2 ATTY. RINALDI: No. God forbid they  
3 get hurt.

4 MR. FEBBO: It's the nuisance law.  
5 Three times -- if somebody's cited for  
6 something three times it's a nuisance.  
7 Irregardless of who owns this house -- the  
8 guy that owns the house, he's the victim,  
9 really, because he has no say. All he's  
10 doing is footing the bill and paying fines.

11 So that being said, can't we go  
12 after the house itself irregardless of who  
13 owns it, who's being a resident there?  
14 That's a nuisance. The house is a nuisance.

15 ATTY. RINALDI: Yeah, after the  
16 latest incident, but we can't just take the  
17 house. We might be able to do something.

18 MR. FEBBO: Irregardless of who owns  
19 the house the house, the property itself is  
20 a nuisance in the community, and that's a  
21 violation of our code.

22 MR. NOTARI: Is it possible that  
23 house is uninhabitable?

24 MR. HART: The inside's not. The  
25 outside, yes, I will say. I mean, it is

1 overgrown, but there is water, everything's  
2 paid.

3 MR. FEBBO: That's fine. Let's take  
4 the whole picture, though. You just can't  
5 separate. You can't say the inside's okay  
6 but the outside is a shit house.

7 MR. HART: I thought of that as  
8 well. The inside, no. The outside, you run  
9 a fire hazard outside.

10 MR. STULL: I was never down there.  
11 We can take a look tomorrow if you want.

12 MR. FEBBO: Bill, you can access the  
13 whole property. Correct?

14 MR. STULL: Not really.

15 MR. FEBBO: I think our answer is  
16 going to be with the nuisance property.

17 MR. STULL: Unless the department of  
18 health gets involved if it smells that bad.

19 MR. FEBBO: The address is a  
20 nuisance.

21 MR. RUSSELL RINALDI: It's a qualify  
22 of life.

23 MR. FEBBO: Six months we've been  
24 dealing with this.

25 MR. HART: If you guys have a

1 different solution I'll talk to you  
2 tomorrow.

3 MR. RUSSELL RINALDI: Let's see what  
4 happens with the latest hearing. You can go  
5 to both hearings.

6 ATTY. RINALDI: It's at 11:00.

7 MS. ANDRIOLI: Bernie does the  
8 drone.

9 MR. RUSSELL RINALDI: The assistant  
10 fire chief is coming down. Let him go down,  
11 take his own notes.

12 MR. FEBBO: It is condemning the  
13 outside as a fire hazard.

14 MS. ANDRIOLI: It's interfering with  
15 business. If he's having a funeral and  
16 they're out there, a motorcycle or --

17 MR. GILLETTE: I hired a constable  
18 to sit outside after viewings. That's how  
19 bad it's gotten.

20 MR. RUSSELL RINALDI: Are you  
21 talking about they're on their property  
22 being verbal, being loud? Well, that would  
23 fall under nuisance as well. But if they're  
24 doing those things you would have to contact  
25 the police, have the police come down so

1           it's documented. That's what I would do.  
2           Whatever measure you want to take personally  
3           yourself you can do that as well, but if  
4           that's happening call the police, let them  
5           come down there and let them get a report on  
6           it. Then we have it.

7                           Camilla?

8                   MS. LING: In late May of 2019 I  
9           called the police department because I have  
10          a neighbor that's playing games and a  
11          garbage truck three feet out in the back and  
12          two in the front. Anyhow, the police came  
13          and they did a drive by. I said well, this  
14          is interesting, so I went outside and I  
15          guess they saw me in the rearview mirror.  
16          It was a male and a female. The female is  
17          still with you, I don't know if the male is.

18                           Anyhow, they turned around and they  
19          said -- they put both spotlights on so the  
20          people across the street who were doing this  
21          to me came out. Anyhow, the male officer  
22          said very loudly -- because I was asking him  
23          why he spoke so loudly but he didn't answer  
24          me. Anyway, he told me it's a very wide  
25          street, so you're allowed to park that way.

1                   Now, I don't know where they got  
2                   this from because Josephine Street is a  
3                   municipal street in the commonwealth. It  
4                   falls under the law that it's 12 inches or  
5                   less that you park from a curb.

6                   So this has been ongoing because I  
7                   don't want to see either one of these two  
8                   police officers again because they're  
9                   just -- they shouldn't be police officers.  
10                  The male had a light blue and, I think, dark  
11                  trousers. He was more the instigator than  
12                  the female was, I have to say.

13                  But anyhow, you look for help and  
14                  you get none. This has been ongoing now for  
15                  about over three years. So I was coming  
16                  home last month and I saw two officers and I  
17                  told them to send a message to the chief  
18                  because we had a large over-the-road  
19                  vacationing van four feet out from curb, on  
20                  the street. It's a wide street. I had to  
21                  back up because I couldn't get through.

22                  So anyhow, I think it's an abuse of  
23                  power. I also reported three young cars  
24                  years ago and the chief told me I lie there.  
25                  They're my friends, I can't do anything. So

1 approximately four years later and one five  
2 years later finally it was removed. Last I  
3 saw it was on the lawn. I haven't looked  
4 again. I don't know if it's there or not.  
5 You have three vehicles that are not  
6 licensed on the street. We have ordinances  
7 but nothing is enforced. The same thing I'm  
8 hearing from these people. Nothing gets  
9 done.

10 I do want to say that Mr. Hart's  
11 very nice. I had a little issue and he took  
12 care of that.

13 Anyhow, on the 4th of July fireworks  
14 go off in the street. I don't want to call  
15 because I might encounter those two officers  
16 again. Who wants to deal with that?

17 CHIEF DUBERNAS: First of all, I was  
18 off in 2019, so I don't even know who the  
19 officers were. I was off hurt. But never  
20 got a message about cars or anything and I  
21 don't even live over there.

22 MS. LING: Well, that's what you  
23 told me. I don't know why you told me that.  
24 I haven't been in the office anymore because  
25 it's too much to take.

1 CHIEF DUBERNAS: I don't remember  
2 speaking to you. That's why --

3 MS. LING: You told me that in your  
4 office then, too, you didn't remember, but  
5 you remembered me being here complaining  
6 about the alley.

7 CHIEF DUBERNAS: The only thing I  
8 remember is the alley. I asked Marylynn  
9 today who you were. I don't remember who  
10 you were. And the instance that happened in  
11 May of '20 --

12 MS. LING: My memory is better than  
13 yours.

14 MAYOR LEGG: Okay, ma'am, what are  
15 you asking me? I don't understand what  
16 you're asking me.

17 MS. LING: What I'm trying to say  
18 is you have problems in the police  
19 department.

20 MAYOR LEGG: Okay.

21 MS. LING: So on the 4th of July I  
22 had fireworks in the street, fireworks shot  
23 off over my garage. I couldn't even be in  
24 my own yard because these people do anything  
25 they want to do.

1 MR. RUSSELL RINALDI: Did you call  
2 the police?

3 MS. LING: No, I did not because you  
4 don't know if you're going to get -- I don't  
5 want to interact with --

6 CHIEF DUBERNAS: Do you know who the  
7 two officers were? They all wear the same  
8 uniform, navy pants with light blue shirts.

9 MS. LING: Well, the lady must have  
10 been new because I saw her prior to this  
11 call for backup in Taylor. She had on a  
12 black sweatshirt kind of thing embroidered  
13 with Old Forge police.

14 CHIEF DUBERNAS: Nobody wears black.  
15 It's navy and light blue.

16 MS. LING: Well, it was black.  
17 Believe me, it was black. It was  
18 uncomfortable. It was the end of May.

19 CHIEF DUBERNAS: If you can tell me  
20 the date I can go back and pull a schedule.  
21 I was off for a year and a half, so I don't  
22 know.

23 MS. LING: Well, anyhow, I called in  
24 and nobody ever called me back. They told  
25 me they can park anywhere but in the middle

1 of the street and I'm not to call again, and  
2 I called asking to speak to the chief the  
3 next day, to the control center, or the next  
4 in line. No one ever called.

5 MAYOR LEGG: If you have the name of  
6 the two officers I can take care of it.

7 MS. LING: I know the name of the  
8 one. I don't know the name of the other  
9 one. The female wrote it down for me after  
10 I asked.

11 MAYOR LEGG: You get the names I can  
12 address it, but if I don't have names I  
13 can't address it.

14 MS. LING: Then what?

15 MAYOR LEGG: Find out what happened.  
16 See what they say to me.

17 MS. LING: They'll probably deny it.  
18 I wouldn't doubt it.

19 MAYOR LEGG: We'll have to wait and  
20 see until I talk to them. If they deny it,  
21 then I have a decision to make.

22 MS. LING: I'll talk to you when  
23 this is over.

24 MR. RUSSELL RINALDI: Anything else?

25 MS. LING: No. You know, you've got

1 problems. I know you're having a problem  
2 hiring people. That's nationwide. I was in  
3 here a few years ago, three or four. I  
4 think maybe we should be looking at a tax  
5 increase. There was no break down. I know  
6 that also would entail fuel and maybe  
7 insurance and stuff. It's still -- 330,000  
8 is no money. Personally, I'd like to see a  
9 regional force, but my understanding is --  
10 I'm not a native here -- that that will  
11 never happen. I guess time will tell.  
12 There's savings to be had and, I think, a  
13 better force.

14 MR. RUSSELL RINALDI: Anything else?  
15 Thank you. We'll move into new business.  
16 The first item under new business is a  
17 motion to approve a payment to D&M  
18 Construction.

19 MS. BARTOLETTI: If you want to go  
20 with what Dave has presented to us?

21 MS. AVVISATO: I have 151.

22 MR. RUSSELL RINALDI: Dave, your  
23 recommendation is the 122 payment?

24 MR. LOPATKA: Basically that will  
25 cover 15, 16 and 17, then we'll hold that

1 retainage, 18, 19 and 20, which equal  
2 \$29,369.34.

3 MR. RUSSELL RINALDI: First item  
4 under new business is a motion to approve  
5 payment to D&M Construction in the amount of  
6 \$122,601.86.

7 MR. HOOVER: Dave, is \$29,000  
8 enough?

9 MR. LOPATKA: Yeah. I have it  
10 broken down by --

11 MR. HOOVER: He was happy with  
12 \$100,000. We sat here last night, he was  
13 happy with \$100,000.

14 MR. LOPATKA: It's up to you guys.  
15 I went through each of the items and put  
16 down numbers per item, and like I said, the  
17 minimum retainage would be \$27,500, but  
18 that's up to you guys. If you just want to  
19 pay him \$100,000 that's up to you guys. The  
20 only reason I broke it down that way is  
21 because the last three invoices come out to  
22 close to 30.

23 MR. RUSSELL RINALDI: He did say  
24 \$100,000 last night, but then before we  
25 ended the meeting he did say -- we did

1 agree -- you said you were going to go back  
2 to the office and come up with a figure. So  
3 I'm okay with any figure.

4 MR. LOPATKA: You can pay him a  
5 hundred. It's not an issue and he agreed to  
6 that. I mean, if you guys want to do that.  
7 I broke it down based off of what I think  
8 the numbers need to be to frame the finishes  
9 that need to be completed. That minimum  
10 number was \$27,500.

11 MR. RUSSELL RINALDI: I called for a  
12 motion, nobody made a first yet.

13 MR. HOOVER: I'm going to make a  
14 motion for the meeting we had last night,  
15 D&M Construction, the \$100,000 that we  
16 asked, and the rest of it keep. We have  
17 problems with the building, all the issues  
18 we've had already. I don't think \$29,000 is  
19 enough.

20 MS. AVVISATO: I'll second that.

21 MR. RUSSELL RINALDI: Motion on the  
22 floor to pay D&M Construction. The payment  
23 amounts to \$100,000. Motion by Councilman  
24 Hoover, seconded by Councilwoman Avvisato.  
25 On the question? Public input? Roll call,

1 please.

2 MS. BARTOLETTI: Councilwoman

3 Avvisato?

4 MS. AVVISATO: Yes.

5 MS. BARTOLETTI: Councilman Febbo?

6 MR. FEBBO: Yes.

7 MS. BARTOLETTI: Councilman Butler?

8 MR. BUTLER: Yes.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Yes.

11 MS. BARTOLETTI: Councilman

12 Lettieri?

13 MR. LETTIERI: Yes.

14 MS. BARTOLETTI: Councilman Notari?

15 MR. NOTARI: Yes.

16 MS. BARTOLETTI: Councilman Rinaldi?

17 MR. RUSSELL RINALDI: Yes. Second

18 item under new business is a motion to

19 ratify the police contract. The police sent

20 the contract back to Marylynn last week all

21 signed. Correct, Bill?

22 ATTY. RINALDI: Yes. This is going

23 to be January of 2021 to December 31, 2025.

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

25 MR. RUSSELL RINALDI: By Councilman

1 Notari.

2 MR. HOOVER: I'll second it.

3 MR. RUSSELL RINALDI: Seconded by  
4 Councilman Hoover. On the question? Public  
5 input? Roll call, please.

6 MS. BARTOLETTI: Councilwoman

7 Avvisato?

8 MS. AVVISATO: Yes.

9 MS. BARTOLETTI: Councilman Febbo?

10 MR. FEBBO: Yes.

11 MS. BARTOLETTI: Councilman Butler?

12 MR. BUTLER: Yes.

13 MS. BARTOLETTI: Councilman Hoover?

14 MR. HOOVER: Yes.

15 MS. BARTOLETTI: Councilman

16 Lettieri?

17 MR. LETTIERI: Yes.

18 MS. BARTOLETTI: Councilman Notari?

19 MR. NOTARI: Yes.

20 MS. BARTOLETTI: Councilman Rinaldi?

21 MR. RUSSELL RINALDI: Yes. Items  
22 three and four are switched, so item number  
23 three will be motion to approve the civil  
24 service rules as amended.

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

1 MR. RUSSELL RINALDI: Motion by  
2 Councilman Notari.

3 MR. BUTLER: I'll second it.

4 MR. RUSSELL RINALDI: Seconded by  
5 Councilman Butler. On the question? Public  
6 input? Roll call, please.

7 MS. BARTOLETTI: Councilwoman  
8 Avvisato?

9 MS. AVVISATO: Yes.

10 MS. BARTOLETTI: Councilman Febbo?

11 MR. FEBBO: Yes.

12 MS. BARTOLETTI: Councilman Butler?

13 MR. BUTLER: Yes.

14 MS. BARTOLETTI: Councilman Hoover?

15 MR. HOOVER: Yes.

16 MS. BARTOLETTI: Councilman

17 Lettieri?

18 MR. LETTIERI: Yes.

19 MS. BARTOLETTI: Councilman Notari?

20 MR. NOTARI: Yes.

21 MS. BARTOLETTI: Councilman Rinaldi?

22 MR. RUSSELL RINALDI: Yes. Fourth  
23 item under new business, there's going to be  
24 three motions attached to this. It's a  
25 motion to appoint a civil service commission

1 member.

2 The first motion will be a motion to  
3 appoint James Minella to the civil service  
4 commission for a two year term.

5 MS. AVVISATO: I'll make that  
6 motion.

7 MR. RUSSELL RINALDI: By  
8 Councilwoman Avvisato.

9 MR. BUTLER: I'll second it.

10 MR. RUSSELL RINALDI: Seconded by  
11 Councilman Butler. On the question? Public  
12 input? Roll call, please.

13 MS. BARTOLETTI: Councilwoman  
14 Avvisato?

15 MS. AVVISATO: Yes.

16 MS. BARTOLETTI: Councilman Febbo?

17 MR. FEBBO: Yes.

18 MS. BARTOLETTI: Councilman Butler?

19 MR. BUTLER: Yes.

20 MS. BARTOLETTI: Councilman Hoover?

21 MR. HOOVER: Yes.

22 MS. BARTOLETTI: Councilman  
23 Lettieri?

24 MR. LETTIERI: Yes.

25 MS. BARTOLETTI: Councilman Notari?

1 MR. NOTARI: Yes.

2 MS. BARTOLETTI: Councilman Rinaldi?

3 MR. RUSSELL RINALDI: Yes. Second  
4 motion will be a motion to appoint Arthur  
5 Lucarelli to the civil service commission  
6 for a four year term.

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

8 MR. RUSSELL RINALDI: By Councilman  
9 Notari.

10 MS. AVVISATO: I'll second it.

11 MR. RUSSELL RINALDI: Seconded by  
12 Councilwoman Avvisato. On the question?  
13 Public input? Roll call, please.

14 MS. BARTOLETTI: Councilwoman  
15 Avvisato?

16 MS. AVVISATO: Yes.

17 MS. BARTOLETTI: Councilman Febbo?

18 MR. FEBBO: Yes.

19 MS. BARTOLETTI: Councilman Butler?

20 MR. BUTLER: Yes.

21 MS. BARTOLETTI: Councilman Hoover?

22 MR. HOOVER: Yes.

23 MS. BARTOLETTI: Councilman  
24 Lettieri?

25 MR. LETTIERI: Yes.

1 MS. BARTOLETTI: Councilman Notari?

2 MR. NOTARI: Yes.

3 MS. BARTOLETTI: Councilman Rinaldi?

4 MR. RUSSELL RINALDI: Yes. Third

5 item under that one will be motion to

6 appoint James Granko to the civil service

7 commission for a six year term.

8 MS. AVVISATO: I'll make that

9 motion.

10 MR. RUSSELL RINALDI: By

11 Councilwoman Avvisato.

12 MR. HOOVER: I'll second it.

13 MR. RUSSELL RINALDI: Seconded by  
14 Councilman Hoover. On the question? Public  
15 input? Roll call, please.

16 MS. BARTOLETTI: Councilwoman

17 Avvisato?

18 MS. AVVISATO: Yes.

19 MS. BARTOLETTI: Councilman Febbo?

20 MR. FEBBO: Yes.

21 MS. BARTOLETTI: Councilman Butler?

22 MR. BUTLER: Yes.

23 MS. BARTOLETTI: Councilman Hoover?

24 MR. HOOVER: Yes.

25 MS. BARTOLETTI: Councilman

1 Lettieri?

2 MR. LETTIERI: Yes.

3 MS. BARTOLETTI: Councilman Notari?

4 MR. NOTARI: Yes.

5 MS. BARTOLETTI: Councilman Rinaldi?

6 MR. RUSSELL RINALDI: Yes.

7 Congratulations to Mr. Minella. He's here  
8 tonight. To Mr. Lucarelli and Mr. Granko.  
9 Mr. Minella and Mr. Lucarelli have been  
10 serving on the civil service commission for  
11 a number of years now. Thank you for that.  
12 Dave Solfanelli was the third member. He  
13 was no longer on it this term. Their  
14 recommendation was for James Granko. Just  
15 so the public is aware. Thanks, gentlemen.  
16 We appreciate it.

17 Fifth item under new business will  
18 be a motion to advertise for a full time  
19 civil service test.

20 MR. BUTLER: I'll make that motion.

21 MR. RUSSELL RINALDI: Motion by  
22 Councilman Butler.

23 MS. AVVISATO: I'll second it.

24 MR. RUSSELL RINALDI: Seconded by  
25 Councilwoman Avvisato. On the question?

1 Public input? Roll call, please.

2 MS. BARTOLETTI: Councilwoman

3 Avvisato?

4 MS. AVVISATO: Yes.

5 MS. BARTOLETTI: Councilman Febbo?

6 MR. FEBBO: Yes.

7 MS. BARTOLETTI: Councilman Butler?

8 MR. BUTLER: Yes.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Yes.

11 MS. BARTOLETTI: Councilman

12 Lettieri?

13 MR. LETTIERI: Yes.

14 MS. BARTOLETTI: Councilman Notari?

15 MR. NOTARI: Yes.

16 MS. BARTOLETTI: Councilman Rinaldi?

17 MR. RUSSELL RINALDI: Yes. Sixth

18 item under new business will be a motion to  
19 raise the part-time police hourly rate.

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

21 MR. NOTARI: I'll second it.

22 MR. RUSSELL RINALDI: Motion by

23 Councilman Hoover, seconded by Councilman

24 Notari raising the part-time police hourly

25 rate to \$30 an hour. On the question?

1 Public input? Roll call, please.

2 MS. BARTOLETTI: Councilwoman

3 Avvisato?

4 MS. AVVISATO: Yes.

5 MS. BARTOLETTI: Councilman Febbo?

6 MR. FEBBO: Yes.

7 MS. BARTOLETTI: Councilman Butler?

8 MR. BUTLER: Yes.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Yes.

11 MS. BARTOLETTI: Councilman

12 Lettieri?

13 MR. LETTIERI: Yes.

14 MS. BARTOLETTI: Councilman Notari?

15 MR. NOTARI: Yes.

16 MS. BARTOLETTI: Councilman Rinaldi?

17 MR. RUSSELL RINALDI: Yes. Seventh

18 item under new business is advertise for the

19 civil service rank test.

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

21 MR. RUSSELL RINALDI: By Councilman

22 Notari.

23 MR. BUTLER: I'll second it.

24 MR. RUSSELL RINALDI: Seconded by

25 Councilman Butler. On the question? Public

1 input? Roll call, please.

2 MS. BARTOLETTI: Councilwoman

3 Avvisato?

4 MS. AVVISATO: Yes.

5 MS. BARTOLETTI: Councilman Febbo?

6 MR. FEBBO: Yes.

7 MS. BARTOLETTI: Councilman Butler?

8 MR. BUTLER: Yes.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Yes.

11 MS. BARTOLETTI: Councilman

12 Lettieri?

13 MR. LETTIERI: Yes.

14 MS. BARTOLETTI: Councilman Notari?

15 MR. NOTARI: Yes.

16 MS. BARTOLETTI: Councilman Rinaldi?

17 MR. RUSSELL RINALDI: Yes. Eighth

18 item under new business is a motion to

19 advertise for a part-time police officer.

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

21 MR. RUSSELL RINALDI: By Councilman

22 Hoover.

23 MR. NOTARI: Second.

24 MR. RUSSELL RINALDI: Seconded by

25 Councilman Notari. On the question? Public

1 input? Roll call, please.

2 MS. BARTOLETTI: Councilwoman

3 Avvisato?

4 MS. AVVISATO: Yes.

5 MS. BARTOLETTI: Councilman Febbo?

6 MR. FEBBO: Yes.

7 MS. BARTOLETTI: Councilman Butler?

8 MR. BUTLER: Yes.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Yes.

11 MS. BARTOLETTI: Councilman

12 Lettieri?

13 MR. LETTIERI: Yes.

14 MS. BARTOLETTI: Councilman Notari?

15 MR. NOTARI: Yes.

16 MS. BARTOLETTI: Councilman Rinaldi?

17 MR. RUSSELL RINALDI: Yes. Ninth

18 item under new business, this is just going

19 to be a motion to add this to the agenda. A

20 motion to add the Hickory Street sewer

21 replacement project to the agenda this

22 evening.

23 MS. AVVISATO: I'll make that

24 motion.

25 MR. RUSSELL RINALDI: Councilwoman

1 Avvisato.

2 MR. BUTLER: Second it.

3 MR. RUSSELL RINALDI: Seconded by  
4 Councilman Butler. On the question? Public  
5 input? Roll call, please.

6 MS. BARTOLETTI: Councilwoman

7 Avvisato?

8 MS. AVVISATO: Yes.

9 MS. BARTOLETTI: Councilman Febbo?

10 MR. FEBBO: Yes.

11 MS. BARTOLETTI: Councilman Butler?

12 MR. BUTLER: Yes.

13 MS. BARTOLETTI: Councilman Hoover?

14 MR. HOOVER: Yes.

15 MS. BARTOLETTI: Councilman

16 Lettieri?

17 MR. LETTIERI: Yes.

18 MS. BARTOLETTI: Councilman Notari?

19 MR. NOTARI: Yes.

20 MS. BARTOLETTI: Councilman Rinaldi?

21 MR. RUSSELL RINALDI: Yes. Tenth  
22 item under new business will be a motion to  
23 award the Hickory Street sewer replacement  
24 project.

25 MR. NOTARI: I'll make a motion to

1 award the Hickory Street replacement project  
2 to Pioneer Construction for \$189,909. They  
3 were the low bidder.

4 MR. HOOVER: I'll second it.

5 MR. RUSSELL RINALDI: Motion by  
6 Councilman Notari, seconded by Councilman  
7 Hoover. On the question?

8 MR. NOTARI: This money will come  
9 out of the sewer account?

10 MS. BARTOLETTI: Yes.

11 MR. RUSSELL RINALDI: On the  
12 question? Public input? Roll call, please.

13 MS. BARTOLETTI: Councilwoman  
14 Avvisato?

15 MS. AVVISATO: Yes.

16 MS. BARTOLETTI: Councilman Febbo?

17 MR. FEBBO: Yes.

18 MS. BARTOLETTI: Councilman Butler?

19 MR. BUTLER: Yes.

20 MS. BARTOLETTI: Councilman Hoover?

21 MR. HOOVER: Yes.

22 MS. BARTOLETTI: Councilman  
23 Lettieri?

24 MR. LETTIERI: Yes.

25 MS. BARTOLETTI: Councilman Notari?

1 MR. NOTARI: Yes.

2 MS. BARTOLETTI: Councilman Rinaldi?

3 MR. RUSSELL RINALDI: Yes. No more  
4 items under new business. At this time the  
5 chair will go down the table and hear from  
6 our mayor and our council members. Mayor  
7 Legg?

8 MAYOR LEGG: Mare, you do a good job  
9 with your report. Chris, this is fantastic.  
10 I haven't seen a report from our zoning  
11 officer in my years here.

12 Mr. Chairman, it was great that you  
13 came down to the opening of that cider bar  
14 on Saturday. I think when we get an invite  
15 all members of council for new businesses  
16 coming in, I think it would be a good idea  
17 to try your darndest to get there. One  
18 thing we do like is when new businesses  
19 move, and when they have something I think  
20 we should try our darndest to get there.  
21 That's all I have.

22 MR. NOTARI: I agree with you. I  
23 was at work.

24 MR. HOOVER: Maybe we should get a  
25 little more advance notice.

1 MR. RUSSELL RINALDI: Anything else?

2 MAYOR LEGG: That's all.

3 MR. FEBBO: Nothing.

4 MR. LETTIERI: No, I'm good.

5 MR. NOTARI: No.

6 MR. BUTLER: Nothing.

7 MS. AVVISATO: No, I'm good.

8 MR. HOOVER: I'm good.

9 MR. RUSSELL RINALDI: I'm good as  
10 well. No more items? The chair will  
11 entertain a motion to adjourn the meeting.

12 MS. AVVISATO: I'll make that  
13 motion.

14 MR. RUSSELL RINALDI: By  
15 Councilwoman Avvisato. All in favor?

16 (Unanimous. Meeting adjourned.)

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C E R T I F I C A T E

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 65 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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