

OLD FORGE BOROUGH COUNCIL  
OLD FORGE, PENNSYLVANIA

IN RE: COUNCIL WORK SESSION

FEBRUARY 7, 2023

7:00 P.M.

OLD FORGE MUNICIPAL BUILDING

314 SOUTH MAIN STREET

OLD FORGE, PENNSYLVANIA

COUNCIL MEMBERS:

RUSSELL RINALDI, PRESIDENT

JAMES HOOVER

MICHAEL LETTIERI

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, Marylynn.

9 MS. BARTOLETTI: Councilwoman  
10 Avvisato?

11 MS. AVVISATO: Here.

12 MS. BARTOLETTI: Councilman Butler?

13 MR. BUTLER: Here.

14 MS. BARTOLETTI: Councilman  
15 Lettieri?

16 MR. LETTIERI: Present.

17 MS. BARTOLETTI: Councilman Hoover?

18 MR. HOOVER: Present.

19 MS. BARTOLETTI: Councilman Rinaldi?

20 MR. RUSSELL RINALDI: Here. Once  
21 again, ladies and gentlemen, welcome to the  
22 Tuesday, February 7, 2023 Old Forge Borough  
23 work session. The purpose of tonight's  
24 meeting, we're going to go through our  
25 department heads. We'll hear if they have

1 anything to report on or anything for the  
2 agenda for our regular meeting Tuesday,  
3 February 21st. We'll then hear from our  
4 chief of police, borough solicitor, Mayor.  
5 We'll go down the table and we'll hear from  
6 our borough manager and any council members  
7 if they have anything they would like.

8 The chief of police has the public  
9 sign-in sheet if anyone from the public  
10 would like to address us at the end of the  
11 meeting.

12 With that said, we'll move to our  
13 first department head, Joseph Lenceski, DPW  
14 manager. Joe, anything coming up for the  
15 February meeting?

16 MR. LENCESKI: No.

17 MR. RUSSELL RINALDI: Anybody have  
18 any questions for Joe? Thanks, Joe.

19 Code enforcement/zoning, Christopher  
20 Hart, anything coming up for our February  
21 meeting that's on the agenda?

22 MR. HART: No.

23 MR. RUSSELL RINALDI: Does anybody  
24 have any questions for Chris?

25 MS. AVVISATO: I just want to thank

1                   you for taking care of that --

2                   MR. HART: Morton Street?

3                   MS. AVVISATO: It seems like they're  
4                   confined to the back yard now.

5                   MR. HART: He said by the end of the  
6                   month he's going to have a new cage and  
7                   everything.

8                   MR. RUSSELL RINALDI: Anyone else  
9                   have any questions for Chris? Thanks,  
10                  Chris.

11                  Dave Lopatka, engineer, anything  
12                  coming up for our agenda for our regular  
13                  meeting?

14                  MR. LOPATKA: I don't have anything  
15                  for the agenda, but I was talking to Jimmy  
16                  before. There's a change order on Hickory  
17                  Street. It was a pretty good change order.  
18                  The reason for it was that the water company  
19                  actually -- and I don't know when they did  
20                  this, but it wasn't marked out right, and  
21                  then the water line halfway down the street  
22                  45's out about four feet and then runs right  
23                  over the top of the sewer line. So the  
24                  sewer line has to get relocated.

25                  MR. HOOVER: Did they have to do any

1 saw cuts?

2 MR. LOPATKA: Yeah, they had to saw  
3 cut the whole thing. So that's kind of the  
4 reason. There is a big number in there for  
5 rock. They don't kind of anticipate it, so  
6 basically they'll bill us for what they  
7 encounter, not for what the actual number is  
8 on the change order.

9 MR. HOOVER: Did you have an  
10 inspector down there or somebody walking by  
11 to see --

12 MR. LOPATKA: I just spot checked it  
13 once or twice but not all the time. If you  
14 want somebody down there we can have  
15 somebody. I don't know if GeoScience was  
16 supposed to be there.

17 MR. HOOVER: The change order, you  
18 said it's rock. I want to make sure the  
19 rock is there.

20 MR. LOPATKA: I'll talk to them, see  
21 if their foreman down there -- have him let  
22 me know if they're encountering anything.  
23 Then I can run down and see what the extent  
24 of it is.

25 MR. HOOVER: That change order

1           that's marked for the water company, that's  
2           about half the road?

3                   MR. LOPATKA: It's about half. It  
4           basically starts right where the inlet is.  
5           It's basically in the middle of the road.  
6           It goes -- from Albion down it's okay, then  
7           once you hit where the inlet is, the rest of  
8           the way down towards the church it has to be  
9           relocated over. Then they have to add a  
10          manhole, too, to do that, to tie it back in.

11                   MR. HOOVER: I'll make a call  
12          tomorrow. I have a few questions I want to  
13          ask them. Do you have the paving list?

14                   MR. LOPATKA: I have the paving  
15          list. We'll get that together. We'll have  
16          it pretty quick. The one question on the  
17          paving that I had, I was looking, Connell  
18          Street that goes down to the park, it's  
19          pretty flat, and I'm sure there's probably  
20          some drainage issues on it. I don't know  
21          how you want to look at that. Typically you  
22          don't fix drainage issues when you do mill  
23          and overlay. You have to do a little bit  
24          more to fix the issue.

25                   MR. HOOVER: No drainage?

1 MR. LOPATKA: There's none.

2 MR. HOOVER: If you put a crown in  
3 you're going to make water at the curb. You  
4 don't want that.

5 MR. LOPATKA: You kind of want to  
6 pitch it to the left if you're going towards  
7 the park. We might have to shoot some  
8 grades on that one just to make sure if  
9 we're going to do it that way. Right now I  
10 believe -- it's basically flat. It doesn't  
11 even have a crown in it.

12 MR. HOOVER: We talked about that  
13 Preate Winery, going up there. I don't  
14 think it's feasible to mill that road  
15 because it's base underneath. It was never  
16 done. That's the one going up around Preate  
17 Winery. We're going to have to raise it.

18 MR. LOPATKA: Is there a lot of  
19 traffic?

20 MR. HOOVER: It's a short cut. Lot  
21 of traffic.

22 MR. LOPATKA: You can kind of dig it  
23 out and put back 25 mill instead of nine  
24 mill, it's a little bit bigger aggregate,  
25 instead of just putting top on it because

1 top's not going to do anything.

2 MR. HOOVER: Put some kind of base  
3 on it before.

4 MR. LOPATKA: Maybe we can put three  
5 inches of the 25.

6 MR. HOOVER: The street's on the  
7 right as you go up the hill. They come down  
8 and meet and, like, there's a hill. It's  
9 off a little bit. It builds up a little  
10 bit. You can go back to the approach to  
11 make the street come out straight. Put a  
12 little more base in there.

13 MR. LOPATKA: You probably want to  
14 put about three inches at least of 25.

15 MR. HOOVER: We'll look at it  
16 before. We'll have Joe look at that.

17 MR. RUSSELL RINALDI: Speaking of  
18 paving, remember when the state paved  
19 Lonesome Road? They never finished it. Do  
20 we know why? They stopped at Bridge Street.  
21 They never went through Bridge Street.

22 MR. LENCESKI: That's actually South  
23 Main.

24 MR. RUSSELL RINALDI: So you're  
25 coming down Bridge Street, you make a left

1 on Lonesome Road, go up Bridge Street, make  
2 a right --

3 MR. LENCESKI: That's south Main if  
4 you come down that street. Then if you go  
5 straight, then it's Bridge Street going up  
6 the hill. South Main goes to the right  
7 also.

8 MR. RUSSELL RINALDI: Under the  
9 train bridge.

10 MR. LENCESKI: Yes. Originally,  
11 before the bridge was built on South Main,  
12 that's the way you got around the river.

13 MR. RUSSELL RINALDI: Dave, a few  
14 years back, remember we contacted them about  
15 the Preate Winery road? That's considered  
16 Milwaukee Avenue. They told us it's not our  
17 state road, it's your borough road. That's  
18 why they wouldn't pave the road.

19 Okay, that's all I have. Anyone  
20 else have any questions for Dave?

21 MS. BARTOLETTI: Before we go  
22 further, we talked about the paving. I  
23 still do need clarification on the paving on  
24 the little road at Panel Prints. That  
25 little piece.

1 MR. HOOVER: From the corner down, I  
2 believe, from the maps that Bill sent, we  
3 own about 250 feet, which brings you at the  
4 side entrance to the Convenient. Right at  
5 the end of the side entrance of Convenient.

6 MS. BARTOLETTI: The road is a mess.  
7 That whole portion of it is a mess. The  
8 person who has the business has again asked  
9 what are we going to do for them to be able  
10 to fix this road. Now, the DPW has never  
11 plowed it. So now that I'm told we do own  
12 it, if there's a storm we'll have to plow  
13 it. But their biggest concern is the fact  
14 that it's so ripped up and there are so many  
15 holes.

16 MR. HOOVER: I'll ask the question  
17 again. What happened with the gas company?

18 MR. HART: They refused to do  
19 anything or do any kind of work. I have an  
20 e-mail. They said the road is ripped up to  
21 begin with.

22 MR. RUSSELL RINALDI: Did they run  
23 the gas line yet?

24 MR. HART: A while ago.

25 MR. HOOVER: They ran a gas main

1 down the street. The ordinance says you  
2 have to overlay the road.

3 MR. HART: UGI is the only one I  
4 fight with on everything.

5 MR. RUSSELL RINALDI: Can you ask  
6 them to attend our next meeting. Tell them  
7 we're requesting them. We have questions  
8 for them.

9 MR. HART: UGI fights on every one.

10 MR. HOOVER: We had a fight with  
11 them on Sonny Drive. They came and gave us  
12 the things that -- they wanted to do work  
13 for ten years and not pave the road.

14 MR. HART: I'll set it up.

15 MR. RUSSELL RINALDI: Is it on the  
16 paving list?

17 MR. HOOVER: No. If the gas company  
18 goes down there and paves 20 feet of it, if  
19 we can eat the other half.

20 MR. RUSSELL RINALDI: Anything else?

21 MR. HOOVER: No.

22 MR. RUSSELL RINALDI: Why don't we  
23 have Marylynn contact the owner of Panel  
24 Prints. Tell them we're contacting the gas  
25 company to come before us and we want to ask

1           them why they put in the line and didn't  
2           pave the road that they're supposed to.

3                   MS. BARTOLETTI: I'll let them know  
4           what's going on.

5                   MR. RUSSELL RINALDI: Anybody else  
6           have anything for Dave?

7                   Chief Dubernas, anything for the  
8           agenda for the regular meeting?

9                   CHIEF DUBERNAS: No. I'll hold off  
10          of Hickory Street because the block I was  
11          talking about last meeting on Hickory Street  
12          is the block they're ripping up. So we'll  
13          hold off on that.

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

16                   Assistant Fire Chief Bill Stull,  
17          anything for the agenda for the meeting  
18          coming up?

19                   MR. STULL: No, nothing at all.

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

22                   Attorney Rinaldi, anything for the  
23          agenda or the meeting?

24                   ATTY. RINALDI: Yeah. Dave, if you  
25          need maps of that street I have them.

1                   So I'm going to have for passage an  
2 ordinance dealing with adult businesses in  
3 the borough, BYOB establishments, regulating  
4 BYOBs within the borough, and registration  
5 for people purchasing property in the  
6 borough.

7                   You're also going to have a  
8 resolution, if the agreement comes back, for  
9 a school resource officer, to sign that  
10 agreement with the school district.

11                  I'll do a resolution and have it  
12 handy if you intend to hire the police  
13 officers that night as well.

14                  I'll have a resolution approving the  
15 DPW agreement which is an amendment to their  
16 contract on wages.

17                  I should have the school deed back  
18 to accept it officially by the borough and  
19 tender our deed to the school district for  
20 that pit property.

21                  I have two remaining out of, I  
22 think, 11 signatures for Angela Drive. I'll  
23 get them, hopefully -- one person approached  
24 and the other person, I got an e-mail from  
25 their lawyer. If I get those signatures we

1 can accept Angela Drive.

2 We have a comprehensive planning  
3 meeting on February 16th.

4 I need to have a public hearing.  
5 Last month you all had that zoning amendment  
6 where we're going to rezone that parcel on  
7 Keyser Avenue to C-2 and allow for  
8 warehousing and self-storage as conditional  
9 uses only. So I'll type it up. We have a  
10 meeting with them on next Tuesday. What I  
11 need is a date for the public hearing. We  
12 have to have a public hearing before we pass  
13 that. We advertise it two successive weeks.  
14 And the owners need to make arrangements to  
15 make sure their people can fly here to  
16 present what their intentions are for that  
17 property. So I'm thinking give me a hard  
18 March date because he's got to post the  
19 property and we have to send out letters.

20 MR. RUSSELL RINALDI: Would the  
21 night of our regular meeting in March be  
22 enough time?

23 MR. HART: Exactly two weeks.

24 ATTY. RINALDI: After a public  
25 meeting you'll be able to vote on it. If

1           you want to digest it after the public  
2           hearing and if you want to make any changes  
3           after you hear from the public. Give  
4           yourself some opportunity rather than going  
5           right into the regular meeting. If  
6           something comes up you might be able to hand  
7           write the changes and say here. Plus, I  
8           have to re-advertise for the change. We  
9           have a planning commission meeting at 7:00.

10           MR. HART: On Tuesday but it's up in  
11           the air because a lot of members can't make  
12           it.

13           ATTY. RINALDI: They have to get  
14           back on a regular track.

15           MR. HART: We're going to  
16           reorganize, hopefully, next week. If not, I  
17           mean, I was just talking to Marylynn. I  
18           have members that can actually attend.

19           ATTY. RINALDI: You can make it at  
20           6:00.

21           MR. RUSSELL RINALDI: Tuesday, the  
22           14th, 6:00.

23           ATTY. RINALDI: March 14th.

24           MR. HOOVER: There possibly could be  
25           a lot of people coming. I don't know how

1 many people are going to come.

2 MR. HART: That would be for the  
3 public on March 14th?

4 ATTY. RINALDI: If that's okay with  
5 council.

6 MR. RUSSELL RINALDI: It's okay with  
7 me.

8 MR. HOOVER: I'm good.

9 MR. LETTIERI: Tuesday is good.  
10 What time?

11 MR. RUSSELL RINALDI: It's 6 p.m.

12 ATTY. RINALDI: That's it.

13 MR. RUSSELL RINALDI: Anybody have  
14 any questions for the solicitor? Thanks,  
15 Bill. Marylynn, borough manager, anything  
16 for our agenda or our meeting coming up?

17 MS. BARTOLETTI: For the agenda, I'm  
18 going to have a payment for D&M  
19 Construction.

20 MR. HOOVER: For?

21 MS. BARTOLETTI: We've never paid  
22 them the final amount for the building. We  
23 waited for them to do all the final repairs.  
24 I'll put that together and have it ready for  
25 you.

1 MR. RUSSELL RINALDI: Anything else?

2 MS. BARTOLETTI: No.

3 MR. RUSSELL RINALDI: Anybody have  
4 any questions for the borough manager?  
5 Thanks, Marylynn. Before we go down the  
6 table we'll move into public comment.  
7 Robert Zukauskas?

8 MR. ZUKAUSKAS: Yes. I would just  
9 like to know what's going on with the dump  
10 across the street from my house. There was  
11 activity last week. The fire department was  
12 there and the zoning people were there. So  
13 I'd like to know what's going on with that.

14 MR. RUSSELL RINALDI: Are you asking  
15 why the fire department was there?

16 MR. ZUKAUSKAS: I saw them there.  
17 Is there a report?

18 MR. RUSSELL RINALDI: We'll ask the  
19 assistant fire chief.

20 MR. STULL: At the council meeting  
21 we were asked to go down there and do an  
22 inspection on the building, which we did.  
23 So we went down, we did the inspection.  
24 Really, there were only two violations in  
25 there. Both of them were electrical. So a

1 report was sent both to Dustin from Junken  
2 Monkeys and whoever the landlord is. Chris  
3 has a report on it, too.

4 So other than that, I mean, it's  
5 just a storage place. So we walked around  
6 back. He's got a couple items underneath  
7 tarps. We looked at those. One's an old  
8 wooden work bench and the other one's a  
9 piece of equipment. As far as the building  
10 goes, the building's in great shape.

11 MR. ZUKAUSKAS: Did you look at the  
12 rear of it? Did you see the tarp-covered  
13 stuff?

14 MR. STULL: Yes. Underneath that  
15 was, like I said, a wooden work bench.

16 MR. ZUKAUSKAS: Outside the  
17 building. I'm talking outside.

18 MR. STULL: Around back. There was  
19 a piece of machinery under there, which is  
20 fine. We asked them to be nice and take  
21 away the basketball hoop thing and the two  
22 barrels that are out there. In 30 days  
23 we'll go back, make sure the electrical  
24 violations are taken care of --

25 MR. HART: They're already

1 completed.

2 MR. RUSSELL RINALDI: You're still  
3 going to go back and check?

4 MR. STULL: Yes.

5 MR. ZUKAUSKAS: My question, the  
6 judge gave this person five days to clean up  
7 the garbage, rubbish around the building.  
8 It's still there. Has there been fines?  
9 Has the owner of the property been issued  
10 fines?

11 MR. HART: There is no rubbish.

12 MR. STULL: We didn't see any  
13 rubbish.

14 MR. ZUKAUSKAS: The stuff under the  
15 tarp.

16 MR. STULL: That's not rubbish.

17 MR. HART: It's a trailer for a car  
18 and then there's a work bench, and  
19 underneath the work bench is a generator.  
20 It's not junk.

21 MR. ZUKAUSKAS: Now, when they moved  
22 the tires that were in the back there's all  
23 black mold on the --

24 MR. HART: No.

25 MR. ZUKAUSKAS: It's a health

1 hazard.

2 MR. HART: It's not mold. It's not  
3 mold. It's just decaying block.

4 MR. ZUKAUSKAS: You're telling me  
5 that's not mold?

6 MR. HART: I know it's not mold.  
7 The chief will tell you as well.

8 MR. ZUKAUSKAS: So my question, Mr.  
9 Rinaldi, is that business going to stay at  
10 that place? Is that going to remain there?  
11 That doesn't belong there. That business  
12 does not belong there. Are you telling me  
13 that that's going to stay there?

14 MR. RUSSELL RINALDI: No, that's not  
15 what I'm telling you. That building and  
16 that zone is not permitted for any type of  
17 junkyard or junk. There is no business  
18 there. Correct?

19 MR. HART: There is no business  
20 there. The stuff that is in the garage is  
21 his own personal stuff. He does have his  
22 weights and his own personal stuff. There's  
23 no items in there that have any relation to  
24 the Junken Monkey business. It is his own  
25 personal stuff. That's it.

1 MR. ZUKAUSKAS: There's a gym in  
2 there. When you get sick of your gym you  
3 call the Junk Monkey, he takes the gym and  
4 he puts that gym in the garage and they're  
5 using that as a gym. Is that garage legal  
6 to be used as a gym?

7 MR. HART: It's his on personal --

8 MR. BUTLER: It's a storage  
9 facility. He can put that in there.

10 MR. RUSSELL RINALDI: The owner  
11 rents the garage and he put a weight bench  
12 in there and the owner wants to go in there  
13 with a friend or something and work out, we  
14 can't stop that.

15 MR. ZUKAUSKAS: So when that garage  
16 was built it was a repair garage. So you're  
17 telling me now it's a storage facility.  
18 There's no change of use or anything? You  
19 can just automatically go from a repair  
20 garage to what they're doing, storing this  
21 stuff there, using it as a gym? There's no  
22 change of use for that? Is that what you're  
23 telling me? It could just go from --

24 MR. RUSSELL RINALDI: To put a  
25 weight bench in there and work out?

1 MR. ZUKAUSKAS: No, it's a storage  
2 facility. It's a storage facility. Right?  
3 And that's their personal gym. It's a  
4 storage facility. So originally it was a  
5 repair shop with a garage, a body and  
6 mechanical repair shop. It's not that no  
7 more. Hasn't there been a change a use?  
8 Like, when somebody goes from one business  
9 to another is that a change of use?

10 MR. HART: It's not a business.

11 MR. RUSSELL RINALDI: It's not a  
12 business.

13 MR. ZUKAUSKAS: It's not a business?

14 MR. HART: It's not a business  
15 whatsoever.

16 MR. ZUKAUSKAS: What does the Junken  
17 Monkey do with that if it's not his  
18 business?

19 ATTY. RINALDI: He can't have a  
20 Junken Monkey business there. That was a  
21 zoning violation.

22 MR. RUSSELL RINALDI: We fined him  
23 for that.

24 MR. ZUKAUSKAS: So what is the  
25 solution to the zoning violation? What is

1 going to be done? You know, you find  
2 there's a zoning violation. So what is the  
3 remedy for his zoning violation? He's done  
4 nothing.

5 ATTY. RINALDI: If within the 30  
6 days --

7 MR. ZUKAUSKAS: Well, when does the  
8 30 days begin?

9 ATTY. RINALDI: I don't know when he  
10 sent the letter out.

11 MR. HART: It's over with. He  
12 vacated everything from the business within  
13 the 30 days.

14 ATTY. RINALDI: He had days to  
15 either appeal the decision, come to the  
16 zoning -- set it for a hearing in front of  
17 the zoning hearing board or cease. It's a  
18 cease and desist. So he moved everything  
19 out of there, took his truck away.

20 MR. ZUKAUSKAS: So you're telling me  
21 that there's nothing in that garage that  
22 belongs to the Junk Monkey? Is that what  
23 you're telling me?

24 MR. HART: It belongs to him  
25 personally. The lease agreement is under

1 his name personally with Amy, the landlord.  
2 He has his own personal stuff in there.

3 MR. RUSSELL RINALDI: Bill, your  
4 personal opinion, is there any type of  
5 material there that you consider junk?  
6 Besides something being old and being  
7 stored --

8 MR. STULL: It's just a storage  
9 place that he has. He wants to say it's  
10 junk. Somebody might be --

11 MR. RUSSELL RINALDI: Is there a  
12 bunch of scrap metal all, like, twisted up  
13 waiting to go into a truck and taken  
14 somewhere?

15 MR. STULL: No.

16 MR. RUSSELL RINALDI: Like, junk, is  
17 what I'm saying.

18 MR. STULL: If you want to call it  
19 where he works out -- literally it's just a  
20 bench in there. The guy can work out there,  
21 more power to him, because there's so much  
22 clutter in there. He has an old potbelly  
23 stove in there, a wood burner that they  
24 don't use. We told him he has to remove all  
25 the wood that's in there because it looks

1           like it could be used but there's no chimney  
2           or anything like that. So he's not going to  
3           use it at all. Other than that, it's just,  
4           like, maybe a couple old dressers or stuff  
5           like that in there. But to me it's a  
6           regular garage that somebody's storing stuff  
7           in it. He's not running a business out of  
8           there. That's for sure.

9           MR. ZUKAUSKAS: Okay, Chief. That's  
10          the stuff there. He's running a business  
11          out of there. That garage has to be  
12          removed.

13          MR. STULL: We took this while we  
14          were down there. This is the back of the  
15          building. There's nothing around the  
16          tracks. There's a couple of things that are  
17          stored underneath the tarp. If I had to  
18          look at that next door to my house, I mean,  
19          it's no big deal. It's like something that  
20          a neighbor would store.

21          MR. RUSSELL RINALDI: But you looked  
22          under there and you know what it is.

23          MR. STULL: Yes.

24          MR. ZUKAUSKAS: There are no tires  
25          under there?

1 MR. STULL: There's no tires  
2 anywhere in that building.

3 MR. ZUKAUSKAS: No inside?

4 MR. STULL: No, nothing inside,  
5 outside nothing.

6 MR. RUSSELL RINALDI: If there was  
7 anything inside, outside on the property,  
8 around the property the assistant fire chief  
9 would have noted it and documented it and he  
10 would have -- if it was deemed removable he  
11 would have told him that he has to remove  
12 it. He's going to go down there and do a  
13 100 percent valid report.

14 MR. ZUKAUSKAS: Can I see the report  
15 that was done last week when you were there,  
16 the 4th?

17 MR. STULL: He has it right there.

18 MR. ZUKAUSKAS: So you're telling me  
19 that that business is going to stay there?  
20 There's no -- you can sell the junk that  
21 he's got there? He can't -- he's going to  
22 continue doing what he's doing right now.  
23 Is that what you're telling me? It's status  
24 quo right now?

25 MR. RUSSELL RINALDI: He vacated.

1 Cease and desist.

2 MR. HART: He's not running his  
3 business out of there. There's no business.

4 MR. ZUKAUSKAS: I don't understand  
5 vacated when you see all that junk inside  
6 and out. That is not vacated.

7 MR. RUSSELL RINALDI: We just asked  
8 the assistant fire chief. His report you  
9 have now in front of you. He's storing a  
10 few wooden dressers, a weight bench, an old  
11 potbelly stove.

12 MR. HART: Which the stove came with  
13 the building. It was there for 30 years.

14 MR. RUSSELL RINALDI: He has a  
15 generator in back that's tarped and he has  
16 a --

17 MR. STULL: Wooden work bench.

18 MR. RUSSELL RINALDI: There's no  
19 tires, there's no junk, there's no type of  
20 anything that would deem it a junkyard or a  
21 junk business. Prior, a month or two back,  
22 there was. Chris went down, took him to  
23 court, Bill went down and did a report, and  
24 now he's vacated. He was fined.

25 MR. HOOVER: If a month goes by and

1                   you happen to see that Junken Monkey truck  
2                   parked there --

3                   MR. ZUKAUSKAS: Have you seen  
4                   Kurlanchik's in Duryea, Joe Kurlanchik's  
5                   building? Do you see where that business is  
6                   in Duryea?

7                   MR. HART: It's not in Old Forge.

8                   MR. ZUKAUSKAS: I don't want  
9                   anything across the street from me that  
10                  looks like that.

11                  MR. RUSSELL RINALDI: We don't  
12                  either. That's why Chris made him vacate.  
13                  That's why he took him to court, that's why  
14                  he fined him.

15                  MR. ZUKAUSKAS: The best thing for  
16                  us to do with that property is you level  
17                  that garage. You make a complete vacant lot  
18                  there. There are people that would buy that  
19                  piece of property there. That owner of that  
20                  property should just vacate that -- should  
21                  just demolish that property. Just level it  
22                  off.

23                  MR. RUSSELL RINALDI: We can't tell  
24                  the property owner --

25                  MR. ZUKAUSKAS: That is something

1           that she should consider because that is not  
2           a healthy environment down there.  You're  
3           telling me that's not mold?  I'll get  
4           somebody from the health department down  
5           there looking at that.

6                   MR. HART:  It's decaying block.  If  
7           you want I'll go down with Joe.

8                   MR. ZUKAUSKAS:  There's spores  
9           growing in there and that is unhealthy.  
10          That building's got to be demolished.  That  
11          building's got to be demolished.

12                   MR. LENCESKI:  Mold wouldn't grow on  
13          concrete.

14                   MR. ZUKAUSKAS:  Okay, we'll get -- I  
15          saw that garage built and I'm going to see  
16          that garage go down.

17                   MR. RUSSEL RINALDI:  Anything else,  
18          Mr. Zukauskas?

19                   MR. ZUKAUSKAS:  I just can't believe  
20          you're letting that business stay there.

21                   MR. RUSSELL RINALDI:  We're not  
22          letting the business stay there.  The  
23          business is not there.

24                   MR. ZUKAUSKAS:  He's making a fool  
25          out of all of us.  So when everything was

1           done -- so you just made this report and  
2           everything is -- you got -- he doesn't have  
3           a business there, everything's going to  
4           stay, everything's calmed down now. The  
5           report -- 30 days you're going to see if  
6           everything is like that and then everything  
7           is going to just calm down and everything  
8           will be nice and smooth there. Everybody's  
9           going to be happy and --

10           MR. RUSSELL RINALDI: If he follows  
11           the rules of the zoning ordinances and he  
12           corrects the issues that the assistant fire  
13           chief noted in his report and we follow up  
14           and he corrects it --

15           MR. ZUKAUSKAS: What happens when  
16           the Junk Monkey comes and puts stuff inside  
17           that garage?

18           MR. RUSSELL RINALDI: Junk?

19           MR. ZUKAUSKAS: Junk. Well,  
20           anything. A sofa or something. The stuff  
21           he collects. The rubbish and stuff he  
22           collects. What happens if --

23           MR. RUSSELL RINALDI: Call the  
24           zoning officer -- I'll answer if you let me.  
25           If our zoning officer is notified he will go

1 down there and inspect it. If it's  
2 considered junk he's going to cite him, just  
3 like we've done --

4 MR. ZUKAUSKAS: But he hasn't been  
5 cited. He just beat a hundred dollars --

6 MR. HART: He was cited. We took  
7 him to court.

8 MR. ZUKAUSKAS: How much did he pay?

9 MR. HART: It was a hundred dollars.  
10 That's what the magistrate said.

11 MR. ZUKAUSKAS: Right.

12 MR. RUSSELL RINALDI: Mr. Zukauskas,  
13 that's what the magistrate ordered.

14 MR. ZUKAUSKAS: I know, and it was  
15 supposed to be done in five days or there  
16 was going to be fines and that thing wasn't  
17 done in five days. We pay parking tickets  
18 but you got easy money here from Junk Monkey  
19 and you don't take it. It's easy money and  
20 you let him slide.

21 MR. HART: It was cleaned.

22 MR. ZUKAUSKAS: It was cleaned up?  
23 What you consider clean and what I consider  
24 clean are two different things. We're on  
25 two different planets here if you consider

1                   that place clean.

2                   MR. RUSSELL RINALDI: Anything else,  
3                   Mr. Zukauskas?

4                   MR. ZUKAUSKAS: No, that's all. I  
5                   just --

6                   MR. RUSSELL RINALDI: Thank you.  
7                   We're going to go down the table and see if  
8                   anybody has anything to add or anything for  
9                   the agenda. Mayor Legg?

10                  MAYOR LEGG: Thank you,  
11                  Mr. Chairman. Great job tonight. We had  
12                  three different sessions and you handled  
13                  that very well. That's all I have.

14                  MR. LETTIERI: Nothing, Chairman.

15                  MR. BUTLER: Just that they want to  
16                  put that indoor bocci court in the old Saint  
17                  Lawrence Church.

18                  MR. RUSSELL RINALDI: Councilman  
19                  Butler, Councilman Febbo explained it a  
20                  little bit to me. Are they looking to do it  
21                  just for a certain period of months?

22                  MR. BUTLER: Just for the winter.  
23                  They want to fix up the windows. They want  
24                  to charge like they do at Arcaro & Genell's.

25                  MR. RUSSELL RINALDI: They're going

1 to install the courts themselves?

2 MR. BUTLER: Yes. Only temporary  
3 courts.

4 MS. BARTOLETTI: Can we have a  
5 discussion about that?

6 MR. RUSSELL RINALDI: Sure.  
7 Anything else?

8 MS. AVVISATO: I have nothing.

9 MR. HOOVER: We had a personnel  
10 meeting yesterday with regard to the open  
11 position for the department of public works.  
12 We interviewed a gentleman by the name of  
13 Daniel Smallcomb. I thought the interview  
14 went pretty well. A young kid looking to  
15 get -- he's had a few jobs. He's looking to  
16 get something more permanent.

17 So I'd like to recommend that we put  
18 it on the agenda to hire Daniel Smallcomb  
19 for DPW if it's not a problem.

20 Also, we have to discuss two issues  
21 in regards to the school, the four percent  
22 and the police car charges. How do we feel  
23 about the four percent for administrative  
24 fees? I mean, I spoke to Mare, she said  
25 you're looking at if it's bi-weekly billing

1 at least an hour a day. Four percent may be  
2 a little bit too much. I don't know what we  
3 think as a group. Three percent? I know  
4 it's going to put her out of her way from  
5 doing her normal duties. If we're doing it  
6 the way we are you can have four cops on a  
7 monthly basis that she's going to have to do  
8 time tickets for if they do it every two  
9 weeks. Two weeks, two cops; two weeks, two  
10 cops. So it will be each month you'll have  
11 four cops. Is it different rates on each  
12 cop? I think \$40 may be too much. Maybe  
13 \$30.

14 MS. AVVISATO: I was thinking 20.

15 MR. LETTIERI: I think it's  
16 something we need to discuss, whatever  
17 financing is feasible.

18 MS. BARTOLETTI: I need to work on  
19 it a little bit and come back to you guys  
20 with a plan.

21 ATTY. RINALDI: I need it before our  
22 next meeting. That's it.

23 MR. RUSSELL RINALDI: The only thing  
24 I have is to the public. Council had an  
25 executive session. We met with the school

1 board prior to tonight. We had a meeting  
2 with them. We agreed to the police officer.  
3 And we also had an executive session for a  
4 litigation matter. Other than that I have  
5 no other items. The chair would call for a  
6 motion to adjourn.

7 MS. AVVISATO: I'll make that  
8 motion.

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

12 (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 35 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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