

OLD FORGE BOROUGH COUNCIL
OLD FORGE, PENNSYLVANIA

IN RE: COUNCIL WORK SESSION

FEBRUARY 1, 2022
7:00 p.m.
EAGLE McCLURE HOSE COMPANY
375 MILWAUKEE AVE
OLD FORGE, PENNSYLVANIA

APPEARANCES:

RUSSELL RINALDI, PRESIDENT
RICK NOTARI, VICE PRESIDENT
LOU FEBBO
JIM HOOVER
MIKE LETTIERI
MICHELE AVVISATO
ANDY BUTLER
BOB LEGG, MAYOR
DAVID LOPATKA, BOROUGH ENGINEER
JOE LENCESKI, DPW MANAGER
BILL STULL, ASSISTANT FIRE CHIEF
WILLIAM RINALDI, ESQUIRE, SOLICITOR
MARYLYNN BARTOLETTI, BOROUGH MANAGER
CHRISTOPHER HART, ZONING/CODE ENFORCEMENT OFFICER

MOLLIE GILL
COURT REPORTER

1 MR. RUSSELL RINALDI: Good evening,
2 everyone. I'd like to call the meeting to
3 order. Pledge of Allegiance.

4 (Pledge of Allegiance.)

5 MR. RUSSELL RINALDI: Roll call,
6 please, Marylynn.

7 MS. BARTOLETTI: Councilwoman
8 Avvisato.

9 MS. AVVISATO: Here.

10 MS. BARTOLETTI: Councilman Butler.

11 MR. BUTLER: Here.

12 MS. BARTOLETTI: Councilman Febbo.

13 MR. FEBBO: Here.

14 MS. BARTOLETTI: Councilman Hoover.

15 MR. HOOVER: Here.

16 MS. BARTOLETTI: Councilman
17 Lettieri.

18 MR. LETTIERI: Present.

19 MS. BARTOLETTI: Councilman Notari.

20 MR. NOTARI: Present.

21 MS. BARTOLETTI: Councilman Rinaldi.

22 MR. RUSSELL RINALDI: Here. Once
23 again, ladies and gentlemen, welcome to Old
24 Forge Borough work session. Tonight's
25 Tuesday, February 1st, 2022.

1 The purpose of tonight's meeting is
2 we're going to go through our department
3 heads, see if they have anything for the
4 agenda for our next regular meeting. We'll
5 go down the table. We'll here from our
6 council members, our borough manager,
7 solicitor, if anyone has anything to add.
8 Chief of police has a public sign-in sheet
9 if anyone from the public would like to
10 speak. With that said, we're going to go
11 first to our DPW manager, Joe Lenceski.
12 Joe, anything for the meeting coming up.

13 MR. LENCESKI: I have nothing.

14 MR. RUSSELL RINALDI: Are we all
15 ready for the storm this week if we get it?

16 MR. LENCESKI: Yes, we are.

17 MR. NOTARI: The crew has been doing
18 a great job.

19 MS. AVVISATO: They are. All of you
20 guys are.

21 MR. HOOVER: A lot of good words.

22 MR. LENCESKI: Thank you.

23 MR. RUSSELL RINALDI: Does anybody
24 have anything for Joe? Thanks, Joe.

25 MR. LENCESKI: Thank you.

1 MR. RUSSELL RINALDI: You're
2 welcome. Code enforcement zoning officer,
3 Chris Hart, anything for the meeting coming
4 up?

5 MR. HART: Nothing at this moment.

6 MR. RUSSELL RINALDI: Does anybody
7 have any questions for the zoning officer?

8 MR. NOTARI: I don't have a
9 question, but I have something to discuss in
10 regards to Chris. He gave us a proposal for
11 like a ticket sheet. Right?

12 MR. HART: Yes, ticketing.

13 MR. NOTARI: Is that something we
14 need to approve or talk about?

15 MR. HART: I hope so.

16 MR. RUSSELL RINALDI: Did Bill get a
17 copy of it?

18 MR. HART: Bill, yeah.

19 MR. RUSSELL RINALDI: Bill, do we
20 need to approve it?

21 MR. HART: The ticketing system for
22 the quality of life --

23 ATTY. RINALDI: It's just a form. I
24 mean, it's a form that he is going to do,
25 but I'll go over it with you, make sure

1 you've got everything.

2 MR. HOOVER: I think it's a good
3 idea too, Rick.

4 MR. NOTARI: Yeah. But I mean, if
5 it's nothing we can approve, why don't we
6 just -- why don't we move on it.

7 MR. HART: That's all -- I just need
8 an answer on if I could do it. If I could,
9 then, you know.

10 MR. RUSSELL RINALDI: Bill, when
11 could he start it?

12 ATTY. RINALDI: As long as he's got
13 all the right words in there, he could start
14 it as soon as he prints them out.

15 MR. HART: They are already done
16 with carbon copies and everything.

17 MR. FEBBO: So could we approve that
18 tonight, Bill, and move forward with
19 whatever you have to do?

20 ATTY. RINALDI: Well, you can't
21 approve it at a work session, but you can --

22 MR. FEBBO: I'm sorry, yeah.
23 Introduce it.

24 MR. HART: And so do you guys have
25 to approve it, though, on the next council

1 meeting?

2 MR. NOTARI: We do have to approve
3 it?

4 MR. RUSSELL RINALDI: No, he just
5 said we didn't.

6 MS. AVVISATO: You could just tell
7 him. Right?

8 MR. RUSSELL RINALDI: Bill said as
9 long as the wording's on it.

10 MR. HART: It's the quality of --
11 that's Taylor's that's attached to it. But,
12 I mean, it's basically a ticketing process.
13 It's just, I guess, an amendment to our
14 ordinance.

15 ATTY. RINALDI: So the only thing I
16 would put, under your violations, I would
17 reference each code section that we have in
18 our book.

19 MR. HART: And that's why I have it
20 blank. Like, you know, there is no pricing
21 on it. So as long as I could ticket daily,
22 if that's legal, that's all I need to know.
23 Then my issue is resolved.

24 MR. FEBBO: Bill, could you work
25 that out with Chris back and forth and then

1 present it to Council at the next meeting.

2 ATTY. RINALDI: Yes.

3 MR. NOTARI: That's all I have.

4 Thank you.

5 MR. RUSSELL RINALDI: Thanks, Rick.

6 Does anybody else have anything for the

7 zoning officer? Thanks, Chris.

8 Dave Lopatka, engineer. Anything

9 for the meeting?

10 MR. LOPATKA: I don't have anything

11 for the meeting. I did send Marylynn a copy

12 of the bid documents for the dugout project.

13 So I don't know if you guys need to approve

14 that at a meeting or is it just the approval

15 once we get bids back?

16 MS. BARTOLETTI: It's for the

17 dugouts. He's got it ready to go. Do we

18 have to bid or do they just have to --

19 MR. LOPATKA: Do they have to

20 approve the bids or do they have to approve

21 them going out to bid?

22 ATTY. RINALDI: They need to make a

23 motion to put it out to bid, yeah.

24 MR. LOPATKA: So I guess I do have

25 something. You guys need to make a motion

1 to put it out to bid in the next meeting.

2 MR. RUSSELL RINALDI: So we'll put
3 that on the agenda for the next meeting.

4 MS. BARTOLETTI: That's for the
5 documents that Dave put together.

6 MR. RUSSELL RINALDI: Anything else,
7 Dave? Does anyone have any questions for
8 the engineer?

9 MR. NOTARI: No.

10 MR. RUSSELL RINALDI: Thanks, Dave.
11 Chief Dubernas, anything for the
12 meeting for the agenda?

13 CHIEF DUBERNAS: Nothing for the
14 meeting, but I would like to meet with --
15 I'm not sure who -- personnel and finance or
16 personnel to discuss something. I'm not
17 sure if it's the same group of people or
18 not.

19 MR. HOOVER: What do we need to
20 discuss? Personnel or finance?

21 MR. RUSSELL RINALDI: Yeah, what is
22 the issue?

23 CHIEF DUBERNAS: I'm hiring a cop.
24 I'm probably going to lose two more.

25 MS. AVVISATO: Part-time?

1 MR. RUSSELL RINALDI: Well, we
2 should probably meet with finance first.

3 CHIEF DUBERNAS: But yeah, I'm
4 probably going to lose Grunza next month to
5 Wilmington, Delaware. I just got the phone
6 call today.

7 MS. AVVISATO: Grunza?

8 CHIEF DUBERNAS: Uh-huh.

9 MR. NOTARI: Let's not talk about
10 this now at a public meeting. Right? We
11 could talk after, quick executive.

12 MR. RUSSELL RINALDI: Yeah. Okay.
13 Anything else, chief?

14 CHIEF DUBERNAS: Nothing.

15 MR. FEBBO: I have a question for
16 you, chief. Where are we at with our
17 cameras?

18 MR. RUSSELL RINALDI: Body cameras?

19 MR. FEBBO: Yeah. Mare.

20 MS. BARTOLETTI: We're still waiting
21 to hear on the grant. We have to, I guess,
22 call and try to find out what's going on
23 with it. In the meantime, I think another
24 grant is coming out that I'm supposed to
25 find out more details on tomorrow that if

1 the first one doesn't work out, the second
2 one we'll be able to do it as well.

3 CHIEF DUBERNAS: And actually I have
4 a camera right now. Officer Terhune --
5 because he's a taser instructor. It's a new
6 camera that taser came out with. He's been
7 using it for about a week now. It's a new
8 taser camera that came out.

9 MR. HOOVER: Does he like it?

10 CHIEF DUBERNAS: He loves it.
11 Totally different attitude when we tell
12 people they're on -- being video and audio
13 recorded.

14 MR. HOOVER: Is it the same one we
15 ordered?

16 CHIEF DUBERNAS: No.

17 MS. BARTOLETTI: We didn't order
18 anything yet.

19 MR. HOOVER: Oh, we're just waiting
20 for the grant.

21 MS. BARTOLETTI: We're waiting for
22 the grant first.

23 MR. RUSSELL RINALDI: Yeah, we just
24 looked at a couple.

25 CHIEF DUBERNAS: Well, this is the

1 one that just came out. You know what I
2 mean. The one that we picked was the same
3 one that Taylor and Moosic had; Axon, which
4 is taser. They just literally came out with
5 this. Since he's an instructor, he was able
6 to get it, and he's using it.

7 MR. FEBBO: Is it an upgrade over
8 the other ones?

9 CHIEF DUBERNAS: I don't know
10 nothing about the camera. But it's crystal
11 clear. You could hear everything. Like, he
12 showed me a couple videos that he had. He
13 had a DUI stop with it the other night.
14 It's crystal clear. It's like watching
15 television.

16 MR. HOOVER: Good.

17 MR. FEBBO: That's what we need.

18 MR. RUSSELL RINALDI: Definitely.
19 Anybody else have any questions for the
20 chief? Thanks, chief.

21 Assistant fire chief, Bill Stull,
22 anything for the meeting coming up?

23 MR. STULL: No, nothing at all.
24 Does anybody have any questions for Bill?
25 Thanks, Bill.

1 Attorney Rinaldi, solicitor's
2 report. Anything for the agenda?

3 ATTY. RINALDI: Depending on
4 timing-wise, I did a council compensation
5 amendment that would be effective upon each
6 count -- well, next term of a council seat.
7 So it actually would be broken up.

8 So 2024, whoever comes in at 2024,
9 and then whoever comes in then at 2026 it
10 would be, I guess. 2026. Up to the maximum
11 we could go is \$2,500. All right. You're
12 at 18 because your population is less than
13 10,000. You're around 82-something. So I
14 could put that on the agenda if the timing
15 is right. Some people have position where
16 you got to pass it in November 2023, but I
17 don't think we have to.

18 And in this quality of life, I mean,
19 a lot of is redundant. You have ordinances.
20 Do you want to repeal those and put these in
21 place or do you want to just reference
22 those? Like, you know, grass and
23 vegetation, permit vendors.

24 MR. NOTARI: I thought it was just a
25 tool that Chris is going to use as a ticket

1 book. It's not changing anything.

2 ATTY. RINALDI: Is it just the front
3 page or is it the whole ordinance?

4 MR. HART: Well, I mean, that's --
5 that's the current order, and it's, like I
6 said, that are -- that Taylor is using
7 currently, and it's working wording-wise and
8 everything. It's holding water for them.

9 The front, the ticket book, it kind
10 of mimics that. I left it blank only
11 because we could come up with our own
12 numbers and our own fines I figured, but, I
13 mean, it's up to you guys. If we're going
14 to update our ordinance, I mean, we're back
15 92. And if we want to upgrade, you know,
16 that's something, like I said, that's
17 current, you know, but that's up to you
18 guys. You know, if you guys want to read
19 the difference between this current
20 ordinance and our ordinance, maybe make a
21 few upgrades, you know. It's completely up
22 to you guys.

23 MR. NOTARI: We're going to go
24 through that process. Right?

25 MR. HART: Yes.

1 ATTY. RINALDI: Yeah. Because you
2 have permits for, you know, vendors. You
3 have hazardous materials. You have, you
4 know, the grass and weeds. We have similar
5 -- rubbish we have under another one. A lot
6 of those are covered just reading them over.

7 MR. HART: Right.

8 ATTY. RINALDI: So maybe what we
9 could do is just fashion the ticket page to
10 match our ordinance numbers. We could do
11 that.

12 MR. NOTARI: But, I mean, we hired
13 that company. We're going through the
14 process of --

15 ATTY. RINALDI: No, no. That
16 company is doing zoning planning. These are
17 ordinances.

18 MR. NOTARI: Not codes.

19 ATTY. RINALDI: Right. These are
20 your code violations, which are not your
21 zoning or planning violations.

22 MR. HOOVER: Want to give me that
23 back, and I'll put the codes with it.

24 ATTY. RINALDI: Email me a sheet,
25 and we could actually go through the code

1 book and just type in violations, and it
2 will bring up all the sections. Online it's
3 easy that way.

4 MR. HART: And, like I said, the
5 ticket book, I mean it's blank, so I mean, I
6 can match it to our ordinance or we could
7 change, you know, if we change our fines or
8 whatever, you know, that's up to you guys.

9 MR. NOTARI: How about you match to
10 what we have?

11 MR. HART: That's fine.

12 MR. NOTARI: And then if you think
13 there's anything we need to add, bring it
14 up.

15 MR. HOOVER: If we need to bump the
16 numbers up, we could bump the numbers up.

17 MR. HART: That's fine. Yeah, I'll
18 just use the ticket book and match it with
19 our ordinance just as long as, you know, the
20 ticket book will hold water if I give the
21 ticket, you know.

22 ATTY. RINALDI: You have max fines
23 on all your ordinance violations.

24 MR. HART: Right. But this instant
25 ticketing process we would have to approve

1 it; correct? At a public meeting that is?

2 ATTY. RINALDI: Well, you could just
3 have a booklet, and you just cite a person
4 and say, here, you're violating this section
5 of the code.

6 MR. HART: Right, but then I would
7 have to go through the process to obtain
8 money through the magistrate and everything
9 like that. So this, like I said, I mean,
10 it's just like a parking ticket, this works.

11 ATTY. RINALDI: Well if they don't
12 pay it, you're down at the magistrate
13 anyway.

14 MR. HART: Right. So my hopes is --

15 ATTY. RINALDI: So you're going to
16 give them a fine, and if they don't pay it
17 in 48 hours then you go to the magistrate.

18 MR. HART: Right. So my hopes by
19 using this is, is you get a parking ticket,
20 sometimes, hey, just pay it and be done.
21 Let's not move on. Or, you know, cut your
22 grass or anything along those lines. That's
23 the plan behind the ticketing system.

24 MR. RUSSELL RINALDI: Well, this
25 cuts the warning out.

1 MR. HART: This cuts the warning
2 out, and it cuts some time out for me
3 actually sending a certified letter. Like,
4 a few days.

5 MR. RUSSELL RINALDI: You show up on
6 property.

7 MR. HART: Show up on property.
8 Instant, right there. There you go.
9 There's your ticket. You know, instead,
10 like, I could send certified letters.

11 ATTY. RINALDI: Well, you have to
12 when it's zoning.

13 MR. HART: Right, but like this
14 stuff here.

15 ATTY. RINALDI: With the other ones
16 you can just write up the citation, hand it
17 to them, and if you pay it within so many
18 days or fix the problem, otherwise you have
19 the option to go down the magistrate.

20 MR. HART: See, we don't have any
21 citations. I never had a citation book.

22 ATTY. RINALDI: We can get you a
23 book.

24 MR. HART: That's why I made that
25 one. We have the books. That is the exact

1 copy of the book that we made now. So as
2 long as I could use that, that's, like I
3 said, that's --

4 ATTY. RINALDI: It's going to be
5 similar to what the police use.

6 MR. HART: That's what it is.

7 ATTY. RINALDI: You write the
8 violation section in your book.

9 CHIEF DUBERNAS: For traffic
10 citations, ours is all online now. Our
11 non-traffics we still old school pen and
12 paper it. But parking tickets, it has a
13 little envelope with a carbon copy, and you
14 write through it. You put the envelope on
15 the vehicle, and then we have the carbon
16 copy. And then they just come into the
17 building to pay it, and then at the end of
18 the month I hand Ann Marie a transaction log
19 of all the parking tickets that were
20 received and all the money.

21 MR. HART: And that's what I'm
22 trying to do with this now.

23 ATTY. RINALDI: We can do it. It's
24 a system. It just a system you got to set
25 up.

1 MR. HART: Right. And, like I said,
2 the books are already created with the
3 carbon copies. So as long as it's legal for
4 me to do it. I don't want, you know.

5 ATTY. RINALDI: You got -- you and
6 the chief can issue any violation under our
7 code. You just say, you're in violation.
8 I'm writing you up. Here's your ticket.

9 MR. HART: Okay. That works
10 perfect. And if there's anything in there,
11 like I said, we could, you know, change if
12 you want to raise the prices or whatever.
13 As I go along I'll match it to our ordinance
14 now, and then I'll compare it to other
15 ordinances --

16 MR. NOTARI: If there's things we
17 need to add.

18 MR. HART: Yeah, and we'll upgrade.

19 MR. RUSSELL RINALDI: Okay.

20 ATTY. RINALDI: And the only other
21 thing I had, I did -- actually the only
22 borough that responded that does two
23 inspectors is Blakely. So I have to get
24 with them and see how they appoint two
25 inspectors under their commercial code.

1 MR. NOTARI: Bill, can you speak up
2 a little. Lou can't hear you.

3 ATTY. RINALDI: I said the only
4 borough that responded in all of
5 Pennsylvania that uses two inspectors is
6 actually Blakely. So I got to get ahold of
7 them and see how they -- how they set up two
8 UCC code inspectors. So I'm working on that
9 to get that resolved for everybody, and
10 that's all I have.

11 MR. RUSSELL RINALDI: Any questions
12 for the solicitor?

13 MR. HOOVER: I guess I thought the
14 fine would be more, too.

15 ATTY. RINALDI: What?

16 MR. HOOVER: Stocki's fine.

17 ATTY. RINALDI: The only thing I'm
18 thinking of is he whacked him with a lot of
19 money, and he put him in jail for six
20 months, and he saw we asked for half A
21 million dollars. Because I had it all laid
22 out: 500 a day times X number of days.

23 MR. FEBBO: So, Bill, that's out the
24 window?

25 ATTY. RINALDI: That was the fine.

1 That's it. He referred us back to his fine.

2 MR. FEBBO: I have a hard time with
3 that.

4 MR. NOTARI: Okay. So wait a
5 second. Time out here. If we're going to
6 talk about this now, we're going to talk
7 about it. You told us that when all this
8 started, he appealed the fine.

9 ATTY. RINALDI: Right.

10 MR. NOTARI: And that when we went
11 to court against him, it wasn't to fight the
12 appeal. It was to fight that he was in
13 contempt of court.

14 ATTY. RINALDI: It was both. No --
15 we filed an appeal -- no. He filed the
16 appeal because he didn't want to pay the
17 \$500 fine and the \$500 a day.

18 MR. NOTARI: Okay.

19 ATTY. RINALDI: Okay. We filed an
20 answer to the appeal and filed an injunction
21 action to get him to cease and desist and
22 clean up the property.

23 MR. NOTARI: Okay.

24 ATTY. RINALDI: Okay. So the Court
25 ruled on all the injunction issues, and

1 that's when we got the April 22nd order.
2 Okay. I'm sorry -- no. They already ruled
3 on that. The April 22nd order was contempt
4 that he didn't do what he was supposed to
5 to.

6 MR. NOTARI: Right.

7 ATTY. RINALDI: Okay. The ultimate
8 fine was pending by the Court. And then
9 when we did the last hearing, I said, Judge,
10 let's just wrap up this whole case, so we
11 had two hearings, and I asked for a summary
12 judgment on the fine because clearly the
13 judge already found that he violated our
14 ordinance and did all these findings of
15 fact. There was nothing to retry on that.
16 All I did was give him the case law; the
17 calculation of the fine, \$500 a day; and,
18 you know, here's our final pleading.
19 Because he was holding it in abeyance.

20 MR. HOOVER: Did he know it was
21 600,000?

22 ATTY. RINALDI: Yeah.

23 MR. NOTARI: Can we appeal that
24 decision?

25 MR. FEBBO: Do you know how

embarrassing that is to the community that's
on council here.

ATTY. RINALDI: I could see if we could appeal it, but it's still going to be his discretion on it. So it's not a legal -- but I could file an appeal. We already have an argument on March 6th.

MR. FEBBO: For four years he's thrown him every break in the book and made a fool out of us.

MR. NOTARI: So what's the hearing
in March for?

ATTY. RINALDI: That's on his appeal. He appealed a contempt order of April 22, 2021.

MR. FEBBO: So he wants more?

ATTY. RINALDI: No, he appealed that order and said the judge entered a contempt order and it was unlawful. So that's scheduled to be heard on March -- I think it's March 6th.

MR. NOTARI: So wait. I thought
that's what the last hearing was.

ATTY. RINALDI: No, he appealed
Munley's decision. Okay. He didn't get a

1 stay of it. He appealed it. He was denied
2 a stay by Munley. He was denied a stay in
3 Superior Court. Okay. So that's how we
4 were able to go forward with the case, but
5 his appeal was still pending.

6 He actually filed two appeals. One
7 on the contempt order and then another
8 appeal on the -- when Stocki -- when the
9 judge found him in violation of the subpoena
10 and held him in contempt for that. They
11 withdrew that one after the judge put him in
12 jail like a month or two after. Ernie
13 Preate withdrew that appeal from the
14 Superior Court.

15 So the only appeal that's left now
16 is Ed Scacchitti's appeal on the contempt
17 order that the judge didn't have -- the
18 judge, you know, he has legal arguments. It
19 wasn't enough evidence.

20 MR. FEBBO: I think that we should
21 appeal, and I think that we should appeal
22 for another judge.

23 MR. NOTARI: How many appeals do you
24 get?

25 ATTY. RINALDI: As long as it's not

1 an interlocutory order, you can appeal a lot
2 of orders of the Court.

3 MR. FEBBO: Can we appeal for
4 another judge? I mean, for four years this
5 guy has been thrown --

6 ATTY. RINALDI: Well, I don't know
7 who has the case now. He's retired. I
8 mean, he could still hang onto it because
9 it's his orders that we'd be asking him to
10 enforce.

11 MR. FEBBO: Can we request another
12 judge?

13 ATTY. RINALDI: The other thing you
14 got to remember is Stocki argued three times
15 to have him recused, and we argued against
16 it. So now you want me to go in and say now
17 we want you off the case.

18 MR. NOTARI: Yeah, we blew that one.
19 Where'd the \$20,000 come from? Where'd that
20 number come from?

21 ATTY. RINALDI: That's what they
22 paid the Borough. 20,000 plus attorneys'
23 fees of --

24 MR. NOTARI: But I mean, who came up
25 with that figure?

1 ATTY. RINALDI: The judge.

2 MR. HOOVER: The judge.

3 ATTY. RINALDI: They have discretion
4 on fines. I mean, the same way -- it's a
5 like a sentencing. Okay.

6 MR. NOTARI: If I were the
7 magistrate, I would be pretty upset because
8 obviously whatever the magistrate says it
9 doesn't mean anything.

10 ATTY. RINALDI: Well, he found in
11 favor of the magistrate. He just didn't
12 tack on the extra --

13 MR. NOTARI: He didn't find in favor
14 of the magistrate. The magistrate
15 instituted a \$500 a day fine.

16 ATTY. RINALDI: Right. So the judge
17 -- a maximum of \$500 a day. So the judge
18 gets to rehear that fine issue again.
19 That's the only thing he can decide is how
20 much the fine should be. So instead of \$500
21 a day -- I don't know how he calculated it
22 -- he figured \$20,000 was enough.

23 MR. HOOVER: How many days was it,
24 Rick?

25 MR. NOTARI: I don't know, 1,400.

1 ATTY. RINALDI: I'll tell you how
2 many. Well, it was 2017. Four years.

3 MR. NOTARI: So 4 times 365.

4 ATTY. RINALDI: I asked for four
5 years and so many months at 500 a day.

6 MR. FEBBO: Could we appeal the
7 fine? The amount of the fine?

8 MR. RUSSELL RINALDI: That's 7
9 dollars -- 7 cents a day.

10 MR. NOTARI: 7 cents a day.

11 MR. FEBBO: Could we appeal the
12 amount of the fine? I don't just want to
13 walk away from this.

14 ATTY. RINALDI: I can appeal it.
15 It's a discretion thing. If you want, I'll
16 see if I can appeal it. It's not an error
17 of law. He's got the discretion to impose
18 the fine. Same way with a sentence.

19 MR. NOTARI: He has the discretion,
20 but he has to have some kind of basis.

21 MR. LEGG: I mean, you could ask him
22 what he based that on.

23 ATTY. RINALDI: I'm sure he added in
24 the fact that he was jailed, too.

25 MR. FEBBO: For what? For a week?

1 ATTY. RINALDI: Well, he was in jail
2 for a week. He's on house arrest for six
3 months.

4 MR. NOTARI: We didn't run. We
5 didn't run.

6 MR. RUSSELL RINALDI: He deserved
7 it.

8 ATTY. RINALDI: He's still on house
9 arrest.

10 MR. NOTARI: No, I thought he lifted
11 the house arrest.

12 ATTY. RINALDI: No. He only lifted
13 it --

14 MR. NOTARI: Right, so he could
15 travel state to state so he can go on
16 vacation.

17 ATTY. RINALDI: Limited business
18 travel.

19 MR. RUSSELL RINALDI: Bill, I'm
20 getting the consensus that Council,
21 including myself, would like to see more of
22 a fine. What's our options of trying to --

23 ATTY. RINALDI: I could ask for a
24 reconsideration, and then see if we could
25 appeal it.

1 MR. RUSSELL RINALDI: -- get a higher
2 fine imposed.

3 MR. FEBBO: The \$20,000, the chump
4 change that he gave us, and put that towards
5 whatever appeal we to have to make.

6 MR. RUSSELL RINALDI: Let's do
7 whatever we have to do to get ourselves.

8 MR. NOTARI: All that said, is he in
9 compliance up there?

10 MR. HART: With the judge's order
11 right now his only battle is that he's --

12 ATTY. RINALDI: The piles.

13 MR. HART: The piles of parts. He's
14 fighting against us saying that they are all
15 workable parts, machines and everything.

16 MR. FEBBO: It's not a running unit.

17 MR. HART: I understand that, but
18 like at the end of the day, you know, Billy
19 and I are trying to fight the fact that they
20 are -- you're right. They are not a running
21 unit, but--

22 MR. FEBBO: It's okay for the judge
23 to say it's okay that he has a pile of junk?

24 ATTY. RINALDI: He hasn't okayed
25 that.

1 MR. HART: He hasn't, and like I
2 said, we fight the argument that, you know,
3 yes, it's junk, and our ordinance states it
4 is, and Walter and, you know, his attorney
5 are saying it's not.

6 ATTY. RINALDI: The only thing he
7 determined was he met -- he let him go out
8 on the house release -- actually, no. On
9 the house release before, but he let him do
10 the travel because he actually did
11 everything but take those piles away.

12 MR. HART: Right.

13 MR. FEBBO: So the hammer came down.
14 The judge put the hammer down. It's all
15 over. We're getting \$20,000. Stocki's okay
16 to operate the way he is.

17 ATTY. RINALDI: No, no.

18 MR. FEBBO: No, no?

19 ATTY. RINALDI: Our order is still
20 in place. Okay. He still has to do what he
21 has to do. I just ruled up the fine case to
22 get that over with.

23 MR. HART: He completed, I think, 9
24 out of 11, and the one battle was the whole
25 access.

1 ATTY. RINALDI: The whole and the
2 HOP issue.

3 MR. HART: The HOP issue, right.
4 Which he, in turn now, has to battle with
5 Gilchrist they were saying. So that was his
6 argument. And then the piles of parts that
7 we're saying are junk, he's saying no --

8 MR. RUSSELL RINALDI: Okay. Let's
9 stop right there.

10 ATTY. RINALDI: So the HOP is being
11 worked on.

12 MR. RUSSELL RINALDI: Our zoning
13 officer, you were up there looking at the
14 pile of parts?

15 MR. HART: Oh, yeah. I'm up there
16 every week.

17 MR. RUSSELL RINALDI: Because our
18 zoning officer is up on his property looking
19 at the pile of parts. Our zoning officer is
20 telling him he can't have them. He is
21 saying, oh, I can?

22 MR. HART: It's on Munley's order,
23 though, right now. That's where we're
24 stuck. It's up to the judge.

25 ATTY. RINALDI: No, Munley has not

1 said he can.

2 MR. HART: And Munley didn't say no.

3 ATTY. RINALDI: He said I want you
4 back in a month if I get to retain the case,
5 so.

6 MR. HART: Right. It's not -- I'm
7 up there, and it's still -- it's the same
8 thing.

9 MR. RUSSELL RINALDI: Okay. So the
10 zoning officer goes up there, sees a pile of
11 parts that, in his opinion, are junk;
12 correct?

13 MR. HART: Yeah, our opinion -- and
14 we argue that, you know, every time that we
15 go and write a book it states that it's
16 junk, but he fights against it.

17 MR. RUSSELL RINALDI: I know. What
18 action could Chris take against him now?

19 ATTY. RINALDI: Well, we could do
20 two things. We have a contempt order that
21 we can --

22 MR. HART: Right. Which we're going
23 back on.

24 ATTY. RINALDI: -- review it, and I
25 can see if the magistrate will accept

1 another complaint and start over again.

2 MR. LEGG: This is a nightmare.

3 MR. HART: We're going back on --

4 what was it? I forget what he gave.

5 However many days. You know, so we're

6 waiting on that.

7 MR. NOTARI: July 21, 2018.

8 MR. HART: Well, I'm saying from the

9 last hearing that we had -- what was it, a

10 month or so ago, you know, and he still

11 every day when I'm up, he still --

12 ATTY. RINALDI: Judges have

13 discretion. It's like a guy gets probation

14 and some get sent to jail. I mean, that's

15 not an appealable issue.

16 MR. LEGG: Okay. Can you ask him

17 what he based that \$20,000 figure on?

18 ATTY. RINALDI: He based it on his

19 prior decision because he referenced it.

20 MR. NOTARI: 20,000. He probably

21 carries around 20,000 in his pocket.

22 MR. FEBBO: No, more than that. I

23 still think we should appeal and ask for

24 another judge. We have nothing to lose.

25 ATTY. RINALDI: If we can appeal it,

1 we'll try to do it.

2 MR. RUSSELL RINALDI: Anything else,
3 Bill?

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

5 MR. RUSSELL RINALDI: Marylynn,
6 borough manager, anything for the agenda?

7 MS. BARTOLETTI: No, but I just
8 wanted to say, for the record, that we're
9 moving the March public meeting to March
10 22nd and moving the May public meeting to
11 May 24th. And just to let everyone know the
12 ad is in the paper for the administrative
13 job, and that is it.

14 MR. RUSSELL RINALDI: How long are
15 we running the ad?

16 MS. BARTOLETTI: The ad is going to
17 be in the paper a couple times. It's open
18 until February 15th.

19 MR. RUSSELL RINALDI: Okay.

20 MR. LEGG: You get any bites yet,
21 Mare?

22 MS. BARTOLETTI: Today is the first
23 day it's in.

24 MR. LEGG: Oh, today. Okay.

25 MR. RUSSELL RINALDI: Anything else,

1 Marylynn?

2 MS. BARTOLETTI: No.

3 MR. RUSSELL RINALDI: Anybody have
4 any questions for the borough manager?

5 MR. NOTARI: Mare, any chance we're
6 in the building for the March work session?

7 MS. BARTOLETTI: Next week we're
8 expecting the state, hopefully next week, to
9 come in and inspect the elevator.
10 Everything else is ready to roll.

11 MR. LOPATKA: I talked to the
12 elevator company yesterday, and he told me
13 it should be next week. I talked to the
14 elevator company who is setting up the
15 appointment with the state, and he said it's
16 usually seven to fourteen days.

17 MR. FEBBO: Is that Comcast too?

18 MS. BARTOLETTI: Comcast got
19 finished yesterday.

20 MR. LOPATKA: They put in a line
21 that was a bigger line.

22 MS. BARTOLETTI: It's Cat6.

23 MR. LOPATKA: It's Cat6. It was
24 supposed to be Cat5. So they had to adjust
25 the plug.

1 MS. BARTOLETTI: The whole thing
2 came down to the plug, the little plastic
3 plug, which is why the elevator line wasn't
4 working because it's a phone line, and Cat6
5 are the most updated computer and everything
6 lines, but phone lines, Comcast only uses
7 Cat4 and Cat5, and that's what caused entire
8 problem.

9 MR. FEBBO: So all the phone calls
10 you were making?

11 MS. BARTOLETTI: This has been going
12 on since October, and it comes down to this
13 little plastic plug this big.

14 MR. FEBBO: Question for Mare, you
15 had mentioned that you were going to have a
16 walk-through. Are there some issues that we
17 needed to have taken care of?

18 MS. BARTOLETTI: Dave and I did that
19 yesterday. Dave and I walked through last
20 Friday and marked everything up, and then
21 yesterday we walked through with the
22 supervisor from DNM showing him all the
23 places that we have issues where there might
24 have been a mark on a wall or a scratch here
25 or there, that kind of stuff. So they're

1 working on that now.

2 MR. FEBBO: And our target date is?

3 MS. BARTOLETTI: My target date is
4 February 14th.

5 MR. LOPATKA: Once the elevator is
6 certified, then everything else in the
7 building will be done by then.

8 MR. FEBBO: How long do you think
9 before the elevator is certified?

10 MR. LOPATKA: They told me about a
11 week.

12 MR. FEBBO: So it's conceivably
13 possible that we could have this month's
14 meeting at the borough building?

15 MS. BARTOLETTI: What we're waiting
16 on is after we did that walk-through, we're
17 just making sure everything is good. They
18 had to fix a lot of spackle.

19 MR. LOPATKA: There was some
20 cracking because the building was open when
21 they taped some of the joints. Now that
22 there's heat and everything in there, there
23 was probably four or five areas where the
24 tape was peeling a little bit. There was a
25 crack where it was taped. So we have them

1 retaping that and respackling it. And
2 there's a bunch of walls that had -- I don't
3 know what they did. The paint was a
4 different -- it looked like a different
5 color if you looked at it.

6 MS. BARTOLETTI: Where they touched
7 up.

8 MR. LOPATKA: So all those walls
9 where the paint was a different color, a lot
10 of them they are actually going to repaint
11 the whole wall.

12 MR. FEBBO: And that's going to take
13 month?

14 MR. LOPATKA: No, that shouldn't
15 take a month.

16 MR. FEBBO: So when is the next
17 meeting? The 16th? So it's conceivably
18 possible that we could --

19 MS. BARTOLETTI: Well, I said our
20 start to move in date is February 14th. So
21 if it's possible. It may be like one of the
22 only pieces of furniture that might be in
23 there is the council table, but, you know,
24 the chairs are in there. It depends, you
25 know what I mean. It just depends how

1 quickly they get all the stuff done and the
2 elevator gets up and running, and then we
3 could take over the building.

4 MR. LOPATKA: I mean, I didn't have
5 a ton of stuff other than -- the biggest
6 thing was repainting.

7 MR. HOOVER: We'll see in March.

8 MR. LEGG: Mar, do we have a
9 cleaning company?

10 MS. BARTOLETTI: Not a new one yet,
11 but we will.

12 MR. RUSSELL RINALDI: Does anybody
13 else have any questions for the Borough
14 manager? Thanks, Marylynn. Go around the
15 table, see if the members have anything.
16 Mayor Legg.

17 MR. LEGG: Mr. Chairman, thank you.
18 I apologize for missing the meeting earlier.
19 When I saw you this morning, I guess I got
20 my wires crossed. I thought you said people
21 weren't in contact or they didn't contact
22 back.

23 MR. RUSSELL RINALDI: I wasn't aware
24 of the meeting myself until a little bit
25 later.

1 MR. LEGG: Oh, okay. All right.
2 Well, I apologize for missing, and that's
3 all I have. Thank you.

4 MR. RUSSELL RINALDI: You're
5 welcome. Councilman Febbo.

6 MR. FEBBO: Kind of glad to be back
7 in a way but disappointed in some of the
8 things that have happened tonight,
9 particularly the Stocki deal. I'd hope that
10 we made some headway with the gang from the
11 hill, and I'd hope that we would be in our
12 new building by maybe a month.

13 Aside from that, again, I hope that
14 there is something we could do with getting
15 a better deal with Stocki. I have a hard
16 time sucking that in, real hard. That's a
17 very embarrassing situation for the
18 community, and not only that, it makes us on
19 council look like a bunch of monkeys like we
20 didn't perform for the community, and we
21 have to answer to that. And I just envision
22 myself -- the group that I run with, you
23 know, is pounding me on it because we had
24 mentioned that we're going to win. We're
25 going to do this. We're going to get it

1 cleaned up, and this guy is walking away
2 with -- with nothing.

3 MR. RUSSELL RINALDI: I agree. I
4 think all Council agrees with you as well.

5 MR. FEBBO: Sorry to express myself
6 that way, but that's my feeling.

7 MR. RUSSELL RINALDI: Anything else?

8 MR. FEBBO: No, that's it.

9 MR. RUSSELL RINALDI: Councilman
10 Notari?

11 MR. NOTARI: No, sir. I've yelled
12 enough today.

13 MR. RUSSELL RINALDI: Councilman
14 Lettieri?

15 MR. LETTIERI: I'm good.

16 MR. RUSSELL RINALDI: Councilman
17 Butler?

18 MR. BUTLER: I'm good.

19 MR. RUSSELL RINALDI: Councilwoman
20 Avvisato?

21 MS. AVVISATO: I have nothing.
22 Thank you.

23 MR. RUSSELL RINALDI: Councilman
24 Hoover.

25 MR. HOOVER: I'm done.

1 MR. RUSSELL RINALDI: The only thing
2 I have is I revised the committee list for
3 2022. I'll give it to Marylynn tonight.
4 She'll have the secretary make a copy, put
5 it in everyone's mailbox. Or if you want to
6 have them emailed, Mare, whatever you feel
7 is better.

8 Second thing, Councilman Febbo
9 contacted me today, and he was talking about
10 the church and the rectory. Do you want me
11 to explain it or do you want to touch base
12 on it?

13 MR. FEBBO: You could do it and I'll
14 fill in. You're the president.

15 MR. RUSSELL RINALDI: Okay. Well,
16 he called me, and he asked me my thoughts on
17 a couple things about remodeling it, looking
18 for money to remodel it. We talked about
19 maybe some grants, but his first idea was he
20 wanted to put a committee together to have
21 that committee do some research, whether it
22 was going to be what's the plans we were
23 going to do there, how we were going to fund
24 it, things of that nature. And he asked me
25 if he could chair the committee and if

1 Councilman Notari and Councilman Butler
2 could be on the committee with him. I said
3 I have no problem with it. I said I would
4 bring it tonight to Council. I don't know
5 if anybody else would want to be on the
6 committee. Is everybody okay with that?

7 MR. LETTIERI: Yep.

8 MS. AVVISATO: Yeah.

9 MR. RUSSELL RINALDI: Good?

10 MR. FEBBO: Can I speak on it.

11 MR. RUSSELL RINALDI: Yeah, sure.

12 MR. FEBBO: My thought would be that
13 it seems like I was the one that initiated
14 this whole deal with the church directory to
15 bring it on board with the Borough, and I
16 have two years to go on council, and I would
17 like to see this to, you know, come to a
18 completion.

19 Rick and I have been talking about
20 community centers since I'm on board here,
21 even before he came on Council. I think
22 it's a great opportunity right now to move
23 forward with it, especially with the Borough
24 building almost completed.

25 That being said, I know we have a

1 lot of thoughts about the rectory, the
2 church. Initially we thought we'd maybe get
3 rid of the rectory, but in second thinking
4 with Rick and Andy, I think that we should
5 make that whole complex community center
6 complex because there is really no rooms in
7 the church, you know, for a community
8 center, especially with us giving up the
9 downstairs.

10 I think that the rectory could be
11 incorporated as different rooms for
12 different events. That being said, the
13 amount of grant money out there, I contacted
14 Cartwright about a month ago when I spoke to
15 him openly -- Andy Butler, myself, and made
16 it known to him that we have a project
17 coming up and that we would like to get it
18 together with him for some grant money.

19 Russell's been talking to Marty
20 Flynn's representatives, and they are all
21 telling us that there is grant money out
22 there, and working with Marylynn -- and I
23 think that we could go after that.

24 So that being said, there's a lot of
25 groundwork to do, a lot of designing to do,

1 a lot of speculative, bringing the community
2 into this whole fold, but I would like to
3 make it go, and I would like to spearhead
4 it.

5 I have a lot of time on my hands,
6 and I think that we could start the
7 beginning of redeveloping Main Street. We
8 talked about streetscapes years ago, and
9 with the money being available, perhaps we
10 could start that at that point and move up
11 Main Street. But, you know, you look at
12 Pittston and what they have done down there,
13 and you look at the money that's being spent
14 on reclamation areas all up and down the
15 line. It seems like we in Old Forge here
16 have always been bypassed and gotten
17 nowhere.

18 So again, with the election coming
19 up and the money available, I think it's a
20 good time to initiate a fire, you know, with
21 our representatives and collect some of the
22 money that really we should have coming
23 forward to us. That being said, I look
24 forward to working with all of Council, not
25 just our committee, and move forward. Thank

1 you.

2 MR. RUSSELL RINALDI: All good. And
3 then the last thing I have is we just have a
4 brief executive tonight with the Chief and,
5 Joe Lenceski, you could stay too, DPW
6 manager. That's it. Anybody have else
7 anything before we adjourn? At the time the
8 chair would entertain a motion to adjourn.

9 MS. AVVISATO: I make a motion.

10 MR. RUSSELL RINALDI: Motion on the
11 floor by Councilwoman Avvisato. All in
12 favor?

13 (Unanimous. Meeting adjourned at
14 7:40 p.m.)
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C E R T I F I C A T E.

I hereby certify that I attended the forgoing proceeding, the notes taken by me are contained fully and accurately of the above cause, and that this copy is a correct transcript of the same to the best of my ability.



Mollie Gill
Official Court Reporter

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