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OLD FORGE BOROUGH COUNCIL
OLD FORGE, PENNSYLVANIA

IN RE: COUNCIL WORK SESSION

DECEMBER 5, 2023

7:15 P.M.

OLD FORGE MUNICIPAL BUILDING
314 SOUTH MAIN STREET
OLD FORGE, PENNSYLVANIA

COUNCIL MEMBERS:

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

Mark Wozniak
Official Court Reporter

1 MR. RUSSELL RINALDI: Once again,
2 ladies and gentlemen, welcome to the work
3 session of the Old Forge Borough. The
4 purpose of tonight's meeting will be to set
5 our agenda for our regular meeting, which
6 will be Tuesday, December 19th. We'll hear
7 from are our department heads. There's a
8 public sign-in sheet. If anyone from the
9 public would like to sign and speak we'll
10 give you a few minutes at the end of the
11 meeting. We'll hear from our mayor, borough
12 manager, solicitor, members of council
13 before we adjourn.

14 With that said, we'll go to our
15 first department head, DPW manager Joseph
16 Lenceski. Joe, anything for the upcoming
17 meeting or the agenda?

18 MR. LENCESKI: Nothing.

19 MR. RUSSELL RINALDI: Anybody have
20 any questions for Joe?

21 MR. HOOVER: When did those no
22 parking signs go up at the park? I noticed
23 them today.

24 MR. LENCESKI: Two weeks ago, maybe
25 three weeks ago.

1 MR. RUSSELL RINALDI: Anyone else
2 have anything for Joe? Thanks, Joe.

3 Mike Sokolowski, code
4 enforcement/zoning officer, anything for the
5 meeting or the agenda?

6 MR. SOKOLOWSKI: I have nothing
7 right now. Just like I said, as far as find
8 out tomorrow as far as this club.

9 MR. RUSSELL RINALDI: Okay. Anybody
10 have any questions for Mike? Thank you,
11 Mike.

12 Dave Lopatka, engineer, anything for
13 the meeting or the agenda?

14 MR. LOPATKA: I guess it's a
15 question for Bill. We have that Josephine
16 Street sewer replacement ready to go out to
17 bid. Do you guys have to vote to put it out
18 for bid?

19 MR. RUSSELL RINALDI: Yeah.

20 MR. LOPATKA: So I guess that would
21 be the one thing on the agenda for your next
22 meeting.

23 MR. RUSSELL RINALDI: Anything else,
24 Dave?

25 MR. LOPATKA: No.

1 MR. RUSSELL RINALDI: Anybody have
2 any questions for David?

3 MR. NOTARI: Dave, were you able to
4 get out to Edgewood Drive?

5 MR. LOPATKA: I did, and I'm not
6 sure of the solution just because of where
7 it's at. So when I was there there was --
8 you can see where there was a puddle there.
9 You could see some sediment and whatnot.
10 It's kind of in a low spot. I'm not a
11 hundred percent sure how it needs to be
12 rectified other than maybe cutting it back
13 some and tapering it up towards the driveway
14 a little bit so you can get the water going
15 one way or the other, but it's kind of a
16 tough spot. It's not something that you can
17 necessary fix.

18 MR. NOTARI: You can't put a drain
19 there. Right?

20 MR. LOPATKA: You could put a drain
21 there, but we'd have to figure out where it
22 could go to actually drain because he's kind
23 of not near -- there is one, I think, on the
24 other side of the house down from where he's
25 at, but you'd have to run a pipe down there.

1 Probably be the only solution that's going
2 to drain it completely. If you try to do it
3 with pave it's probably going to get stuck
4 on one side or the other. It may puddle,
5 but it may not be in the middle of the
6 driveway.

7 So, I mean, you tell me how you guys
8 want to handle it.

9 MR. NOTARI: I think you come up
10 with options, solutions. Whatever you think
11 the best solution is.

12 MR. LOPATKA: I'll take a better
13 look at it and see if I can get some
14 measurements and come up with a plan.

15 MR. FEBBO: How big is that puddle?

16 MR. NOTARI: He said about 30 feet
17 wide.

18 MR. LOPATKA: You drive by there you
19 can see where there's kind of sediment
20 sitting there. It's probably the whole
21 width of the driveway. It probably goes out
22 about three or four feet.

23 MR. HOOVER: No matter what you do
24 with it, if you pave the road, if you
25 overlay the road you need something to put

1 on both sides. Would that work, Dave?

2 MR. LOPATKA: Put a drain in?

3 MR. FEBBO: You can't run it across
4 into somebody else's property.

5 MR. LOPATKA: Well, you can run it
6 parallel to the street to get to that drain
7 that's down on the opposite side. I think a
8 house down from there there's one. I think
9 one crosses is there. Just off the road
10 there's a little culvert or something. I'll
11 figure it out, I'll give you guys a solution
12 or two. Paving isn't going to fix it.

13 MR. RUSSELL RINALDI: Any other
14 questions for Dave?

15 MR. HOOVER: Dave, I have about 15
16 streets so far that people have given me for
17 the paving. I'll distribute it to them this
18 week and probably by the meeting I'll have a
19 few.

20 MR. LOPATKA: Once you have them we
21 can get out.

22 MR. HOOVER: There's about 15
23 streets.

24 MR. FEBBO: When you're picking out
25 streets how about taking a look at Angela

1 Drive.

2 MR. HOOVER: It's on there.

3 MR. FEBBO: Not only does it need to
4 be paved, it needs some drainage.

5 MR. HOOVER: It needs a lot more
6 than paving.

7 MR. LOPATKA: Once we get the list
8 we can get everything measured and we can
9 get it put together.

10 MR. RUSSELL RINALDI: Anyone else
11 for David? Thanks, Dave.

12 Chief of police, Jason Dubernas,
13 anything for the meeting or for the agenda?

14 CHIEF DUBERNAS: Nothing.

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

17 Fire Chief Tag, anything for the
18 meeting? Or Assistant Chief Bill Stull?

19 MR. TAGLIATERRA: No, we have
20 nothing.

21 MR. NOTARI: I have a question. I
22 received a mailer from Lawrence Hose Company
23 asking for a donation. Is that legitimate?

24 MR. TAGLIATGERRA: Yes. There's
25 still three fire companies in the borough.

1 MR. NOTARI: I know you're working
2 towards getting to one.

3 MR. TAGLIATERRA: Yes, but if I'm
4 not mistaken that is their second mailer.
5 So the original goes out a couple months
6 ago, this is a reminder.

7 MR. NOTARI: So the residents will
8 be getting these requests from the three
9 companies?

10 MR. TAGLIATERRA: It's only two
11 because Eagle-McLure has stopped doing their
12 fund drive. So eventually what our plan is,
13 we started paperwork on it, is to reform the
14 Old Forge Fire Department. We sent it out
15 to the state already, got back our article
16 of incorporation. So that part is done.
17 It's one step.

18 Once we get that going further we're
19 going to take all three fire departments and
20 make it into one and it will be known as the
21 Old Forge Fire Department. This hopefully
22 will eliminate -- it will eliminate multiple
23 fund drives going out. So you'll only get
24 one down the road, and it will just be from
25 Old Forge Fire Department once a year,

1 instead of two of them the way it is now.

2 MR. NOTARI: I just wanted to make
3 sure it's a legitimate request.

4 MR. STULL: So three companies, as
5 you know, we all consolidated into one
6 department over on Milwaukee Avenue, which
7 it's been there now under one roof for a
8 little over a year. Everything is working
9 out fantastic. It's pretty good considering
10 we never thought it would, but it is.

11 MR. NOTARI: It's good that
12 everybody can come together. Obviously we
13 need to.

14 MR. TAGLIATERRA: Well, like Billy
15 said, the writing's on the wall.

16 MR. STULL: Just to let council
17 know, I know we had a meeting two years ago
18 but I still want to keep going pro-active
19 forward. Eventually it's going to come down
20 to you're not going to have a volunteer fire
21 department in town. We're not getting
22 members to join. Actually, we did pretty
23 good with a couple juniors. We probably got
24 five junior firemen from the school. But
25 again, once they turn 18 they're off to

1 college, then they find out I can get paid
2 for this, they're gone. They get all the
3 training and everything like that. The
4 average age, we're in our 50s, 60s and 70s.
5 Not too many guys behind us. So this is the
6 writing on the wall.

7 MR. NOTARI: What's the average
8 salary for a fireman for a town our size,
9 approximately?

10 MR. STULL: It all depends. I'm
11 just going to say Kingston for example.
12 Firefighters, paramedics down there, they're
13 \$45,000, \$50,000 a year plus benefits. I
14 would say somewhere probably start them at
15 maybe 35, 38. You might get something like
16 that in. So it's just something for council
17 to look at down the road. It's going to
18 happen. It might not happen for five years,
19 it might not happen for ten years. It can
20 happen next year. We're not getting any
21 younger.

22 MR. RUSSELL RINALDI: Bill, how many
23 for a fire department? How many employees
24 would you need?

25 MR. TAGLIATERRA: Take Dunmore, for

1 example. They have a career staff. It all
2 depends on how NFPA dictates and how IAFF
3 dictates. That's their union. So they have
4 anywhere -- they have three people on the
5 floor minimum. That means only one piece of
6 apparatus has to go out the door. If they
7 have four on the floor they get two pieces
8 out. They try to have five people, but
9 budgetary restraints and everything else.
10 So it runs three shifts. They run 24 hour
11 shifts. One day on, two days off. They try
12 to get at least five people on the floor,
13 three minimum.

14 MR. STULL: My personal opinion, I
15 don't think you could do it, as a
16 municipality, yourself. I think what you'd
17 have to probably do is sit down with Moosic,
18 Taylor, Old Forge and do --

19 MR. RUSSELL RINALDI: A
20 regionalization.

21 MR. STULL: Yes. Do I think you're
22 going to get any help from the county?
23 Absolutely not. From the state? I don't
24 think you are. I'd personally like to see
25 in Pennsylvania, they get away with this

1 three-mill tax that you can do, fire tax,
2 and we'll let the fire department form a
3 fire district. That way you could set your
4 own tax base to support your fire district.
5 The only way that's going to work is if you
6 combine three municipalities, four
7 municipalities. You might have to go into
8 lower Luzerne. Take in Duryea, Avoca, towns
9 like that and form a district. That way
10 you'll survive. That way you can hire more
11 people. Your base of income would be --
12 your tax base would be more justified that
13 way. But as a municipality I do not think
14 we can do it on our own. You can get two,
15 three guys hired like that, but I don't
16 think you can do a full fledged fire
17 department. To get all three boroughs on
18 board to do it? Lots of luck.

19 MR. RUSSELL RINALDI: For Dunmore,
20 they have a paid full --

21 MR. TAGLIATERRA: They have a staff.
22 I used to work part-time for them.

23 MR. RUSSELL RINALDI: So there's no
24 more volunteers up in Dunmore, it's all
25 paid?

1 MR. TAGLIATERRA: They do have
2 volunteers. Only a couple. They still go
3 out on calls. They don't have any
4 apparatus. There's certain volunteers that
5 they have, they keep their equipment in
6 their car. They don't take anything off the
7 career guys, their piece of apparatus. It's
8 technically a department on paper, the
9 volunteers.

10 MR. BUTLER: Is Taylor and Moosic
11 running into the same problem?

12 MR. STULL: Yes, that's why they're
13 doing the same thing that -- well, they're
14 already doing it, what we're starting, with
15 a driver.

16 MR. BUTLER: Regional would look
17 good for them, too.

18 MR. TAGLIATERRA: For all three
19 communities.

20 MR. RUSSELL RINALDI: Maybe it's
21 something we're going to have to talk about
22 in the near future. If you guys meet with
23 them like the last time. Anything else?
24 Appreciate it. Anybody else have any
25 questions? Thanks, gentlemen.

1 Attorney Rinaldi, anything for the
2 meeting or for the agenda?

3 ATTY. RINALDI: So you'll have a tax
4 ordinances and a resolution to adopt your
5 final budget that you pass first, then the
6 tax ordinance. You may have the RSCAN cable
7 contract back from the cable company. I
8 know it was sent up two weeks ago for a
9 final review by RCN.

10 If you want to entertain any other
11 ordinances you have to draft -- somebody can
12 mark it up and let me know what you want to
13 do. They're not here tonight, but Mr. Emlaw
14 was served yesterday. The last day to be
15 served was tomorrow. His hearing's going to
16 be on January 17th because he wants to
17 defend it, and he got Dave Cherundolo. So
18 finally we got service on him.

19 MR. RUSSELL RINALDI: Anything else?

20 ATTY. RINALDI: No, that's it.

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

24 Borough manager, Marylynn, anything
25 for the meeting or the agenda?

1 MS. BARTOLETTI: For the agenda I
2 will have, obviously, the budget, and then
3 just for the meeting -- the last we did do a
4 resolution for a grant, and I just wanted to
5 follow up and say that I did apply for an
6 LSA grant for the Marion Street Park. The
7 total that we asked for was \$301,000. I
8 just wanted to tell Dave thanks because I
9 kind of got him to help me with fighting for
10 it. It was a real push and I did need the
11 expertise on the layout of the lighting and
12 things like that. But we did get it in and
13 I'm pretty hopeful that we'll get it.

14 MR. RUSSELL RINALDI: Good job.
15 Anybody have any questions for Marylynn?
16 Thank you, Mare.

17 Before we go down the table we'll go
18 to public comment. First up is Mrs. Wilk.

19 MS. WILK: What I'm here for is with
20 winter coming now, from George Street across
21 West Grace going into Ray's. We've had a
22 snow plow plowing streets since I've lived
23 there, since 1977. Now we have people that
24 are parking on both sides of the street.
25 You can barely get one car up. Actually,

1 you should have two cars. One going up and
2 one going down. I need one side of the
3 street no parking. I'd prefer Semenza's
4 side.

5 MR. RUSSELL RINALDI: So you're
6 talking from Mrs. Semenza's to --

7 MS. WILK: If you go up the street
8 over there your car's very -- I have an Audi
9 and it's barely going through because
10 there's cars parked on both sides.

11 MR. RUSSELL RINALDI: I agree with
12 you. I drive down there a lot. It's very
13 tight. Where Mrs. Loicano's house used to
14 be.

15 MS. WILK: You have traffic going up
16 there, traffic going down. Now you get the
17 imports from New York, they park wherever
18 they want to park. We need to do something
19 with that. Put signs up maybe by Semenza's,
20 no parking. Anybody parks on that side
21 start giving out tickets or towing, whatever
22 it takes.

23 MR. RUSSELL RINALDI: Chief, before
24 next meeting could you go out and do a
25 traffic study real quick, come back with

1 something for the meeting? Then if you can
2 get it to Bill so we have enough time to
3 advertise it for the next meeting.

4 MS. WILK: You have to do something
5 because, like I said, it's very dangerous at
6 this point with just a small car going up.
7 Now you're going to have a place open and
8 trucks coming in. We're going to have a
9 disaster down there.

10 MR. RUSSELL RINALDI: Bill, do we
11 have enough time to get it advertised before
12 December 19th?

13 CHIEF DUBERNAS: It would be the
14 left side of --

15 MR. RUSSELL RINALDI: The 400 block
16 of George Street, restricted parking. We
17 have 14 days.

18 MR. NOTARI: Can we make it a tow
19 away zone instead of no parking?

20 MS. WILK: Just on one side.

21 CHIEF DUBERNAS: Usually we try to
22 find the owner and move them.

23 MR. NOTARI: Even if it just said
24 tow away zone nobody would park there
25 regardless.

1 MR. BUTLER: No parking, tow away
2 zone. Right?

3 MR. NOTARI: Trying to make it
4 better. People ignore no parking signs and
5 park there.

6 MS. WILK: Rays, you're going to
7 have a lot of traffic coming in and out of
8 there. If you put those signs up cars that
9 park there are either towed away or have to
10 be ticketed.

11 MR. NOTARI: We'll get it done for
12 you.

13 MR. RUSSELL RINALDI: We'll have it
14 on the agenda for next meeting.

15 MS. WILK: I really appreciate it.
16 Somebody is going to get hurt there.

17 Another thing, what are we doing
18 with the club on Keyser Avenue?

19 MR. RUSSELL RINALDI: We closed it
20 down on Sunday. The code enforcement and
21 zoning department and fire department were
22 up there Sunday. They closed it down Sunday
23 afternoon.

24 MS. WILK: I mean, people that work
25 in strip clubs, that's their thing. They

1 have a right to have their own profession.
2 But a strip club on Keyser Avenue by all
3 these new homes over there, the Ermolovich
4 development, those people have to go through
5 hell. They're going through hell with
6 Stocki. They don't need a strip club over
7 there. The OK Corral. It's really a shame
8 because the guy's dead, another one shot in
9 the face. What else is going to happen?
10 They belong in the woods someplace.

11 MR. RUSSELL RINALDI: We agree with
12 you.

13 MR. RUSSELL RINALDI: Judy Storm?

14 MS. STORM: For those of you who
15 don't know me, my name is Judy Holly Storm.
16 My dad was Joe Holly, life-long resident of
17 Old Forge. I've served 26 years with the
18 Pennsylvania State Police. I retired as a
19 station commander, and seven of those years
20 that I worked were undercover work. I
21 worked throughout the commonwealth in
22 undercover work. I worked in places as, per
23 se, called the entertainment clubs. So I
24 can attest to the kind of clientele that
25 come to those clubs.

1 person knows or has reason to know has a
2 significant effect upon public right.

3 In addition to safety, as far as
4 public right, it's also having an impact on
5 our property values, it's having an impact
6 on the actual image of the whole town, and
7 it's just something that's totally
8 unacceptable.

9 I'm respectfully asking that you do
10 consider shutting it down as a public
11 nuisance permanently as far as safety for
12 our own citizens and the people that are
13 welcome to come and visit our town, as well
14 as our police department, our police
15 officers who have to respond to incidents.

16 Obviously this individual is from
17 out of the area. That's the kind of
18 clientele that is being drawn to that club.
19 It's not people from our community, it's
20 people from out of the area, as was obvious
21 with the January shooting and with this
22 shooting.

23 You can't ask the individual, he's
24 deceased, the victim, what his purpose was
25 going there, if it was to go to the VIP Club

1 or if it was to go to the Diamond Club.
2 Obviously they have yet to catch up with the
3 individual that was bringing a gun into
4 town. Whether or not that was even legally
5 carried. And the first responders also as
6 far as their safety.

7 So again, I respectfully request
8 that council consider labeling that
9 establishment and shutting it down
10 permanently as a nuisance establishment.

11 MR. RUSSELL RINALDI: I could say
12 this to go a little bit further, our code
13 enforcement officer is going there tomorrow
14 with the safety code inspector. They're
15 going to go back up there with the fire
16 department. We're also working with the
17 DA's office. So we're doing everything in
18 our power to use our codes and our
19 ordinances to help us shut the place down
20 and then get it shut down permanently.

21 MS. STORM: Thank you so much.
22 Appreciate that consideration.

23 MR. RUSSELL RINALDI: Danielle
24 Wenzler?

25 MS. WENZLER: You know why I'm here.

1 You know, just to piggyback off what she
2 said, I mean, I live -- I mean, I see
3 Stocki's property, I see -- I came here
4 tonight. When I came out I got the
5 overwhelming smell of diesel, just reminding
6 me how much I love living in my
7 neighborhood.

8 Never mind to wake up Sunday morning
9 to get a message from WBRE asking me if I'd
10 like to comment, and I was stunned. I
11 thought are you kidding me? What is going
12 on here? You know, we sat here and he was
13 talking all about the business and all about
14 the liquor license. We would have thrown
15 the biggest fuel on that fire by giving him
16 a liquor license. He's running two
17 businesses there with one permit for one
18 building. It's almost like the Stocki
19 situation.

20 So you're saying it's closed and
21 you're going to do everything but -- so say
22 he does bring things up to code enforcement.
23 So he's still allowed to conduct his
24 business, then?

25 My next question is what is in our

1 code here? How many phone calls does it
2 take -- which I know it is -- to the police
3 department in order to be considered a
4 nuisance property? What is that number.

5 CHIEF DUBERNAS: It all depends on
6 the code. For that, three.

7 MS. WENZLER: He is four times that
8 amount right now, so why has it not been
9 declared a nuisance property?

10 ATTY. RINALDI: We're going to
11 pursue every avenue along with the county.

12 MS. WENZLER: Because there has been
13 no assurance. I mean, we were also told
14 that we're going to do anything and
15 everything to shut down Stocki for all these
16 years. He's violated every code. He's
17 running an illegal operation back there.
18 Now we have one next door to him running
19 another illegal operation back there with
20 one permit for two buildings. It's this
21 club, it's that club. Somebody's shooting
22 out of a car and somebody getting hit in the
23 face. A woman getting hit in the face. Now
24 this.

25 I was going to say what, do we have

1 to wait for somebody to die, but that
2 happened in my back yard. This is just
3 unreal. I'm not even proud to live here
4 anymore. It's embarrassing, it's appalling.
5 It's horrible to drive down the streets.
6 This is not what we want to attract to this
7 town. Saying I'll do everything in my
8 power, you guys are the power. We're left
9 powerless. It's horrible. We have judges
10 that aren't doing anything. You guys, we
11 can't let this get to what Stocki is next
12 door. We can't continue to do this. I'm
13 leaving my family and coming here because I
14 I want to say that I love where I live. My
15 grandmother would love that I live in Old
16 Forge. I'm embarrassed to say that I live
17 in Old Forge.

18 MR. HOOVER; Bill, where do we stand
19 with this Stocki thing?

20 ATTY. RINALDI: I was just in
21 Harrisburg on his appeal argument yesterday.
22 The Court hands down a decision. It went
23 well as far as the borough's concerned.
24 They weren't really interested in his
25 argument too much.

1 MR. FEBBO: I asked you guys for
2 photos, drone flyovers, and, Mike, have you
3 gone up there and got pictures of him?

4 MR. SOKOLOWSKI: I have some stuff.

5 ATTY. RINALDI: You weren't here at
6 the last meeting. I had it flown. We got
7 some photos. Ironically, the airport now
8 has a ceiling there, so the drones don't
9 stay up. They fall.

10 MR. FEBBO: You're saying the drones
11 can't fly within five miles. That's at the
12 airport. Everybody around town flies
13 drones.

14 ATTY. RINALDI: I'm only telling you
15 the guy was flying them there.

16 MR. FEBBO: We don't need a drone,
17 then, to take pictures of what I see up
18 there from Keyser Avenue.

19 MS. WENZLER: You can just drive
20 past my house. About three houses up, you
21 take a look in the back yard you see tires
22 the size of --

23 MR. FEBBO: He's on Gilchrist's
24 property. It's all junk. Junk. I got to
25 tell you guys, I'm on council eight years

1 and I've been fighting it eight years.
2 Okay? Eight years between going to the
3 court, which was a joke, big joke, the judge
4 we had up there. I'm sorry I've got to vent
5 like this, but I swallowed it for eight
6 years. I got two weeks to go on council. I
7 can't believe we lost up there. Never,
8 ever, ever in God's name should we have lost
9 that case.

10 You said before, he's rubbing crap
11 in our faces because he's still operating as
12 he did before. He's still expanding and we
13 do nothing about it.

14 ATTY. RINALDI: That's not
15 Gilchrist's property. Somebody has to go up
16 and see.

17 MR. FEBBO: Who's the somebody?

18 ATTY. RINALDI: I'm not the zoning
19 officer.

20 MS. WENZLER: There was a guy living
21 in a camper there running a generator,
22 sitting next to a fire pretty much for the
23 past eight months.

24 ATTY. RINALDI: That's Gilchrist's
25 property.

1 MS. WENZLER: I can hear a
2 generator. Who's running a generator? Our
3 buddy who now lives in our back yard. It's
4 a mess. The whole area is a mess.

5 ATTY. RINALDI: Complain to the
6 zoning officer, he will go up and respond to
7 the complaint.

8 MR. SOKOLOWSKI: I have been there
9 five times. I go there every day there's
10 nobody there. I can't. Been there banging
11 on that trailer how many times. There's
12 nobody there when I'm there.

13 MS. WENZLER: I would have called
14 you. We were sitting by our fire at 10:30
15 at night and we can hear the generator
16 running.

17 MR. FEBBO: How about the police?
18 Can't we send the police up there?

19 CHIEF DUBERNAS: She has called.

20 MS. WENZLER: I call all the time.
21 Five in the morning, 5:30 in the morning,
22 6:00 in the morning. It's unreal.

23 MR. FEBBO: What happens?

24 CHIEF DUBERNAS: We make reports of
25 it. I contacted Bill. He's adding it to

1 the court order.

2 MS. WENZLER: I look out my bedroom
3 window I see the digger going at 5:30 in the
4 morning, 8:30 at night lights are on. They
5 have body cam footage of them working 8:30
6 at night, 9:00 at night.

7 MR. FEBBO: Bill, can't we re-cite
8 him? Because he's in violation of
9 everything that he agreed to. It's still a
10 junkyard. It's not supposed to be a
11 junkyard.

12 MS. WENZLER: The hours of working
13 is 8:00. I called them, they got there it
14 was 9:00. I have it on video. They were
15 standing with the police officer. About
16 quart after nine when they walked up and
17 they turned off the machine and he said I
18 wasn't doing anything.

19 CHIEF DUBERNAS: We had body cam
20 video.

21 MR. FEBBO: What they're doing there
22 is a scrap yard. It's worse than ever.

23 ATTY. RINALDI: I need the zoning
24 officer to put that in writing and send it.
25 I can't be the one to do it. I need a

1 zoning officer to do it. Somebody's got to
2 cite him for a violation.

3 MR. FEBBO: Well, its up to council.
4 You guys got the ball now.

5 MS. WENZLER: You can see them
6 burning fire, you can smell this. You see
7 it happening. Nothing's happening. That's
8 what this next situation next door is going
9 to continue to be. The two buildings. It's
10 going to continue to be the same exact
11 thing. They'll bring it up to code and
12 we'll say oh, well.

13 How many times has Stocki been
14 called as a nuisance property? Have we done
15 anything there and shut him down? No, we
16 haven't. That code is very clear.
17 Nuisance: Three times. Been there, done.
18 I don't understand this. It's confusing to
19 me. Why have codes and laws? I'm going in
20 my front yard and have an illegal business,
21 I'm going to do it at 9:30 at night. What
22 are you going to do with me? Why come to me
23 and bother me?

24 MR. NOTARI: I'm going to disagree
25 with you to a point. We have done things

1 with Stocki and it has gone to courts and
2 they ruled against us.

3 ATTY. RINALDI: He can sell the
4 equipment there, he can drive it around
5 there.

6 MR. NOTARI: The courts have
7 disagreed with what we have said he's doing.
8 We agree with you. We have gone through the
9 proper channels with that property and we
10 hope to go through the proper channels with
11 the Diamond Club property. But with the
12 Stocki property we have gone through the
13 proper channels. We have taken him to
14 court, he has appealed it, and the courts
15 have said here's what he can do and here's
16 what he's doing. Even though we disagree
17 with him, even though we know he's going
18 against the law. I'm not sure the next
19 thing we can do.

20 MS. WENZLER: The one time I was
21 here to discuss Stocki you guys had
22 discussed that you would be looking into --
23 because as a homeowner I could
24 technically -- you know, I could be in
25 trouble for violating code. Repeatedly

1 have running equipment there?

2 MS. WENZLER: Correct. I have
3 video.

4 MR. BUTLER: There's stacks of
5 tires. Tires don't run by themselves.
6 There's got to be somebody that we can
7 contact that's going to say --

8 MR. FEBBO: Mike, that's got to be
9 up to you.

10 MR. SOKOLOWSKI: I will go take
11 pictures. What do I do with that?

12 MR. FEBBO: Then go to the
13 solicitor. He's got to take him back to
14 court.

15 ATTY. RINALDI: Tell me what he's
16 doing up there and I'll tell you what to
17 write in the notice.

18 MR. FEBBO: Only running equipment.
19 You go over there there's piles of engines,
20 piles of parts, piles of tires. Not only
21 that --

22 MS. WENZLER: There are
23 tractor-trailers filled with just parts. I
24 video taped them. No tires on it.

25 MR. FEBBO: I saw a tractor-trailer

1 two weeks ago with ten engines on the back.
2 Not running, parts. Mike, you get pictures.
3 I'll be on that side two weeks from now with
4 her. We have to get something done. I
5 can't believe we can just sit here -- and
6 poor council. Don't get me wrong. It's the
7 courts. The courts. But again, he's in
8 violation. He can only have operating
9 equipment there. He should be cited. DEP
10 and EPA should be involved there because
11 there's all pollution on the ground. He has
12 oil --

13 MS. WENZLER: I reported tires over
14 the hill for three years now.

15 ATTY. RINALDI: Call DEP.

16 MS. WENZLER: I have. You know what
17 they say? We're already in court with him.
18 He paid \$32,000, we're good now. That's
19 what happens. I called the river
20 commission. My husband was walking back
21 there one time, my son's ball went down the
22 hill. His boots came back and they smelled
23 like sludge, like tar.

24 ATTY. RINALDI: You called DEP?

25 MS. WENZLER: Yes, we did.

1 ATTY. RINALDI: And they didn't come
2 up?

3 MS. WENZLER: There was a pending
4 case at the time. He was already fined. He
5 was told to clean it up. What, throw soil
6 on top of it? I come here to talk about
7 somebody getting murdered in my back yard.
8 I wish I was here to talk about the roads.
9 You have a big, huge crater coming out with
10 a manhole cover. I'd love to be talking
11 about that.

12 MR. FEBBO: We agree with you.

13 MR. NOTARI: We called EPA and DEP,
14 too. They don't listen to us either.

15 CHIEF DUBERNAS: OSHA was called
16 when the guy got crushed by a motor.

17 MR. NOTARI: Our fine with Stocki
18 totaled what, \$600,000? The judge fined him
19 20.

20 MS. WENZLER: There will be a for
21 sale sign in my yard if this continues. I
22 see more and more for sale signs driving
23 through my my neighbor. I would get out of
24 Dodge, too. I'm ready to just do that.
25 There's a lot of people that can't come to

1 these meetings. I talk to neighbors. Who's
2 going to do anything? Nothing's going to be
3 said. It's already settled. They already
4 have their minds made up. People give up.
5 I'm not going to give up. We shouldn't have
6 to be coming here and doing these things and
7 saying these things. As a taxpayer it's
8 getting frustrating.

9 MR. RUSSELL RINALDI: My question,
10 is there a company or firm we can hire
11 separately to investigate Stocki's property,
12 his doings?

13 ATTY. RINALDI: You can hire -- if
14 Mike's busy you get an assistant zoning
15 officer. It's got to be a code enforcement
16 official.

17 MR. FEBBO: How about an
18 environmental lawyer?

19 ATTY. RINALDI: If you want the
20 borough to cite him, yeah.

21 MR. RUSSELL RINALDI: If there's an
22 agency out there somewhere that we can hire,
23 a third-party agency that we can hire just
24 to handle him.

25 MR. BUTLER: I think it would have

1 to be a lawyer, environmental lawyer.

2 MR. RUSSELL RINALDI: Somebody
3 that's going to go there and take video.

4 ATTY. RINALDI: Unless he goes up
5 and says, like Gilchrist, there's somebody
6 living there? That's a C-2 zone. There's a
7 camper there, junk being moved on there?
8 That's a simple letter. He's got 30 days to
9 appeal it or you can fine him under another
10 section of the code. But you've got to go
11 up there and it's got to be done. Then we
12 go to court and it's taken care of. We took
13 care of it once. I can see that he's
14 pushing equipment over there again.

15 Now, the person who owns the
16 property must be letting him put the
17 equipment there. That's a problem right
18 there. Who owns the property?

19 MR. FEBBO: It's a junk pile
20 because he has no more room at his place for
21 junk.

22 ATTY. RINALDI: That property should
23 not have junk on it, and he can be cited for
24 it. That's something you guys can do.

25 MR. FEBBO: Who's you guys? Mike,

1 this week, please.

2 ATTY. RINALDI: It's got to be the
3 borough that's got to file the citation.
4 Whoever the owners are of those other
5 properties are letting him get away with it.
6 So go up and cite those owners. There's a
7 problem on their property.

8 MR. BUTLER: It's only one owner,
9 Gilchrist. Let's go after him.

10 MR. FEBBO: Stocki's in serious
11 violation of what he's supposed to be doing.

12 MR. RUSSELL RINALDI: So you're
13 saying Stocki's putting equipment now on a
14 different property?

15 ATTY. RINALDI: I'm sure somebody
16 knows about it. I can see from the aerials
17 from last week that he's pushing his stuff
18 out on other property.

19 MR. RUSSELL RINALDI: Are we sure
20 it's Stocki? It's not the guy --

21 MR. FEBBO: No, it's Stocki, and
22 that's what we see from Keyser Avenue.

23 MR. RUSSELL RINALDI: Is this the
24 same type of equipment that doesn't run, is
25 junk, tires?

1 MR. FEBBO: Take a ride by that
2 tomorrow. Mike could fill his book up with
3 violations.

4 MR. HOOVER: Bill, what do we expect
5 out of these judges yesterday?

6 ATTY. RINALDI: They're going to
7 rule and dismiss his appeal. I could just
8 tell by the questions. Now you've got two
9 good orders that you can enforce without
10 question. They're not on appeal.

11 MR. NOTARI: Who enforces this, the
12 police?

13 ATTY. RINALDI: The borough
14 enforces them.

15 MR. NOTARI: We keep saying the
16 borough. Who's the person that goes out and
17 shuts them down?

18 ATTY. RINALDI: The zoning officer.
19 Zoning code enforcement.

20 MR. FEBBO: We have to stop the
21 carousel.

22 ATTY. RINALDI: I can't initiate
23 anything. I can only represent the borough.

24 MR. FEBBO: We as a group have to do
25 it.

1 MR. HOOVER: I'd like to have an
2 executive session at the end of the meeting.

3 MR. NOTARI: I'm on with you, Jimmy.

4 MS. WENZLER: Thank you.

5 MR. RUSSELL RINALDI: Mike Zupon?

6 MR. ZUPON: Stocki's property, the
7 last four days I've been watching. They're
8 actually ripping motors out of the machines
9 right on Gilchrist property where you could
10 see it on Keyser Avenue. They're pulling
11 machines apart right now. During the day,
12 all day the last four days I've been seeing
13 them. There's, like, three, four guys
14 pulling machines apart nonstop. He's just
15 laughing at everybody.

16 The other thing is with the club,
17 the guy posted just before I got here at the
18 meeting. The Diamond Club's still open.
19 They closed the VIP down. That's it. The
20 Diamond Club is still open. He's telling
21 people to come to the club as of right now.

22 MR. RUSSELL RINALDI: We can't stop
23 the guy from posting what he wants to post.

24 MR. NOTARI: You guys said he's shut
25 down.

1 MR. RUSSELL RINALDI: He is shut
2 down. What the guy wants to post on a
3 social page we can't control. We have no
4 control what comes out of his mouth or what
5 he types. We are having our zoning officer,
6 our fire department, our state inspector.

7 MR. SOKOLOWSKI: We're going
8 tomorrow.

9 MR. ZUPON: At night he's inciting
10 people from down in Plymouth, Wilkes-Barre,
11 everything to come here already, and if he's
12 closed they're just going to stand in the
13 parking lot like they were Saturday morning
14 at 4:00 in the morning. There was about 40
15 people out there drinking, doing whatever.

16 MR. RUSSELL RINALDI: Did you see
17 it?

18 MR. ZUPON: Yeah.

19 MR. RUSSELL RINALDI: Did you call
20 the cops?

21 MR. ZUPON: What are they going to
22 do? This is every week.

23 MR. RUSSELL RINALDI: I'm not saying
24 it's your job, but if you saw it happening
25 4:00 in the morning I would hope you would

1 call the police and notify the police, let
2 them know to go up there. If I drove by and
3 saw that I would call the police. If you
4 see that happening, please call the police.
5 I would urge anyone to call the police.

6 MR. ZUPOON: The cops, if they're
7 driving around they got to see it.

8 CHIEF DUBERNAS: Well, they're open
9 until 4:00. They throw them out of there.

10 MR. FEBBO: They throw them out of
11 there?

12 MR. RUSSELL RINALDI: He's saying
13 he's making them them leave.

14 MR. ZUPON: It seems like a big
15 party in the parking lot the last three
16 weekends. Every Saturday.

17 CHIEF DUBERNAS: They're open until
18 4:00. By the time they leave it's 4:30,
19 5:00.

20 MR. FEBBO: All my friends go
21 hunting all told me the same thing.

22 MR. RUSSELL RINALDI: Thanks, Mike.
23 Anybody else from the public before we go
24 down the table?

25 MS. WILK: Can we get some

1 microphones?

2 MR. RUSSELL RINALDI: Mayor Legg?

3 MAYOR LEGG: I'd just like to say
4 Mare, great job on the budget, as usual.
5 That's all.

6 MR. FEBBO: No, I said enough.

7 MR. NOTARI: I have a couple things.
8 I think, first off, I want the public to
9 know that we are doing everything in our
10 power to try to shut down the Diamond Club.
11 We're in the process of working with the
12 DA's office. The DA's office has asked us
13 for any residents in town, any concerned
14 citizen to e-mail them their concerns
15 regarding the Diamond Club. I'll give you
16 the e-mail address. It's
17 gallagherb@lackawannacounty.org.

18 We are all in agreement with you and
19 with the majority, if not the entire public
20 that that place needs to be shut down.
21 We've had too many incidents there. It is
22 not good for the quality of life in Old
23 Forge, it is not good for the safety of our
24 police officers, it is not good for the
25 safety of our residents. We are in

1 agreement. We are working hard to move in
2 that direction. Any help that you can give
3 us we will gladly take.

4 With that said, I want to thank our
5 DPW or fire department, our police
6 department and Mike Sokolowski for all the
7 help they gave us over the weekend with Snow
8 Forge. Without their work we could not put
9 on the event for the community and for the
10 communities around us. The rain dampened it
11 a little bit this year, not as many people,
12 but still enjoyable for those who came and
13 fought the weather. It's always sunny in
14 Snow Forge.

15 I have a question either for the
16 chief or for Joe Lenceski. I saw on
17 Facebook there was an accident at Pagnotti
18 Park parking lot? Shouldn't that parking
19 lot be closed? Don't we close the parks at
20 Halloween? So how was there people in the
21 parking lot at Pagnotti Park?

22 CHIEF DUBERNAS: The park is closed
23 but the gate always stayed open because of
24 the co-op with the game commission using
25 Pagnotti Park. So they had a young kid --

1 MR. NOTARI: So we normally don't
2 lock that lower gate?

3 MR. LENCESKI: Every time I lock it
4 somebody cuts the lock. I bet it was PPL
5 getting up to their right-of-way.

6 CHIEF DUBERNAS: Kid was doing
7 donuts, lost control, hit, actually, a
8 hunter's truck.

9 MR. NOTARI: Marylynn, thank you
10 very much for all your work on the budget,
11 as usual.

12 MR. BUTLER: Just one thing. I just
13 want to tell Danielle to rally as many
14 neighbors as you can and send an e-mail to
15 the district attorney. The more letters he
16 gets, more ammunition for him. Just get all
17 your neighbors and have them constantly
18 e-mail and see where it goes from there. We
19 are trying our best. I want that out of
20 there more than anybody -- and Stocki. But
21 like I said, you have to go by what the law
22 says. I don't agree with the law on a lot
23 of things. Believe me. But you have to do
24 what they say.

25 MS. AVVISATO: Danielle, that was

1 great. I've been living here forever and I
2 love it here. I'm proud of this town.
3 Again, I believe we still have a safe
4 environment. So I want them gone as much as
5 everyone else here. But I like your spunk.
6 And e-mails, we all have to do this. The
7 more they get, more complaints they get,
8 they will help us. I know it. I have faith
9 in them.

10 Marylynn, thank you again for all
11 your hard work with no increase. Good girl.
12 That's all.

13 MR. HOOVER: I can't walk by
14 Danielle's house with the dog. But what
15 Rick said about it's funny that we had great
16 thing going on Sunday morning here, Snow
17 Forge, and everybody did a great job. Then
18 we had that pitiful thing that happened up
19 on the mountain. Made a sour note for me
20 that we couldn't do anything about it.

21 Marylynn, the budget, as usual, very
22 good. I'm going to do everything in my
23 power to stay on this over there. Executive
24 session after, please.

25 MR. FEBBO: We need more people like

1 you in the community to support council.
2 Council can really use support from the
3 community. Often times sitting here you get
4 things thrown at you, but in reality our
5 hands are tied to a point. These guys, all
6 the years I've been here, we do the best we
7 can. But it's frustrating that we get to
8 the courts and they tell you you can't do
9 this, you can't do that. Very frustrating.
10 Again, we need the community behind us.
11 Thank you.

12 MR. HOOVER: We thought DEP was
13 going to be behind us going through this
14 whole process. They gave him a fine, he
15 appealed the fine, didn't pay the fine.
16 Come to find out he paid half of the fine.
17 If the guy's doing something bad don't take
18 half the money. Take him to court. That's
19 what you're supposed to do, not letting him
20 go for half and then wash your hand of it
21 thinking it's going to go away. We always
22 hear about it.

23 MR. RUSSELL RINALDI: At this time
24 the chair would entertain a motion to
25 adjourn.

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MR. NOTARI: I'll make that motion.

MR. RUSSELL RINALDI: By Councilman
Notari. All in favor?

(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 48 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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