

OLD FORGE BOROUGH COUNCIL

IN RE: SPECIAL MEETING OF COUNCIL

HELD:

Thursday, July 27, 2023

TIME:

5:30 P.M.

**ORIGINAL**

LOCATION:

OLD FORGE MUNICIPAL BUILDING  
310 South Main Street  
Old Forge, Pennsylvania

C O U N C I L     M E M B E R S :

RUSSELL RINALDI, President

RICK NOTARI

MICHELE AVVISATO

MICHAEL LETTIERI

LOUIS FEBBO

ANDREW BUTLER

MARYLYNN BARTOLETTI, Borough Manager

WILLIAM RINALDI, Esquire, Solicitor

MICHELLE SMOLSKIS  
OFFICIAL COURT REPORTER

1 MR. RINALDI: Good evening everyone.  
2 I'd like to begin with the Pledge of  
3 Allegiance, please.

4  
5 (Pledge of Allegiance.)

6  
7 MR. RINALDI: Roll call, please,  
8 MaryLynn.

9 MS. BARTOLETTI: Councilwoman  
10 Avvisato?

11 MS. AVVISATO: Here.

12 MS. BARTOLETTI: Councilman Butler?

13 MR. BUTLER: Here.

14 MS. BARTOLETTI: Councilman Febbo?

15 MR. FEBBO: Here.

16 MS. BARTOLETTI: Councilman Hoover  
17 is absent. Councilman Lettieri?

18 MR. LETTIERI: Present.

19 MS. BARTOLETTI: Councilman Notari?

20 MR. NOTARI: Present.

21 MS. BARTOLETTI: Councilman Rinaldi?

22 MR. RINALDI: Here. Once again,  
23 ladies and gentlemen, welcome tonight,  
24 Thursday, July 27, 2023. We're going to begin  
25 the public hearing for our proposed LERTA

1 request from Mr. George Dunbar and Holly Ridge  
2 Estates. To open up the public hearing, I'm  
3 going to need a motion.

4 MR. BUTLER: I'll make a motion.

5 MR. RINALDI: Motion on the floor by  
6 Councilman Butler.

7 MR. FEBBO: I'll second it.

8 MR. RINALDI: Second by Councilman  
9 Febbo. On the question?

10 (No response.)

11 MR. RINALDI: Public input?

12 (No response.)

13 MR. RINALDI: Roll call, please,  
14 MaryLynn.

15 MS. BARTOLETTI: Councilman  
16 Avvisato?

17 MS. AVVISATO: Yes.

18 MS. BARTOLETTI: Councilman Butler?

19 MR. BUTLER: Yes.

20 MS. BARTOLETTI: Councilman Febbo?

21 MR. FEBBO: Yes.

22 MS. BARTOLETTI: Councilman  
23 Lettieri?

24 MR. LETTIERI: Yes.

25 MS. BARTOLETTI: Councilman Notari?

1 MR. NOTARI: Yes.

2 MS. BARTOLETTI: Councilman Rinaldi?

3 MR. RINALDI: Yes. Bill, if you  
4 would like to just take us through the steps?

5 ATTY. RINALDI: Sure. So, at the  
6 last -- actually, two meetings ago, Mr. Dunbar,  
7 representing Holly Ridge Estates, requested  
8 that the Borough Council entertain a LERTA,  
9 which is a program that is being authorized by  
10 the State which is called, it's actually the  
11 full title is the Local Economic Revitalization  
12 Tax Assistance. It enables a developer or a  
13 property owner to improve a deteriorated  
14 industrial, commercial or other business  
15 property.

16 So, pursuant to that, prior to the  
17 Council entertaining a LERTA, the Council has  
18 to determine if the property is deteriorated.  
19 So, in order to do that, we're holding this  
20 public meeting so that Council can hear input  
21 from all those involved as to why this property  
22 is deteriorated, in addition to what they  
23 already know about the property in terms of  
24 it's abandoned Pennsylvania coal company, and  
25 the planning commission had previously, for

1 another state program, recommended to Council  
2 and designated it as blight.

3 So, with that being said,  
4 Mr. Chairman, we could proceed with the public  
5 hearing on hearing this specific property,  
6 which is located on Forge Street and Howard  
7 Street down by the river as a deteriorated  
8 property.

9 MR. RINALDI: So, how we'll handle  
10 the public hearing, we're going to give  
11 Mr. Dunbar and his associates a few moments to  
12 come up and address us, explain the property,  
13 let the public hear.

14 We'll let the public, if anyone from  
15 the public has any questions, we'll let you ask  
16 us a few questions, we'll let the Council ask a  
17 few questions, and then once we're all through,  
18 we'll adjourn the public hearing.

19 We're going to ask Mr. Dunbar and  
20 his associates, whoever you would like, to come  
21 forward first and explain your proposal.

22 ATTY. GALLAGHER: Good evening,  
23 Council. I think you all know, my name is Mike  
24 Gallagher. I'm counsel for Mr. Dunbar and  
25 Holly Ridge Estates.

1 We're going to be brief tonight.  
2 We've been through two hearings on this  
3 already, or two meetings on this already.

4 As counsel for the Council  
5 indicated, the property is at Howard Street and  
6 Forge Street in Old Forge. It's an old coal  
7 mine property. It has been deteriorated for a  
8 number of years, nothing's been done with it.

9 It had been declared as a blight  
10 property by the Old Forge Planning Commission  
11 in 2009, by the school district in 2009, as  
12 well, and then Borough Council in 2010 and the  
13 County of Lackawanna in 2010.

14 Nothing has changed with the  
15 property since that time. The blight condition  
16 has not been removed. It's our position that  
17 it is still a blighted property, that blight  
18 was never changed, and we're asking that  
19 Council move forward tonight and grant the  
20 LERTA. And that's about all we have unless  
21 Council has questions.

22 MR. RINALDI: Does Council have any  
23 questions for Mr. Dunbar's attorney?

24 MS. AVVISATO: No.

25 ATTY. GALLAGHER: Okay. Thank you

1 very much.

2 MR. RINALDI: You're welcome.  
3 Anyone from the public, would you like to  
4 comment or any questions?

5 MR. LETTIERI: Jim.

6 MR. RINALDI: Oh, I'm sorry, I  
7 didn't see you. If you'd come up to the  
8 podium? Just state your name, please.

9  
10 SHANNON BLEDSOE, having been duly  
11 sworn, was examined and testified as follows:

12 \*\*\*\*\*

13  
14 COURT REPORTER: Please state and  
15 spell your name.

16 MS. BLEDSOE: Shannon Bledsoe,  
17 B-L-E-D-S-O-E. I'm here because my husband was  
18 unable to make the meeting because he's at work  
19 and he asked me to read what he had typed up in  
20 favor of Mr. Dunbar.

21 Okay. Good evening, Council. I,  
22 Mike Bledsoe, am unable to attend the meeting  
23 due to work. I would like this statement to be  
24 put into record. I fully support the new  
25 proposed development of Mr. Dunbar.

1 Here in Old Forge we do not have  
2 what Moosic, Dickson City, Taylor or Pittston  
3 currently have. We don't have big retailers or  
4 warehouses. We also need to grow our borough.

5 The last time I looked around Old  
6 Forge, there is not much property to be able to  
7 develop. I believe this will bring revenue to  
8 our borough, which, in my opinion, is much  
9 needed and it will also develop a horrible  
10 looking property.

11 Mr. Dunbar's other properties are  
12 beautiful and I believe currently bring in more  
13 revenue than they have since they've been  
14 developed. This new development will help  
15 local businesses and bring in a lot to our  
16 community.

17 Mr. Dunbar has also brought a lot to  
18 our community as he is a valuable part of this  
19 community. Thank you, Mr. Dunbar, for  
20 everything you have done and everything you  
21 continue to do and contribute to the community.

22 Thank you for the time to hear what  
23 I have to say. Thank you. Michael Bledsoe.

24 MR. RINALDI: You're welcome. We  
25 appreciate your comments. Let Mike know.



1 MS. BLEDSOE: Okay.

2 MR. RINALDI: Thank you. Anyone  
3 else?

4  
5 MICHAEL ZUPON, having been duly  
6 sworn, was examined and testified as follows:

7 \*\*\*\*\*

8  
9 COURT REPORTER: Please state and  
10 spell your full name?

11 MR. ZUPON: Michael Zupon,  
12 Z-U-P-O-N.

13 MR. RINALDI: Good evening.

14 MR. ZUPON: Good evening everybody.  
15 I just want to point out in Pennsylvania here,  
16 it seems like all the small towns are starting  
17 to lose population, the people are moving out  
18 of the area, where Old Forge, right now, we  
19 have a chance to gain population, gain more  
20 taxes, gain everything.

21 I think this is a win-win for  
22 everybody, this development, and I just want to  
23 go on record stating that.

24 MR. RINALDI: Thanks, Mike. We  
25 appreciate your comments, as well.

1 MR. ZUPON: Yep. Thank you.

2 MR. RINALDI: You're welcome. Any  
3 other members of the public?

4 (No response.)

5 MR. RINALDI: Before we adjourn the  
6 public hearing, Council, any other questions or  
7 concerns?

8 (No response.)

9 MR. RINALDI: Attorney Rinaldi.

10 ATTY. RINALDI: I would just note  
11 that we do have Planning Commission members  
12 present here at the meeting. They were  
13 notified. Zoning was notified. So, I'm going  
14 to assume their silence means they're not  
15 opposing the deteriorated area.

16 MR. RINALDI: With that said, the  
17 Chair would entertain a motion to adjourn the  
18 public hearing.

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

21 MR. RINALDI: Motion on the floor by  
22 Councilwoman Avvisato.

23 MR. FEBBO: Second.

24 MR. RINALDI: Seconded by Councilman  
25 Febbo. On the question?

1 (No response.)

2 MR. RINALDI: Public input?

3 (No response.)

4 MR. RINALDI: Roll call, please.

5 MS. BARTOLETTI: Councilwoman

6 Avvisato?

7 MS. AVVISATO: Yes.

8 MS. BARTOLETTI: Councilman Butler?

9 MR. BUTLER: Yes.

10 MS. BARTOLETTI: Councilman Febbo?

11 MR. FEBBO: Yes.

12 MS. BARTOLETTI: Councilman

13 Lettieri?

14 MR. LETTIERI: Yes.

15 MS. BARTOLETTI: Councilman Notari?

16 MR. NOTARI: Yes.

17 MS. BARTOLETTI: Councilman Rinaldi?

18 MR. RINALDI: Yes. Council agree to

19 do a brief executive session. We'll be back

20 out to start the special meeting soon.

21

22 (At this time a brief

23 recess was taken.)

24

25 MR. RINALDI: Ladies and gentlemen,

1 before we begin, there's a public sign-in sheet  
2 here, if anyone would like to come up and sign.  
3 We'll give you a few moments to speak.

4 Once again, ladies and gentlemen,  
5 good evening. Thank you for being patient with  
6 us. The Chair is going to entertain a motion  
7 to open up the special meeting.

8 MS. AVVISATO: I'll make that  
9 motion, Mr. Chairman.

10 MR. RINALDI: Motion on the floor by  
11 Councilwoman Avvisato.

12 MR. BUTLER: Second.

13 MR. RINALDI: Seconded by Councilman  
14 Butler. On the question?

15 (No response.)

16 MR. RINALDI: Public input?

17 (No response.)

18 MR. RINALDI: Roll call, please,  
19 MaryLynn.

20 MS. BARTOLETTI: Councilwoman  
21 Avvisato?

22 MS. AVVISATO: Yes.

23 MS. BARTOLETTI: Councilman Butler?

24 MR. BUTLER: Yes.

25 MS. BARTOLETTI: Councilman Febbo?

1 MR. FEBBO: Yes.

2 MS. BARTOLETTI: Councilman

3 Lettieri?

4 MR. LETTIERI: Yes.

5 MS. BARTOLETTI: Councilman Notari?

6 MR. NOTARI: Yes.

7 MS. BARTOLETTI: Councilman Rinaldi?

8 MR. RINALDI: Yes. The purpose of  
9 the special meeting tonight is there's going to  
10 be a motion on the floor for an ordinance  
11 affixing the boundaries of a deteriorated area  
12 within the Borough of Old Forge of a certain  
13 parcel of land located off Howard Street and  
14 Forge Street in the Borough of Old Forge and  
15 identified as part of pin No. 18412-040-004  
16 owned by Holly Ridge Estates granting  
17 exemptions from real estate property taxes for  
18 the cost of new construction or improvements of  
19 said parcel; setting forth an exemption  
20 schedule for each year for ten years; and  
21 procedure for obtaining said exemption pursuant  
22 to the Pennsylvania Local Economic  
23 Revitalization Tax Assistant Act, LERTA.

24 The Chair right now will entertain a  
25 motion to pass the proposed LERTA with the

1 amendments attached.

2 ATTY. RINALDI: I can --

3 MR. RINALDI: Could you read the two  
4 amendments?

5 ATTY. RINALDI: Yes. So, there was  
6 a blank with regards to the redevelopment  
7 authority of County of Lackawanna for their  
8 meeting, so we added the verbiage,  
9 Redevelopment authority of the County of  
10 Lackawanna as disavowed and terminated the TIF  
11 percent property as well as the TIF district  
12 for said property by resolution, and the blank  
13 is filled in with, Voted upon by all five  
14 authority board members responding in the  
15 affirmative that they are in favor of the  
16 resolution regarding disavowing and dissolving  
17 the Tax Increment Financing plan for the Old  
18 Forge tax incremented finance district located  
19 at the ends of Forge Street and Howard Street,  
20 having tax map parcel Nos. 18412-040-004 and  
21 18412-040-003, with formal ratifying resolution  
22 to be taken on the September 13, 2023 authority  
23 board meeting. Copy of the same attached to  
24 this ordinance.

25 So, there's a copy of their

1 resolution that they're going to pass attached  
2 to our end.

3 MR. RINALDI: And for the public's  
4 knowledge, that amendment would be if this  
5 LERTA was to pass tonight, the county has a TIF  
6 on that property. Once that TIF is disavowed  
7 by the county, the LERTA would then take place.  
8 Correct, bill?

9 ATTY. RINALDI: Yes.

10 MR. RINALDI: And the second  
11 amendment?

12 ATTY. RINALDI: The second amendment  
13 is a paragraph added saying -- added to the  
14 paragraph five that the exemptions shall be  
15 forfeited in the event of four or five  
16 different things. That was in the advertised  
17 ordinance.

18 We added a paragraph,  
19 Notwithstanding the foregoing, Holly Ridge  
20 Estates, Inc., or other responsible tax payer  
21 or subsequent owner of the property shall be  
22 given 30 days to cure any default condition set  
23 forth in A through E, upon written notice sent  
24 by the Borough of termination of the exemption  
25 due to a default condition. After the

1 expiration of 30 days, the termination of the  
2 exemption shall be final.

3 So, that was added in to that  
4 section.

5 MR. RINALDI: Okay.

6 ATTY. RINALDI: And, lastly, just a  
7 short little paragraph on the end of paragraph  
8 10 reaffirming that I had listed that this  
9 exemption and ordinance are effective upon the  
10 redevelopment authority ratifying the  
11 resolution, and we just added the date that  
12 that ratification hearing was going to take  
13 place in September 13, 2023.

14 MR. RINALDI: Okay.

15 ATTY. RINALDI: So, those are the  
16 three amendments that we're making this  
17 evening.

18 MR. RINALDI: Anything else before I  
19 go down the table?

20 (No response.)

21 MR. RINALDI: At the time the Chair  
22 would entertain a motion to pass the said LERTA  
23 on the statement I just read earlier.

24 MR. FEBBO: I have a question before  
25 we pass it. For the sake of clarity,



1 Mr. Dunbar, are you okay with everything that's  
2 done?

3 MR. DUNBAR: I am.

4 MR. FEBBO: Okay.

5 MR. NOTARI: Should we do public  
6 comment first before we bring up the new  
7 business?

8 MR. RINALDI: Well, that will come  
9 up.

10 MR. NOTARI: Okay.

11 MR. RINALDI: Because we'll go down  
12 the table and then we'll go on the question and  
13 then public comment.

14 ATTY. RINALDI: He always asks for  
15 public comment --

16 MR. NOTARI: Okay.

17 (Inaudible crosstalk.)

18 MR. RINALDI: Yeah. I always ask  
19 for public comment before we vote anyway.

20 MR. NOTARI: I was just going by the  
21 agenda. That's okay. Okay.

22 MR. RINALDI: Yeah.

23 MR. NOTARI: I'm good with that.

24 MR. RINALDI: Make a motion?

25 MR. FEBBO: I'll make a motion.

1 MR. RINALDI: Motion on the floor by  
2 Councilman Febbo.

3 MR. BUTLER: Second.

4 MR. RINALDI: Second by Councilman  
5 Butler. On the question?

6 (No response.)

7 MR. RINALDI: Public input?

8 MS. EMLAW: (Inaudible.)

9 MR. RINALDI: Excuse me?

10 MS. EMLAW: We'd like to ask  
11 questions about what's going to take place with  
12 this whole project. When does it start? How  
13 are they bringing the equipment in? We have  
14 questions about it.

15 MR. RINALDI: What's your question,  
16 ma'am?

17 MS. EMLAW: When is this project  
18 supposed to be --

19 MR. RINALDI: You have to come up to  
20 the podium, please.

21  
22 JANICE EMLAW, having been duly  
23 sworn, was examined and testified as follows:

24 \*\*\*\*\*

25

1 COURT REPORTER: Please state and  
2 spell your full name.

3 MS. EMLAW: J-A-N-I-C-E, E-M-L-A-W.  
4 118 Howard Street. I would like to know when  
5 the project is going to begin so I know when to  
6 put my house up for sale. It's true. We don't  
7 know?

8 ATTY. GALLAGHER: Well, I think what  
9 we're here tonight on is the issue of the  
10 LERTA, whether or not to grant the LERTA.

11 (Inaudible crosstalk.)

12 COURT REPORTER: I can only take one  
13 person speaking at a time. Everyone has to  
14 wait their turn please.

15 ATTY. GALLAGHER: The issue tonight  
16 is the granting of the LERTA. The project  
17 itself was approved long ago.

18 MS. EMLAW: Well, we know that. You  
19 can't tell me when it's supposed to start?

20 MR. DUNBAR: We're not sure yet. We  
21 have to --

22 MS. EMLAW: It's a secret.

23 MR. DUNBAR: It's not a secret. For  
24 the record, my name is George Dunbar, president  
25 of Holly Ridge.

1                   So, as of now, I don't have a start  
2                   date in reference to my sequence of  
3                   construction. Hopefully, tonight I'm awarded a  
4                   LERTA, then I need to go back to the bank and  
5                   tell them that I have a LERTA, then I need to  
6                   put financing in place. So, to answer your  
7                   question truthfully, I do not have a set date.

8                   And you asked how are we going to  
9                   enter it. So, we have two ingresses and  
10                  egresses, that means in and out, correct. All  
11                  this went through engineering, so there's a lot  
12                  of compliance a developer like myself has to go  
13                  through.

14                  So, two ingresses. One's going to  
15                  be on Forge Street and one's going to be on  
16                  Howard Street.

17                  MS. EMLAW: This is how the  
18                  equipment's going to be coming in?

19                  MR. DUNBAR: When you say a lot,  
20                  could you define a lot? Like, what's a lot to  
21                  you?

22                  MS. EMLAW: I didn't say a lot. I  
23                  said the equipment.

24                  MR. DUNBAR: Equipment.

25                  MS. EMLAW: Which way it was coming

1 in.

2 MR. DUNBAR: We'll be ingressing on  
3 Howard and Forge Street with our equipment,  
4 which will probably remain on site for about  
5 seven or eight years. So, you're not going to  
6 see that every day.

7 MS. EMLAW: That's all right, I'm  
8 selling my house anyway. You've screwed  
9 everybody back there. I hope you're happy,  
10 because that's what you do, take away  
11 everybody's privacy, everything. You're  
12 disgusting.

13  
14 DAVID SKUTACK, having been duly  
15 sworn, was examined and testified as follows:

16 \*\*\*\*\*

17  
18 COURT REPORTER: Please state and  
19 spell your name.

20 MR. SKUTACK: David Skutack.

21 COURT REPORTER: Could you please  
22 spell that?

23 MR. SKUTACK: S-K-U-T-A-C-K.

24 COURT REPORTER: Thank you.

25 MR. SKUTACK: I'm here on behalf of

1 my daughter, which is also on Howard Street, my  
2 sister. How are you going to monitor the  
3 superfund site that's down there to see if  
4 there's any leaks? They didn't clean that one  
5 out either.

6 MR. DUNBAR: We don't own that  
7 property. I don't own that --

8 MR. SKUTACK: I know, but you're  
9 still going to be down there bulldozing it.

10 MR. DUNBAR: No.

11 MR. SKUTACK: What do you mean no?  
12 Your property borders right through it.

13 MR. RINALDI: Mr. Skutack.

14 MR. SKUTACK: And what about the  
15 retention ponds?

16 MR. RINALDI: Mr. Skutack.

17 MR. SKUTACK: Yes.

18 MR. RINALDI: One property owner  
19 can't go on another property owner's land.

20 MR. SKUTACK: I understand that.

21 MR. RINALDI: So, Mr. Dunbar can't  
22 go on --

23 (Inaudible crosstalk.)

24 MR. SKUTACK: When you're disturbing  
25 ground --

1 MR. RINALDI: I would say he's not  
2 allowed to go on their land and dig. He'll  
3 only be digging up his own land.

4 MR. SKUTACK: But it bumps right  
5 into his down there.

6 MS. EMLAW: Yeah. It's side by  
7 side.

8 MR. RINALDI: So, do you think that  
9 something's buried under his land?

10 MR. SKUTACK: I don't know back  
11 there. I'm saying the land that's there, if he  
12 disturbs that property.

13 MR. RINALDI: Well, he's not going  
14 on that land he just stated. Correct?

15 MR. DUNBAR: Correct. Yes.

16 MR. RINALDI: He's staying on his  
17 own land.

18 MR. SKUTACK: We understand that.  
19 But if he's coming within 15 feet of the  
20 borderline with his dozers, isn't he going to  
21 pull a cap off of a zone? Like, nobody's  
22 monitoring up here? He's up here digging and  
23 stuff.

24 And what about retention ponds? You  
25 made the guy down the road put a retention pond

1 in for one building. His buildings are, like,  
2 twice the amount of rain that's going to come  
3 off of that building. I didn't see any  
4 retention ponds over at this one on Keyser  
5 right down --

6 (Inaudible crosstalk.)

7 MR. RINALDI: That would be a  
8 question for Mr. Dunbar.

9 MR. DUNBAR: So, ladies and  
10 gentlemen, I went through the compliance  
11 process. Your time, and I'm being respectful  
12 to you, sir, your time to speak about that has  
13 been long passed. I'm in compliance with the  
14 municipality --

15 MS. EMLAW: (Inaudible crosstalk.)

16 MR. DUNBAR: -- I'm in compliance  
17 with the municipality ordinance, I'm in  
18 compliance with the Lower Lackawanna Sewer  
19 Authority, I'm in compliance with the  
20 Conservation District, and I'm in compliance  
21 with the Department of Environmental  
22 Protection.

23 We're here tonight respectfully  
24 requesting a LERTA from this Council. So, your  
25 time to ask these questions had been gone.



1                   If you want to come to the site, you  
2                   can call me when we start, I don't know the  
3                   date yet, and I'd be more than happy to show  
4                   you. But you have to sign a waiver when you  
5                   come on the property.

6                   MR. SKUTACK: Well, there you go.

7                   MR. DUNBAR: I don't want you to get  
8                   hurt.

9                   MR. SKUTACK: Also, is EPA or  
10                  whatever going to go down and check the  
11                  superfund site and see if there's anything  
12                  leaking there now?

13                  (Inaudible crosstalk.)

14                  MR. DUNBAR: Listen. So, I've made  
15                  a huge investment with obtaining that property,  
16                  doing engineer, architectural, so the former  
17                  developer had an E-1, which means an  
18                  environmental study done. I took it a step  
19                  further, I retained a geo sciences and we did  
20                  an E-2 environmental study on the land to make  
21                  sure the land was good.

22                  As a developer, the last thing I  
23                  want to do is buy any parcel of land, may it be  
24                  35 acres or a half acre, that's contaminated.  
25                  So, hopefully that answers your questions. I

1 would not be a good businessman. I'd be out of  
2 business.

3 MR. SKUTACK: I totally understand  
4 that.

5 MR. DUNBAR: So, to answer your  
6 question, the land is good. We have  
7 documentation to support it.

8 MR. SKUTACK: The land where you  
9 drilled, but where the superfund site --

10 MR. DUNBAR: That has nothing to do  
11 with me, sir.

12 ATTY. GALLAGHER: He can't drill  
13 there.

14 MR. SKUTACK: Right. I totally  
15 understand that, but it is a superfund site  
16 that I believe was capped. So, how deep did it  
17 go? Does anybody have that answer?

18 So, again, if he starts going down,  
19 we know how water runs, it goes uphill,  
20 downhill, left and right, once you get water  
21 from the river start seeping in there,  
22 everything else, it's on a coal pile, so is it  
23 going to disturb this cap?

24 I don't know if there's -- well,  
25 this is something you guys need to look into.

1 Again, I'm not picking on him, but they built  
2 over here --

3 (Inaudible crosstalk.)

4 MR. RINALDI: I understand, but I'm  
5 saying, if he's digging on his own property  
6 and none of that stuff is under there, then I  
7 would suspect that, no, it wouldn't be  
8 disturbed.

9 MR. SKUTACK: Okay. So, you guys  
10 are going to stick behind that?

11 MR. RINALDI: Just for  
12 clarification, that's my opinion.

13 MR. SKUTACK: Okay.

14 MR. RINALDI: I'm no engineer.  
15 That's my opinion. I would say that if there's  
16 a superfund site here and there's a proposed  
17 development here and stuff is buried under  
18 here, not under here, and you're digging over  
19 here, I can't see it disturbing over here.  
20 But, again, that's up to the Department of EPA  
21 and DEP, not me.

22 MR. SKUTACK: Well, he says egress  
23 and regress, too, Forge Street and Howard, does  
24 that mean they're changing, it's going to be  
25 both one ways? Or he could go up one with

1 equipment and out the other?

2 MR. RINALDI: No. He could take the  
3 designated roads the way that they're already  
4 ordained.

5 MR. SKUTACK: Okay. We're not  
6 going to be changing it to one ways or  
7 anything like --

8 MR. BUTLER: No.

9 MS. AVVISATO: No.

10 MR. RINALDI: No.

11 MR. SKUTACK: Just to suit this  
12 development?

13 MR. RINALDI: No, no. What he means  
14 by ingress and egress on those two streets,  
15 those two areas, where cars would go in and  
16 out.

17 MR. SKUTACK: Yes. Exactly.

18 MR. RINALDI: And if those streets  
19 were to be changed, which I don't see them  
20 being changed, that has nothing to do with  
21 Mr. Dunbar. Only the Borough could do that.

22 MR. SKUTACK: And what type  
23 of housing --

24 (Inaudible crosstalk.)

25 MR. DUNBAR: So, we're going to

1 build a combination of upscale town homes,  
2 three bedrooms, two and a half bath, two car  
3 garage, and we're going to do apartment  
4 buildings.

5 MS. EMLAW: (Inaudible crosstalk.)

6 MR. RINALDI: Ma'am, if you could  
7 please.

8 MS. EMLAW: Yeah.

9 MR. RINALDI: If you'd like to come  
10 back up to the podium, you could, but it's hard  
11 to hear Dave and George speak when you've got a  
12 lot of sidebars.

13 MR. DUNBAR: So, that's my plan to  
14 build high end. Have you seen our current  
15 developments?

16 MR. SKUTACK: Yes.

17 MR. DUNBAR: Okay. So, I plan on  
18 making it better. However, the LERTA is a huge  
19 factor that if I'm not granted the LERTA, I may  
20 not be able to build that quality. Just --

21 MR. SKUTACK: Okay. Well, the only  
22 thing I have is, again, we're going to be back  
23 here disturbing, to me, a superfund site,  
24 because he's close enough. There's a lower  
25 road that goes in there, which I think he owns.

1 MR. DUNBAR: That's not an ingress  
2 or egress.

3 MR. SKUTACK: No.

4 MR. DUNBAR: Pursuant to the  
5 approved plans.

6 MR. SKUTACK: Okay. And it's also a  
7 column bank, so now we might be looking at the  
8 homes that are there, once they start  
9 disturbing this, also getting -- starting to  
10 get water in cellars and other things, again,  
11 underground.

12 It was a coal bank. They had, over  
13 in Old Forge Estates, they built on a coal pile  
14 and they all have pumps in the cellar because  
15 water -- you can't control that rock.

16 MR. DUNBAR: The current topography,  
17 right, I'm no engineer, but I know a little bit  
18 of something about topography and water flow  
19 being a developer, so the current topography,  
20 we're at the low end, so water, right, so if  
21 you run water, it always goes to the lowest  
22 point, so water's not running uphill.

23 So, I'm lower than you or your  
24 daughter on Howard and Forge Street. Just note  
25 that. I'm lower. Forge Street is here, Howard

1 Street is here, my development is here  
2 (Indicating). I'm lower.

3 MR. SKUTACK: How far down are you  
4 going?

5 MR. DUNBAR: Our foundations are  
6 going to be 48 inches.

7 MR. SKUTACK: No, because Howard  
8 Street, there is just a coal bank there. You  
9 go over the coal bank, and you're level with  
10 Howard Street. And, again, Forge Street, when  
11 you go up the top, there's a little pole bank  
12 and you're almost level at the top of Forge  
13 Street.

14 MR. RINALDI: Excuse me. Dave,  
15 Howard Street, when you go down Main right  
16 before the bridge across from the ambulance  
17 house, you make a left, you go up Howard  
18 Street --

19 MR. SKUTACK: Yeah.

20 MR. RINALDI: -- so you go up a  
21 hill --

22 MR. SKUTACK: Right.

23 MR. RINALDI: -- he's building down  
24 here. So, you wouldn't be higher, right?

25 (Inaudible crosstalk.)

1 MR. SKUTACK: No, it's not. It  
2 won't be higher. Unless he's taking a lot of  
3 stuff out. That's what I'm asking.

4 MR. DUNBAR: So, hold on. Again,  
5 respectfully, I'm here tonight for a LERTA,  
6 you're talking about land development plans.  
7 We really, you know, we shouldn't be having  
8 that discussion. You're --

9 MR. SKUTACK: But it's all going to  
10 come out in the plans?

11 MR. DUNBAR: You can contact the  
12 Borough, the plans are here in the  
13 municipality, and you could review the plans.  
14 I'm sure they will let you do that, if you  
15 submit a written --

16 MR. SKUTACK: Okay.

17 MR. DUNBAR: So, when we develop,  
18 there's two types of plans, there's civil and  
19 there's architectural. Civil means sanitary,  
20 storm water, grading, topography, etc.

21 MR. SKUTACK: Okay.

22 MR. DUNBAR: Architectural means the  
23 buildings. So, the architectural plans to date  
24 have not been submitted. Again, if you want to  
25 review the plans, you can bring your engineer



1 and review the plans. They're here in the  
2 municipality building.

3 MR. SKUTACK: That would be the  
4 Borough's engineer to check --

5 MR. DUNBAR: We already did. We  
6 already went through that.

7 MR. SKUTACK: Is there going to be a  
8 retention pond there like we had over -- you  
9 made them put down here? Any retention ponds?

10 MR. DUNBAR: So, there's already a  
11 retention pond in place that the former  
12 developer put there. It's already there,  
13 because, you know, he planned on developing, so  
14 he put the retention pond in and, you know,  
15 couldn't get financing, to my understanding,  
16 and the project was dead. But the retention  
17 pond is there.

18 MR. SKUTACK: That is on your  
19 property?

20 MR. DUNBAR: Correct. It's already  
21 done.

22 MR. SKUTACK: Okay. That retention  
23 pond --

24 MR. DUNBAR: When it overflowed.

25 MR. SKUTACK: That retention pond,

1           again, is 30 feet from the fence where the  
2           superfund site was.

3                   MR. RINALDI: That retention pond  
4           was approved 13 years ago.

5                   MR. SKUTACK: I understand that. I  
6           understand retention pond, but I'm getting back  
7           again, the part that concerns me is they have  
8           to work on this retention pond because he  
9           doesn't know if everything's all in place there  
10          for sure.

11                   MR. DUNBAR: No, we do know that.  
12          Don't put words in my mouth.

13                   MR. SKUTACK: Okay.

14                   MR. DUNBAR: I'm being respectful to  
15          you --

16                   MR. SKUTACK: I know there's  
17          overflow there --

18                           (Inaudible crosstalk.)

19                   MR. DUNBAR: -- respectful to me.

20                   MR. SKUTACK: But is it deep enough?  
21          I mean, do you have all that?

22                   MR. DUNBAR: Listen. We're in  
23          compliance with the municipality ordinance. My  
24          best recommendation to you, hire an engineer,  
25          come review the plans that are in the zoning

1 office, and then you can be comfortable what's  
2 been approved.

3 MR. SKUTACK: Okay. Well, you're  
4 the one that's supposed to do this for me,  
5 because I'm a taxpayer. Your guys should be  
6 checking the plans, making sure everything is  
7 going according to plan like it was issued.

8 MR. RINALDI: The plans were  
9 already -- they've already been approved.

10 ATTY. RINALDI: I know I see  
11 November 2021, but were they approved in '22?  
12 Because I don't have --

13 MR. DUNBAR: Yeah. We came back.

14 MR. SKUTACK: And let me ask another  
15 question.

16 ATTY. RINALDI: They went through  
17 planning meetings, actually almost twice  
18 because their --

19 MR. SKUTACK: (Inaudible crosstalk.)

20 ATTY. RINALDI: -- to the 2006  
21 plans. So, they were reviewed twice, once by  
22 the former Borough engineer and by the current  
23 Borough engineer.

24 MR. SKUTACK: When was information  
25 sent out to the people that live up there to

1           come to these meetings? Was there anything  
2           generated to send to them to see if they wanted  
3           to show up, or they weren't public meetings or  
4           what's --

5                   MR. RINALDI: No, they were all  
6           public meetings.

7                   ATTY. RINALDI: They were public  
8           planning commission meetings. Planning  
9           commission meets every month.

10                  MR. SKUTACK: I believe tonight, all  
11           those people, did you guys get anything?

12                  MS. EMLAW: I got nothing. I knew  
13           nothing about it.

14                  MR. SKUTACK: Okay. Nobody knew --  
15           (Inaudible crosstalk.)

16                  MR. RINALDI: It was advertised in  
17           the paper.

18                  MS. EMLAW: Well, not everybody gets  
19           the paper.

20                  MR. SKUTACK: That's okay, but what  
21           about the people that live there, you didn't  
22           send letters out to them?

23                  ATTY. RINALDI: No. There's no --

24                  MR. SKUTACK: I could understand for  
25           me because I'm at the other end.

1 MR. RINALDI: We're required by law  
2 to post in the paper.

3 MR. SKUTACK: Just to post in the  
4 paper?

5 ATTY. RINALDI: Yeah. We don't --  
6 there's nothing in --

7 MR. RINALDI: Yeah.

8 ATTY. RINALDI: -- either the  
9 municipality's planning code that says when  
10 somebody comes in to do a development, we send  
11 out letters to all the neighbors.

12 There's planning commission  
13 meetings every month, and those projects  
14 sometimes take multiple meetings of presenting,  
15 re-presenting, sketch plans, final plans,  
16 preliminary plans.

17 I mean, if people come to the  
18 planning commission meetings, they would see  
19 what's going on.

20 I mean, last week we had a lot  
21 consolidation for a gentleman who had put two  
22 lots together. That's like normal business for  
23 the planning commission.

24 MR. SKUTACK: Okay. If I'm not  
25 mistaken, when they tried to put a building

1 down near my house, a big barn style, there was  
2 letters sent out that it was going in, to come  
3 to the Council meeting.

4 ATTY. RINALDI: Yeah. That's  
5 because that was a zoning change, and under the  
6 zoning you have to notify property owners  
7 within 100 feet of the property line --

8 MR. SKUTACK: Okay.

9 ATTY. RINALDI: -- if you're  
10 proposing a zoning change. So, we were  
11 changing that zone from a C-2 to a, I forget, a  
12 C-2 to C-3, I think. That's why. That's a  
13 special. That's a change in your zoning map.  
14 That gets special notice.

15 MR. SKUTACK: What's the current  
16 zoning on the --

17 ATTY. RINALDI: R-2 and -- the  
18 project is in the R-2 zone, and then what  
19 borders it is an E-1 zone.

20 MR. SKUTACK: So, he can build there  
21 because --

22 ATTY. RINALDI: No, no, no.

23 MR. RINALDI: No. Only in the R-2.

24 ATTY. RINALDI: Only in the R-2.

25 MR. SKUTACK: That's what I'm

1 saying, just the R-2 zone.

2 MR. RINALDI: Just the R-2.

3 ATTY. RINALDI: Just the R-2 zone.

4 MR. SKUTACK: Okay.

5 ATTY. RINALDI: If you look at his  
6 plan, you will see how it's up towards Howard  
7 and Forge Street.

8 MR. SKUTACK: So, the only way they  
9 would have letters is if there's a zoning  
10 change somewhere?

11 ATTY. RINALDI: We're required to  
12 notify the property owners within 100 feet.

13 MR. SKUTACK: Okay.

14 ATTY. RINALDI: That's the state  
15 law. I can't --

16 MR. SKUTACK: Yeah. I still think  
17 there might be an issue down there, but I guess  
18 we have to wait and find out. I mean, I'm here  
19 because, I don't know, I don't think it should  
20 be developed because of the fact of it is so  
21 close to a superfund site, but the way things  
22 go, I guess we have to deal with what we're  
23 dealt.

24 I guess that's all I have to say  
25 right now.

1 MR. RINALDI: Thanks, Dave. We  
2 appreciate your comments.

3  
4 MICHAEL FALVO, having been duly  
5 sworn, was examined and testified as follows:

6 \*\*\*\*\*

7  
8 COURT REPORTER: State and spell  
9 your full name.

10 MR. FALVO: Michael Falvo,  
11 F-A-L-V-O. So, my only question is, like, I  
12 understand everybody wants to make money,  
13 whatever, we weren't really, you know,  
14 notified. As you said, it was in the paper.

15 My question for Mr. Dunbar is how  
16 are you tying it in to us? Like, are you using  
17 our sewers, electric, water? Like, how is that  
18 going to work?

19 We have enough issues on Howard  
20 Street the way it is. Two people flush their  
21 toilet, their flood --

22 (Inaudible crosstalk.)

23 MR. DUNBAR: So, Members of Council,  
24 again, respectfully, I'm here requesting a  
25 LERTA. I've been through the process, but I



1 will answer the gentleman's questions.

2 MR. FALVO: Real quick, before --

3 (Inaudible crosstalk.)

4 MR. FALVO: No, I just want to ask  
5 you something before.

6 MR. DUNBAR: Sure.

7 MR. FALVO: Like, I understand your  
8 team of lawyers. Michelle Henry's a great  
9 family friend of ours, so if anything reeks of  
10 corruption, there will be nobody here.

11 MR. DUNBAR: Are you saying I'm  
12 corrupt?

13 MR. FALVO: No.

14 MR. DUNBAR: Is that what you're  
15 saying?

16 MR. FALVO: Did I say that?

17 MR. DUNBAR: That's what you were  
18 saying. Are you saying I'm corrupt, yes or no?

19 MR. FALVO: I never said you were.

20 MR. DUNBAR: Okay.

21 MR. FALVO: I understand, I'm new to  
22 Old Forge, I've heard your name dropped a lot.  
23 A lot of good things, not bad. I heard you  
24 were cocky, whatever. I'll shake your hand, I  
25 have no issues, no qualms.

1 MR. RINALDI: Michael, what's your  
2 question?

3 MR. FALVO: So, you're going to tie  
4 into us. You were heard the other day up the  
5 road talking with, not PP&L, it was on your  
6 phone with the water company, yelling that,  
7 I'll put F'ing wells in the ground if I have  
8 to.

9 MR. DUNBAR: So, what that statement  
10 you just made, and I'm on the record, George  
11 Dunbar, president, is totally frivolous. So,  
12 don't make accusations that aren't true because  
13 you're going to get yourself jammed up.

14 MR. FALVO: With who?

15 MR. RINALDI: Mike. Michael, you  
16 want to know how if he's going to tie --

17 MR. FALVO: Yeah.

18 MR. RINALDI: If he's going to tie  
19 into the sewer?

20 MR. FALVO: (Inaudible crosstalk.)

21 MR. RINALDI: The sewers belong to  
22 the Borough.

23 MR. FALVO: Exactly. But --

24 MR. DUNBAR: So, here's how it's  
25 gonna work --

1 (Inaudible crosstalk.)

2 MR. FALVO: I'm up here.

3 MR. DUNBAR: Well, you asked me a  
4 question, I'm going --

5 MR. FALVO: Let me address the  
6 Council first. So, my question is he's going  
7 to potentially tie into us --

8 MR. RINALDI: Well, he's going to  
9 tie into the Borough, not you.

10 MR. FALVO: Okay. So, he's going to  
11 tie into Howard Street, correct? But here's  
12 the thing, so we already have enough issues on  
13 Howard, we can't even get the bottom of our  
14 road paved let alone put a whole million-dollar  
15 townhouses in the back. Like, the bottom of  
16 our road looks like freaking Beirut. Like,  
17 come on guys.

18 MR. RINALDI: That's not anything to  
19 do with Mr. Dunbar.

20 MR. FALVO: No.

21 MR. RINALDI: That's the Borough.

22 MR. FALVO: But I'm just saying,  
23 like, guys really? Like, you can't pave the  
24 bottom of our road but you'll let him build  
25 townhouses and stuff in the back, the superfund

1 site? Like, come on. Like, we pay you guys to  
2 sit on this frigging board.

3 MR. LETTIERI: It's on the list.  
4 It's on the pavement list, Howard Street.

5 MR. FALVO: Thank God, because  
6 last --

7 (Inaudible crosstalk.)

8 MR. FALVO: And I almost wrecked my  
9 bike and blew my skull open on the ground.  
10 Like, come on guys. We pay you guys to be  
11 here.

12 MR. RINALDI: Paving just began  
13 about a week ago.

14 MR. FALVO: Good. Dude, I've lived  
15 there for five years and our road looks like  
16 frigging Iraq in 2004.

17 MR. FEBBO: We can only do so many  
18 roads in a year.

19 MR. FALVO: I know, but --

20 (Inaudible crosstalk.)

21 MR. FEBBO: -- your taxes going out,  
22 you could send them out --

23 MR. FALVO: They're probably gonna  
24 do them anyway. You're giving him ten years  
25 tax free. Like, come on, let's be real.

1 MR. RINALDI: It's not ten years tax  
2 free.

3 MR. FALVO: What is it going to be?

4 ATTY. RINALDI: It's --

5 (Inaudible crosstalk.)

6 MR. FALVO: Hold on. Wait. Say it  
7 again.

8 ATTY. RINALDI: It's an extension  
9 for the improvements he's putting in. He still  
10 pays taxes on the property the same as if it's  
11 vacant and nobody's in there.

12 MR. FALVO: Yeah, which is fine.

13 MS. EMLAW: (Inaudible crosstalk.)

14 MR. FALVO: And that's another  
15 thing, dude, I'm an avid fly fisherman and I  
16 fish that river so much. There's beautiful  
17 fish. There's deer running everywhere.

18 Like, I understand, bro, you got a  
19 beautiful watch on, nice suit, team of lawyers  
20 behind you, but you don't care about that shit.  
21 You don't --

22 MR. RINALDI: Michael.

23 MR. FALVO: Sorry. I apologize.

24 MR. FEBBO: You're out of line. I  
25 don't think he should be subject to the abuse

1                   you're giving him.

2                   MR. FALVO: How is it abuse?

3                   (Inaudible crosstalk.)

4                   COURT REPORTER: One at a time,  
5                   please.

6                   MR. FEBBO: Let's just address the  
7                   issue, please. Address Council.

8                   MR. FALVO: I'm just being  
9                   realistic. I fly fish that river.

10                  MR. FEBBO: You're attacking  
11                  Mr. Dunbar personally. You know what,  
12                  unfortunately, everything you're asking about,  
13                  we've discussed this at other meetings here.

14                  If you came to the last meeting that  
15                  he was here with his team, as you call it, he  
16                  presented everything to everybody. As far as  
17                  the sewers go, he has his own sewers down  
18                  there. He has his own retention ponds. Take a  
19                  ride down -- is that Milwaukee Avenue --

20                  MR. FALVO: Listen, I know. I'm  
21                  not --

22                  MR. RINALDI: Mike, also, Mr. Dunbar  
23                  has no authority to tell you where you could  
24                  fly fish or not.

25                  MR. FALVO: No, no. I get that. I

1 get that, but I don't want to see runoff and  
2 stuff go back there.

3 (Inaudible crosstalk.)

4 MR. RINALDI: Members of the  
5 audience, we would need you to please be  
6 silenced when someone at the podium is  
7 speaking.

8 MR. FALVO: I'm honestly, man to  
9 man, I'm just saying, like, he's taking away  
10 the wildlife, the potential for the fishing.  
11 That river was junk years ago. Who's going to  
12 say that runoff doesn't go back into the river?  
13 You know what I mean? Like, I'm just being  
14 real.

15 MR. RINALDI: Well, because, as he  
16 explained earlier, his plans, which were  
17 approved, and then as he starts to develop  
18 more, he'll have to come with more plans if  
19 something were to change. So he would need  
20 approval for that, too.

21 But any type of runoff, water,  
22 roads, he's all responsible for that. So, if  
23 any developer in the Borough of Old Forge  
24 develops and they don't follow their plan, well  
25 then they're held accountable. Mr. Dunbar has

1 proven, though, in the past on all of his  
2 developments, he followed through on all of his  
3 plans.

4 MR. FALVO: Yeah. I just want to  
5 make sure, look it, I'm not going to say I'm  
6 for it, I'm against it. It could bring  
7 property value to our houses. You know what I  
8 mean? But at the same time, like, don't make a  
9 mockery of it. That's all I'm asking.

10 MR. FEBBO: How's he doing that?  
11 How's he making a mockery of it?

12 MR. FALVO: Do you live on Howard  
13 Street?

14 MR. FEBBO: No, I don't.

15 MR. FALVO: Exactly.

16 MR. FEBBO: I'm quite familiar with  
17 it, though.

18 MR. FALVO: So --

19 MR. FEBBO: It's over Connell's  
20 Patch.

21 MR. FALVO: That's perfect, but now  
22 we have to deal with this.

23 MR. FEBBO: Did you ever think that  
24 maybe he's going to enhance the value of your  
25 properties? If you know Mr. Dunbar's history,



1 anything around him associated with him, he  
2 improves. Not only his property, but I'm sure  
3 that his clientele is not going to want to  
4 drive over Howard Street that's like the Ho Chi  
5 Minh Trail, if that's what it is, to get to  
6 this house.

7 MR. FALVO: No, but all I'm saying  
8 is this, commonly speaking, you don't live on  
9 Howard Street, you don't have to see it every  
10 day. We have to deal with the construction all  
11 day. Are we going to abide by the laws?

12 MR. FEBBO: Absolutely.

13 MR. FALVO: You can't start until  
14 8:00. It's an ordinance.

15 MR. FEBBO: Absolutely. He does all  
16 that.

17 MR. FALVO: It's not 7:00. It's  
18 actually 8:00, because I can't even work on my  
19 own house --

20 MR. FEBBO: Let me ask you this,  
21 have you ever done his project, his  
22 development?

23 MR. FALVO: No, but I've done  
24 construction half my life.

25 MR. FEBBO: Okay. Take a ride down

1 his place --

2 MR. FALVO: Oh, I've seen them. No,  
3 I've seen them.

4 MR. FEBBO: Drive through the place,  
5 especially at night.

6 MR. FALVO: But here's the thing,  
7 I've seen it, it's beautiful. I'm not going to  
8 deny that it's not nice. I like the gas lamps.  
9 It all looks good.

10 But at the same time we have to deal  
11 with the construction. We have to deal with  
12 the potential tie-ins to our sewer and stuff.

13 MR. FEBBO: No, he's not coming to  
14 your sewers. He's not coming to your sewers.  
15 Correct, Mr. Dunbar? Your sewers are not going  
16 in Old Forge lines?

17 MR. DUNBAR: (Inaudible response.)

18 MR. FEBBO: He has his own private  
19 sewers.

20 MR. FALVO: Okay. Now question --

21 MR. FEBBO: Give him a break. Talk  
22 to the man personally --

23 MR. FALVO: Oh, no, I would love to  
24 talk to him personally.

25 (Inaudible crosstalk.)

1 MR. FEBBO: Everything you're  
2 bringing up here, before it gets to Council  
3 here, everything goes through the zoning and  
4 planning --

5 MR. FALVO: No, I understand.  
6 (Inaudible crosstalk.)

7 MR. FEBBO: -- it goes to a hearing.  
8 Everything that you're bringing up, you people  
9 are criticizing, we've done.

10 When it gets to Council for us to  
11 decide on, we've got all the information from  
12 the people that were before us, our attorneys,  
13 our engineers. We don't just create it here  
14 then vote on it.

15 MR. FALVO: I understand that. Like  
16 I said, I've done construction half my life. I  
17 understand how everything works. I still have  
18 a book -- books on zoning and ordinances.

19 MR. FEBBO: If you're construction,  
20 give him a break and go down and take a look at  
21 it.

22 MR. FALVO: Yeah.

23 MR. FEBBO: You'd be impressed. And  
24 all he's going to do is enhance the value of  
25 everybody's property there.

1 MR. FALVO: That's good, Mr. Febbo,  
2 but you keep cutting me off. My questions are,  
3 very quickly and I'll wrap it up, so as  
4 Mr. Rinaldi said, it was put in the paper, it's  
5 2023, put it online. We have a Borough  
6 website, like, why couldn't this stuff be on  
7 there?

8 MR. RINALDI: The law says we have  
9 to advertise it.

10 MR. FALVO: No, I understand it has  
11 to be in the paper, but as citizens of the  
12 Borough, why wasn't it, for everybody here, why  
13 wasn't it on the website?

14 MR. RINALDI: Because it has to be  
15 advertised, Mike.

16 MR. FALVO: No, I understand.

17 ATTY. RINALDI: We have to have  
18 legal documentation.

19 (Inaudible crosstalk.)

20 MR. FALVO: But also putting it on  
21 the news -- putting it in the paper, I  
22 understand that, but at the same time, put it  
23 on the website. That's just my close.

24 MS. BUTRAM: The agenda was all put  
25 on the website in compliance with the Sunshine

1 Act.

2 MR. FALVO: What's that?

3 (Inaudible crosstalk.)

4 MR. RINALDI: Debbie. Debbie.

5 (Inaudible crosstalk.)

6 MS. EMLAW: Don't speak, you'll get  
7 yelled at.

8 MR. RINALDI: No, she won't get  
9 yelled at, ma'am. The thing is we can't keep  
10 order with people just blurting out comments.  
11 I have a quick question for you, dear.

12 UNKNOWN SPEAKER: Dear?

13 MR. RINALDI: Ma'am --

14 MS. EMLAW: Dear?

15 UNKNOWN SPEAKER: What'd you call my  
16 girl, dear? Who are you?

17 MR. RINALDI: I said ma'am and then  
18 I said dear.

19 UNKNOWN SPEAKER: No, no, you said  
20 dear first.

21 MS. EMLAW: He said dear. Let's go.

22 UNKNOWN SPEAKER: You're  
23 disrespectful.

24 MR. RINALDI: That's disrespectful?

25 UNKNOWN SPEAKER: Yeah, it's

1           disrespectful.

2                   MS. EMLAW: You should change the  
3           name of this town to Dunbar.

4                   UNKNOWN SPEAKER: And you're a piece  
5           of shit.

6                   MS. EMLAW: Change it to Dunbar.

7                   MR. RINALDI: Anyone else from the  
8           public? Come up to the podium, please, Debbie.

9  
10                   DEBORAH BUTRAM, having been duly  
11           sworn, was examined and testified as follows:

12                               \*\*\*\*\*

13  
14                   COURT REPORTER: Please state and  
15           spell your full name.

16                   MS. BUTRAM: Yeah. Deborah,  
17           D-E-B-O-R-A-H, Butram, B-U-T-R-A-M.

18                   COURT REPORTER: Thank you.

19                   MS. BUTRAM: Just for your  
20           information, because I know, I always get on  
21           the Council about this, the Sunshine Act, they  
22           did put the agenda on the website within the  
23           required amount of time. Twenty-four hours  
24           before the meeting she has to put the agenda on  
25           the website for the Sunshine Act. And it was

1 on the agenda that they were doing this, and  
2 two things, I think, tonight, something else,  
3 but this was definitely on there.

4 MR. FALVO: Yeah.

5 MS. BUTRAM: Just FYI.

6 MR. FALVO: Yeah, that's why I'm  
7 here.

8 MR. RINALDI: Any members of the  
9 public?

10 (No response.)

11 MR. RINALDI: We have a motion, we  
12 have a second. Roll call, MaryLynn.

13 MS. BARTOLETTI: Councilwoman  
14 Avvisato?

15 MS. AVVISATO: Yes.

16 MS. BARTOLETTI: Councilman Butler?

17 MR. BUTLER: Yes.

18 MS. BARTOLETTI: Councilman Febbo?

19 MR. FEBBO: Yes.

20 MS. BARTOLETTI: Councilman  
21 Lettieri?

22 MR. LETTIERI: Yes.

23 MS. BARTOLETTI: Councilman Notari?

24 MR. NOTARI: No.

25 MS. BARTOLETTI: Councilman Rinaldi?

1 MR. RINALDI: Yes. Second item  
2 under new business is a motion to hire an  
3 executive secretary to the Borough manager.

4 MR. FEBBO: I'll make that motion.

5 MR. RINALDI: State the name.

6 MR. FEBBO: My name?

7 MR. RINALDI: No. The --

8 MR. FEBBO: Oh. Sandy Capasso  
9 (phonetic).

10 MR. RINALDI: Motion on the floor by  
11 Councilman Febbo for Sandy Capasso. Seconded  
12 by --

13 MR. NOTARI: I'll second it.

14 MR. RINALDI: -- Councilman Notari.  
15 On the question?

16 (No response.)

17 MR. RINALDI: Public input?

18 (No response.)

19 MR. RINALDI: Roll call, please.

20 MS. BARTOLETTI: Councilwoman

21 Avvisato?

22 MS. AVVISATO: Yes.

23 MS. BARTOLETTI: Councilman Butler?

24 MR. BUTLER: Yes.

25 MS. BARTOLETTI: Councilman Febbo?



1 MR. FEBBO: Yes.

2 MS. BARTOLETTI: Councilman

3 Lettieri?

4 MR. LETTIERI: Yes.

5 MS. BARTOLETTI: Councilman Notari?

6 MR. NOTARI: Yes.

7 MS. BARTOLETTI: Councilman Rinaldi?

8 MR. RINALDI: Yes. Third item is

9 going to be a motion just to add this to the

10 agenda. It's a motion to add an alternate

11 zoning member to the vacant seat. This is just

12 an alternate zoning member. This is just to

13 add it.

14 MR. NOTARI: Mr. Chairman, I'll make

15 the motion to add to the agenda the naming of

16 an alternate zoning member.

17 MR. RINALDI: Motion on the floor by

18 Councilman Notari.

19 MS. AVVISATO: I'll second that

20 motion.

21 MR. RINALDI: Second by Councilwoman

22 Avvisato. On the question?

23 (No response.)

24 MR. RINALDI: Public input?

25 (No response.)

1 MR. FALVO: What was that for?

2 MR. RINALDI: This is a motion to  
3 add an alternate zoning member. We have a  
4 vacancy. The Zoning Board is full, but then we  
5 have alternates we use in case members can't  
6 make a meeting or such.

7 MR. FALVO: Okay.

8 MR. RINALDI: Roll call, please.

9 MS. BARTOLETTI: Councilwoman  
10 Avvisato?

11 MS. AVVISATO: Yes.

12 MS. BARTOLETTI: Councilman Butler?

13 MR. BUTLER: Yes.

14 MS. BARTOLETTI: Councilman Febbo?

15 MR. FEBBO: Yes.

16 MS. BARTOLETTI: Councilman

17 Lettieri?

18 MR. LETTIERI: Yes.

19 MS. BARTOLETTI: Councilman Notari?

20 MR. NOTARI: Yes.

21 MS. BARTOLETTI: Councilman Rinaldi?

22 MR. RINALDI: Yes. The Chair will  
23 ask for a motion for a name to add as an  
24 alternate to the Zoning Board.

25 MR. NOTARI: Mr. Chairman, I'll make

1 a motion to name Mark Palma (phonetic), Pine  
2 Street, Old Forge, as an alternate to the  
3 Zoning Board.

4 MR. RINALDI: Motion on the floor by  
5 Councilman Notari for Mark Palma.

6 MR. BUTLER: I'll second it.

7 MR. RINALDI: Seconded by Councilman  
8 Butler. On the question?

9 (No response.)

10 MR. RINALDI: Public input?

11 (No response.)

12 MR. RINALDI: Roll call, please.

13 MS. BARTOLETTI: Councilwoman

14 Avvisato?

15 MS. AVVISATO: Yes.

16 MS. BARTOLETTI: Councilman Butler?

17 MR. BUTLER: Yes.

18 MS. BARTOLETTI: Councilman Febbo?

19 MR. FEBBO: Yes.

20 MS. BARTOLETTI: Councilman

21 Lettieri?

22 MR. LETTIERI: Yes.

23 MS. BARTOLETTI: Councilman Notari?

24 MR. NOTARI: Yes.

25 MS. BARTOLETTI: Councilman Rinaldi?

1 MR. RINALDI: Yes. No more items on  
2 the new business. The Chair will go around the  
3 table if Council has anything to add before we  
4 adjourn. Councilman Febbo?

5 MR. FEBBO: No.

6 MR. RINALDI: Councilman Lettieri?

7 MR. LETTIERI: Not this time.

8 MR. RINALDI: Councilman Notari?

9 MR. NOTARI: Nothing, Mr. Chairman.

10 MR. RINALDI: Councilman Butler?

11 MR. BUTLER: Nothing.

12 MR. RINALDI: Councilwoman Avvisato?

13 MS. AVVISATO: I'm good. Thank you.

14 MR. RINALDI: I have nothing at all.  
15 George, congratulations on the LERTA.

16 MR. DUNBAR: Thank you very much.

17 MR. RINALDI: You're welcome.

18 MR. DUNBAR: I'd like to thank the  
19 Borough Council for believing in me and  
20 believing in my projects. I want to invest in  
21 my community which I reside, and it's not only  
22 good for now but it's good for the future.

23 So, again, I thank you very much for  
24 believing in me, in believing in what we're  
25 going to do down at Holly Ridge Estates. This

1 is huge for me tonight.

2 MR. RINALDI: You're welcome. We  
3 appreciate your comments. Chair will entertain  
4 a motion to adjourn.

5 MS. AVVISATO: Ill make that motion.

6 MR. RINALDI: Motion on the floor by  
7 Councilwoman Avvisato. All in favor?

8 ALL MEMBERS: Aye.

9 MR. RINALDI: Good night everyone.  
10 Thank you for coming.

11

12 (Meeting adjourned.)

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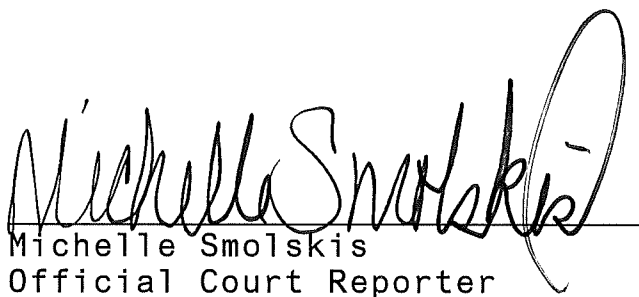
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C E R T I F I C A T E

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me of the above-cause and that this copy is a correct transcript of the same to the best of my ability.

  
Michelle Smolskis  
Official Court Reporter

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