

1 OLD FORGE BOROUGH COUNCIL

2 OLD FORGE, PENNSYLVANIA

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4  
5 IN RE: REGULAR MEETING OF COUNCIL

6  
7  
8  
9 JUNE 15, 2021

10 7:00 P.M.

11 OLD FORGE MUNICIPAL BUILDING

12 314 SOUTH MAIN STREET

13 OLD FORGE, PENNSYLVANIA

14  
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16  
17  
18 COUNCIL MEMBERS:

19 RUSSELL RINALDI, VICE-PRESIDENT

20 LOUIS FEBBO

RICK NOTARI

21 JAMES HOOVER

MICHAEL LETTIERI

22 MICHELLE AVVISATO

WILLIAM RINALDI, ESQUIRE, SOLICITOR

23 MARYLYNN BARTOLETTI, BOROUGH MANAGER

24 ROBERT LEGG, MAYOR

25 Mark Wozniak  
Official Court Reporter

1 MR. RUSSELL RINALDI: Good evening,  
2 ladies and gentlemen, I'd like to call the  
3 borough meeting to order. I'd ask the  
4 Honorable George Seig to lead us in the  
5 Pledge of Allegiance.

6 (The Pledge of Allegiance was  
7 recited.)

8 MR. RUSSELL RINALDI: Roll call,  
9 please, Marylynn.

10 MS. BARTOLETTI: Councilwoman  
11 Avvisato?

12 MS. AVVISATO: Here.

13 MS. BARTOLETTI: Councilman Febbo?

14 MR. FEBBO: Present.

15 MS. BARTOLETTI: Councilman Hoover?

16 MR. HOOVER: Present.

17 MS. BARTOLETTI: Councilman  
18 Lettieri?

19 MR. LETTIERI: Present.

20 MS. BARTOLETTI: Councilman Notari?

21 MR. NOTARI: Present.

22 MS. BARTOLETTI: Councilman Rinaldi?

23 MR. RUSSELL RINALDI: Here. Once  
24 again, ladies and gentlemen, welcome to the  
25 regular meeting of the Old Forge Borough.

1           Tonight is Tuesday, June 15, 2021. We're  
2           going to go out of order for a few moments.  
3           We have a vacant council seat and we're  
4           going to have to fill that first.

5           Once that's filled we're going to  
6           take a few more minute recess. We're going  
7           to go back in with the new member, speak a  
8           little bit with our solicitor, borough  
9           manager, the new member and the current  
10          council members.

11          The council seat was vacated on May  
12          18th. According to Robert's Rules of Order,  
13          council has 30 days to fill the position.  
14          That 30 days expires June 18th. So tonight,  
15          if there is an appointment we will fulfill  
16          that seat in the right amount of time  
17          according to Robert's Rules.

18          We had three applicants. They were  
19          introduced tonight publicly. We advertised  
20          it publicly. All the applicants did very  
21          well. I'd like to thank them all for their  
22          time, for coming, for applying. This is a  
23          tough position to sit in and I give anyone  
24          credit who comes forward to try and put  
25          yourself here. So we appreciate that and

1 I'd like to thank all of you.

2 At this time, now, the chair is  
3 going to call for a motion to open up  
4 nominations for the borough vacant seat.  
5 This is just a motion to open up  
6 nominations.

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

8 MR. RUSSELL RINALDI: Motion by  
9 Councilman Notari. Second?

10 MR. HOOVER: I'll second it.

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

14 MS. BARTOLETTI: Councilwoman  
15 Avvisato?

16 MS. AVVISATO: Yes.

17 MS. BARTOLETTI: Councilman Febbo?

18 MR. FEBBO: Yes.

19 MS. BARTOLETTI: Councilman Hoover?

20 MR. HOOVER: Yes.

21 MS. BARTOLETTI: Councilman  
22 Lettieri?

23 MR. LETTIERI: Yes.

24 MS. BARTOLETTI: Councilman Notari?

25 MR. NOTARI: Yes.

1 MS. BARTOLETTI: Councilman Rinaldi?

2 MR. RUSSELL RINALDI: Yes.

3 Nominations are now open. We had three  
4 applicants. The floor is open for anybody  
5 at the table to name an applicant of their  
6 wish.

7 MR. HOOVER: I'd like to make a  
8 motion to nominate Mike Komensky to the  
9 vacant council position.

10 MR. RUSSELL RINALDI: Motion is  
11 still open for nominations.

12 MR. FEBBO: Mr. Chairman, I'd like  
13 to make a motion to nominate Andy Butler for  
14 council.

15 MR. RUSSELL RINALDI: The floor is  
16 still open for nominations. At this time  
17 the chair would entertain a motion to close  
18 nominations.

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

20 MR. RUSSELL RINALDI: Motion on the  
21 floor by Councilman Hoover.

22 MS. AVVISATO: I'll second the  
23 motion.

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

1 Public input? Roll call to close  
2 nominations, Marylynn.

3 MS. BARTOLETTI: Councilwoman  
4 Avvisato?

5 MS. AVVISATO: Yes.

6 MS. BARTOLETTI: Councilman Febbo?

7 MR. FEBBO: Yes.

8 MS. BARTOLETTI: Councilman Hoover?

9 MR. HOOVER: Yes.

10 MS. BARTOLETTI: Councilman  
11 Lettieri?

12 MR. LETTIERI: Yes.

13 MS. BARTOLETTI: Councilman Notari?

14 MR. NOTARI: Yes.

15 MS. BARTOLETTI: Councilman Rinaldi?

16 MR. RUSSELL RINALDI: Yes. At this  
17 time we're going to go down the table. The  
18 first name was Michael Komensky. This is a  
19 motion to appoint Michael Komensky to the  
20 open vacant seat at Old Forge Borough  
21 Council. Roll call, please, Marylynn.

22 MS. BARTOLETTI: Councilwoman  
23 Avvisato?

24 MS. AVVISATO: Yes.

25 MS. BARTOLETTI: Councilman Febbo?

1 MR. FEBBO: No.

2 MS. BARTOLETTI: Councilman Hoover?

3 MR. HOOVER: Yes.

4 MS. BARTOLETTI: Councilman

5 Lettieri?

6 MR. LETTIERI: Abstain.

7 MS. BARTOLETTI: Councilman Notari?

8 MR. NOTARI: No.

9 MS. BARTOLETTI: Councilman Rinaldi?

10 MR. RUSSELL RINALDI: Yes.

11 ATTY. RINALDI: Motion carries.

12 Mr. Komensky is appointed to the vacancy.

13 MR. RUSSELL RINALDI: Mr. Komensky,  
14 congratulations.

15 MR. NOTARI: Why aren't we voting on  
16 Mr. Butler?

17 ATTY. RINALDI: Because a majority  
18 already elected Mr. Komensky. If there was  
19 a tie or a no vote, then we go to the second  
20 person. You already have a vote and the  
21 majority ruled on Mr. Komensky.

22 MR. NOTARI: How is that fair if two  
23 people are nominated? We were told in the  
24 back room that both people would be voted  
25 on, in executive session.

1                   ATTY. RINALDI: If it was a tie,  
2 then it goes to the next person to be voted  
3 on. Whoever wins the majority wins the  
4 vote.

5                   MR. RUSSELL RINALDI: Why don't I  
6 just call for the second name and go down  
7 the table?

8                   ATTY. RINALDI: You can do that, but  
9 the majority already voted. You don't have  
10 a vote after the majority votes to fill the  
11 vacancy.

12                  MR. RUSSELL RINALDI: But if  
13 Councilman Notari feels more comfortable --

14                  MR. NOTARI: Well, that's why I felt  
15 more comfortable doing it the way we've done  
16 it as past practice, by voting by name.  
17 That's why I was more comfortable to do  
18 that. I was under the --

19                  ATTY. RINALDI: I'm only following  
20 the rules you guys adopted.

21                  MR. RUSSELL RINALDI: At this time  
22 the chair would entertain a motion to  
23 appoint Andy Butler to the Old Forge Borough  
24 Council seat. Roll call, please, Marylynn.

25                  MS. BARTOLETTI: Councilwoman



1 Avvisato?

2 MS. AVVISATO: No.

3 MS. BARTOLETTI: Councilman Febbo?

4 MR. FEBBO: Yes.

5 MS. BARTOLETTI: Councilman Hoover?

6 MR. HOOVER: No.

7 MS. BARTOLETTI: Councilman

8 Lettieri?

9 MR. LETTIERI: Abstain.

10 MS. BARTOLETTI: Councilman Notari?

11 MR. NOTARI: Yes.

12 MS. BARTOLETTI: Councilman Rinaldi?

13 MR. RINALDI: No. Bill?

14 ATTY. RINALDI: Doesn't change.

15 Still Komensky is appointed to fill the  
16 vacancy.

17 MR. RUSSELL RINALDI: Mr. Komensky,  
18 congratulations. You can come up and be  
19 sworn in, please.

20 (Magistrate Seig administered the  
21 oath of office to Mr. Komensky.)

22 MR. RUSSELL RINALDI: Thank you,  
23 your Honor.

24 MAGISTRATE SEIG: Thank you. Really  
25 an honor to be asked to come out.

1 MR. RUSSELL RINALDI: We appreciate  
2 it. Ladies and gentlemen, at this time  
3 council is going to break into a brief  
4 recess, about ten, 15 minutes. We're going  
5 to go back in the room, talk with the new  
6 member, like I said, address council, the  
7 solicitor, and our borough manager and  
8 mayor. We'll be back out in a few minutes.

9 (A brief recess was taken at this  
10 time.)

11 MR. RUSSELL RINALDI: Once again,  
12 good evening, ladies and gentlemen. We're  
13 going to continue the meeting. We have to  
14 take our next step now that we have the seat  
15 appointed. We're going to entertain a  
16 motion now for the appointment of borough  
17 council president.

18 MR. FEBBO: At this time I'd like to  
19 nominate Russell Rinaldi as president of Old  
20 Forge Council.

21 MR. RUSSELL RINALDI: Thank you very  
22 much, Councilman Febbo.

23 MS. AVVISATO: And I would like to  
24 second that motion.

25 MR. RUSSELL RINALDI: Thank you as

1 well, Councilwoman Avvisato. Motion on the  
2 floor for Russell Rinaldi to be president of  
3 Old Forge Borough Council. Roll call,  
4 please, Marylynn.

5 MS. BARTOLETTI: Councilwoman  
6 Avvisato?

7 MS. AVVISATO: Yes.

8 MS. BARTOLETTI: Councilman Febbo?

9 MR. FEBBO: Yes.

10 MS. BARTOLETTI: Councilman Hoover?

11 MR. HOOVER: Yes.

12 MS. BARTOLETTI: Councilman  
13 Lettieri?

14 MR. LETTIERI: Yes.

15 MS. BARTOLETTI: Councilman Notari?

16 MR. NOTARI: Yes.

17 MS. BARTOLETTI: Councilman  
18 Komensky?

19 MR. KOMENSKY: Yes.

20 MS. BARTOLETTI: Councilman Rinaldi?

21 MR. RUSSELL RINALDI: I abstain.

22 Thank you very much. I appreciate it.

23 The next motion on the floor is a  
24 motion to appoint a vice-president to the  
25 Old Forge Borough Council.

1 MR. HOOVER: I'd like to make a  
2 motion to nominate Rick Notari  
3 vice-president of the Old Forge Borough  
4 Council.

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

7 MS. AVVISATO: I'd like to second  
8 that motion.

9 MR. RUSSELL RINALDI: Seconded by  
10 Councilwoman Avvisato. Roll call, please.

11 MS. BARTOLETTI: Councilwoman  
12 Avvisato?

13 MS. AVVISATO: Yes.

14 MS. BARTOLETTI: Councilman Febbo?

15 MR. FEBBO: Yes.

16 MS. BARTOLETTI: Councilman Hoover?

17 MR. HOOVER: Yes.

18 MS. BARTOLETTI: Councilman  
19 Lettieri?

20 MR. LETTIERI: Yes.

21 MS. BARTOLETTI: Councilman Notari?

22 MR. NOTARI: I'll abstain.

23 MS. BARTOLETTI: Councilman  
24 Komensky?

25 MR. KOMENSKY: Yes.

1 MS. BARTOLETTI: Councilman Rinaldi?

2 MR. RUSSELL RINALDI: Yes.

3 Congratulations.

4 MR. NOTARI: Thank you very much.

5 MR. RUSSELL RINALDI: You're  
6 welcome. At this time council is going to  
7 continue on with the meeting. Let me just  
8 start off by once again welcoming everybody.  
9 We're going to go through a series of  
10 housekeeping motions, we'll hear from our  
11 department heads, we'll hear from our  
12 council members, our mayor, we'll hear from  
13 our borough manager and our solicitor.

14 There's a public sign-in sheet.  
15 Anyone in the public is welcome to address  
16 us at the end of the meeting. If you didn't  
17 sign in and you'd like to at the end of the  
18 meeting I'll ask. Everyone will have time  
19 to address council.

20 With that being said, we're going to  
21 move right to a few of our housekeeping  
22 motions. The first item under business is a  
23 motion to approve the minutes from the prior  
24 meeting.

25 MR. LETTIERI: I'll make that

1 motion.

2 MR. RUSSELL RINALDI: By Councilman  
3 Lettieri.

4 MS. AVVISATO: I'll second that  
5 motion.

6 MR. RUSSELL RINALDI: Seconded by  
7 Councilwoman Avvisato. On the question?  
8 Public input? Roll call, please.

9 MS. BARTOLETTI: Councilwoman  
10 Avvisato?

11 MS. AVVISATO: Yes.

12 MS. BARTOLETTI: Councilman Febbo?

13 MR. FEBBO: Yes.

14 MS. BARTOLETTI: Councilman Hoover?

15 MR. HOOVER: Yes.

16 MS. BARTOLETTI: Councilman  
17 Komensky?

18 MR. KOMENSKY: Abstain.

19 MS. BARTOLETTI: Councilman  
20 Lettieri?

21 MR. LETTIERI: Yes.

22 MS. BARTOLETTI: Councilman Notari?

23 MR. NOTARI: Yes.

24 MS. BARTOLETTI: Councilman Rinaldi?

25 MR. RUSSELL RINALDI: Yes. Second

1 item under housekeeping is motion to approve  
2 treasurer's report. Please note this does  
3 not include the sewer account.

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

5 MR. RUSSELL RINALDI: By Councilman  
6 Febbo.

7 MS. AVVISATO: I'll second it.

8 MR. RUSSELL RINALDI: Second by  
9 Councilwoman Avvisato. On the question?  
10 Public input? Roll call, please.

11 MS. BARTOLETTI: Councilwoman  
12 Avvisato?

13 MS. AVVISATO: Yes.

14 MS. BARTOLETTI: Councilman Febbo?

15 MR. FEBBO: Yes.

16 MS. BARTOLETTI: Councilman Hoover?

17 MR. HOOVER: Yes.

18 MS. BARTOLETTI: Councilman  
19 Komensky?

20 MR. KOMENSKY: Abstain.

21 MS. BARTOLETTI: Councilman  
22 Lettieri?

23 MR. LETTIERI: Yes.

24 MS. BARTOLETTI: Councilman Notari?

25 MR. NOTARI: Yes.

1 MS. BARTOLETTI: Councilman Rinaldi?

2 MR. RUSSELL RINALDI: Yes. The  
3 third item under housekeeping is motion to  
4 approve invoices for payment. Once again,  
5 please note this does not include the sewer  
6 account.

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

8 MR. RUSSELL RINALDI: By Councilman  
9 Hoover.

10 MR. LETTIERI: I'll second.

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

14 MS. BARTOLETTI: Councilwoman  
15 Avvisato?

16 MS. AVVISATO: Yes.

17 MS. BARTOLETTI: Councilman Febbo?

18 MR. FEBBO: Yes.

19 MS. BARTOLETTI: Councilman Hoover?

20 MR. HOOVER: Yes.

21 MS. BARTOLETTI: Councilman  
22 Komensky?

23 MR. KOMENSKY: Abstain.

24 MS. BARTOLETTI: Councilman  
25 Lettieri?



1 MR. LETTIERI: Yes.

2 MS. BARTOLETTI: Councilman Notari?

3 MR. NOTARI: Yes.

4 MS. BARTOLETTI: Councilman Rinaldi?

5 MR. RUSSELL RINALDI: Yes. Fourth  
6 item under housekeeping is motion to approve  
7 sewer department financial report.

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

9 MR. RUSSELL RINALDI: By Councilman  
10 Notari.

11 MR. FEBBO: I'll second it.

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

15 MS. BARTOLETTI: Councilwoman  
16 Avvisato?

17 MS. AVVISATO: Yes.

18 MS. BARTOLETTI: Councilman Febbo?

19 MR. FEBBO: Yes.

20 MS. BARTOLETTI: Councilman Hoover?

21 MR. HOOVER: Yes.

22 MS. BARTOLETTI: Councilman  
23 Komensky?

24 MR. KOMENSKY: Abstain.

25 MS. BARTOLETTI: Councilman

1 Lettieri?

2 MR. LETTIERI: Yes.

3 MS. BARTOLETTI: Councilman Notari?

4 MR. NOTARI: Yes.

5 MS. BARTOLETTI: Councilman Rinaldi?

6 MR. RUSSELL RINALDI: Yes. Our last  
7 item under housekeeping is motion to approve  
8 sewer department invoices for payment.

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

10 MR. RUSSELL RINALDI: By Councilman  
11 Notari.

12 MR. LETTIERI: Second.

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

16 MS. BARTOLETTI: Councilwoman  
17 Avvisato?

18 MS. AVVISATO: Yes.

19 MS. BARTOLETTI: Councilman Febbo?

20 MR. FEBBO: Yes.

21 MS. BARTOLETTI: Councilman Hoover?

22 MR. HOOVER: Yes.

23 MS. BARTOLETTI: Councilman

24 Komensky?

25 MR. KOMENSKY: Abstain.

1 MS. BARTOLETTI: Councilman  
2 Lettieri?

3 MR. LETTIERI: Yes.

4 MS. BARTOLETTI: Councilman Notari?

5 MR. NOTARI: Yes.

6 MS. BARTOLETTI: Councilman Rinaldi?

7 MR. RUSSELL RINALDI: Yes. We'll go  
8 to some of our department heads. DPW  
9 manager, Joe Lenceski. We have his report.  
10 Anybody have any questions or items for him?

11 MR. NOTARI: Joe, how's the, now  
12 that we're into early summer, grass cutting  
13 and pick up? How's everything going?

14 MR. LENCESKI: Going well.

15 MR. NOTARI: Any falling behind on  
16 anything at all?

17 MR. LENCESKI: Not really, no.

18 MR. NOTARI: Okay, thank you.

19 MR. RUSSELL RINALDI: Any other  
20 questions?

21 MR. NOTARI: I have one more. I had  
22 a resident reach out to me the other day  
23 asking if the DPW picked up dead animals  
24 from their yard. Do we have that kind of  
25 service?

1 MR. LENCESKI: No, we don't go on  
2 private property. I spoke with them today.

3 MR. NOTARI: Thank you.

4 MR. RUSSELL RINALDI: Any other  
5 questions for the street commissioner?  
6 Thanks, Joe. Chris Hart, code  
7 enforcement/zoning officer, anything? Any  
8 questions for Chris? Anything to add?

9 MR. HART: Nothing at this moment.

10 MS. AVVISATO: How are you doing?

11 MR. HART: Good. Still playing  
12 catch up but we're getting there. Making  
13 progress.

14 MR. RUSSELL RINALDI: Feel a little  
15 more comfortable this week?

16 MR. HART: Definitely. Like I said,  
17 as the weeks go by I'm trying to tie up some  
18 loose ends from the past, but we're getting  
19 there. Can't happen overnight but it's  
20 happening.

21 MR. RUSSELL RINALDI: As long as  
22 we're moving forward.

23 MAYOR LEGG: I think he's doing an  
24 excellent job in the three weeks he's here.

25 MR. RUSSELL RINALDI: Anyone else?

1 Did somebody have a question?

2 MR. TOME0: Benjamin Tomeo. I need  
3 to be brought up to speed about -- I've just  
4 been enlighten and some of my neighbors  
5 about a cell phone tower that's being built  
6 across the street from my house, in the  
7 vacant lot.

8 MR. RUSSELL RINALDI: That's going  
9 to come up tonight.

10 MR. TOME0: I'll keep it as brief as  
11 I can. I hope it's not too late for public  
12 input.

13 MR. RUSSELL RINALDI: It's  
14 absolutely not too late. That's on our  
15 agenda tonight, so before it goes to a vote,  
16 if it does, council will have a chance to  
17 speak on it, the firm will have a change,  
18 and, obviously, the public. Any other  
19 questions until then?

20 MR. TOME0: 'No:

21 MR. HART: That's all.

22 MR. RUSSELL RINALDI: Dave Lopatka,  
23 engineer's report. We have it. Anything to  
24 add?

25 MR. LOPATKA: Nothing to add. Just

1 Rick's going to ask me to update on the  
2 building.

3 Everything is moving forward. There  
4 is one little hiccup with regard to the blue  
5 stone we're putting on the front of the  
6 building. The contractor has requested  
7 pricing and everything from eight different  
8 companies and there's not -- they're all so  
9 busy he's not even getting responses. He's  
10 trying to find it. They initially had two  
11 or three local people that they were trying  
12 to get it from. They weren't getting back  
13 to them at all. So they reached out a  
14 little further. So there's, like, five or  
15 six different manufacturers or companies  
16 that they're trying to get it from and  
17 they're not getting much response.

18 We're going to keep trying on that.  
19 That's really the only big issue that we're  
20 trying get resolved.

21 MR. FEBBO: That problem I read in  
22 your report about the painting, the brick?

23 MR. LOPATKA: No. I don't have it  
24 in front of me. I don't know exactly what  
25 it says with regard to the paint colors.

1 MR. FEBBO: Something about the  
2 senior citizen center.

3 MR. LOPATKA: No, that's separate.  
4 The senior side, there's a bunch of brick  
5 that's actually pulling away from the  
6 building on that side. So we looked at it  
7 and we had our structural people look at it,  
8 we had the architect come and look at it.  
9 So the fix for that. In your report there's  
10 kind of a fix for it. We have to basically  
11 take, like, the top four or five rows of  
12 brick off and replace them. There's  
13 actually a patch there from when they took  
14 the old step unit out.

15 So we're trying to figure out  
16 exactly how that is. That part of it's in  
17 your report. It kind of details what the  
18 fixes are. I think there's one or two  
19 options that we came up with. I know we're  
20 going to talk about that or you guys need to  
21 talk about that as to how we need to move  
22 forward with that.

23 MR. FEBBO: So it's nothing pressing  
24 that we have to discuss tonight?

25 MR. LOPATKA: We need to come up

1 with a resolution on it. It doesn't have to  
2 be today, but we need to come up with a  
3 resolution so we can get a price back from  
4 the contractor to see what the cost would be  
5 to fix it.

6 MR. NOTARI: Dave, obviously my  
7 first question is shouldn't the blue stone  
8 have been ordered as soon as we awarded the  
9 bid?

10 MR. LOPATKA: I mean, it kind of  
11 doesn't go in that -- they sent submittals  
12 to us. Now, that submittal, first we were  
13 trying -- on the plans there was -- we  
14 needed to come up with a detail as to how to  
15 attach it to the building? So that took --  
16 it didn't take that long. It took a little  
17 time to come up with the connection. Then  
18 once we got that approved, they go out and  
19 they're supposed to get us a submittal on  
20 blue stone.

21 Well, since then they've been trying  
22 to get somebody to send the submittals,  
23 which is usually the manufacturer sends them  
24 submittals on the blue stone, and they can't  
25 get anybody to respond. I mean, they don't



1 order it right out of the gate just because  
2 there's a lot of work to do before you get  
3 to it. It's just a part of the process. So  
4 unfortunately they've been trying now for  
5 quite a while.

6 MR. NOTARI: Once we get this blue  
7 stone, how long is it going to take to be  
8 put up?

9 MR. LOPATKA: It's basically just  
10 the entrance and wrapping that post that's  
11 in the front. Probably wouldn't take that  
12 long. They have work to do to get to that  
13 point. They have all the other stuff that  
14 they can be doing while we're trying to  
15 locate blue stone.

16 MR. NOTARI: So it shouldn't delay  
17 the project too much.

18 MR. LOPATKA: Well, the majority of  
19 the project can get done other than,  
20 potentially, just blue stone.

21 MR. FEBBO: Does that come from  
22 local, in our area, Hop Bottom?

23 MR. LOPATKA: They typically would  
24 get it from local manufacturers, but the  
25 local manufacturers, I don't know if they're

1 so busy, but they're just not getting back  
2 to them. I know that they called -- I  
3 actually called one local guy, and he said  
4 we're backordered two months right now. And  
5 then it has to be cut. It's not just rough  
6 blue stone. It all has to be cut. You  
7 can't get it locally.

8 MR. NOTARI: Thank you, Dave.

9 MR. HOOVER: Under new business  
10 there's two change orders, three and four.  
11 What are they for?

12 MR. LOPATKA: Twenty-four is for --

13 MS. AVVISATO: The police area?

14 MR. LOPATKA: Yeah. Remember the  
15 police area we had a wall and one area was  
16 just storage. So there was actually a  
17 deduct in there for some of that, then there  
18 was an add because we're putting a big  
19 countertop around that whole section.  
20 That's what that was for.

21 The other one was on the front of  
22 the building as you're coming in, on the  
23 right, and in front of council chambers, the  
24 windows. Once they tore the roof and  
25 everything off there's flashing showing up

1 up there. And we don't have the brick to  
2 kind of replace that, it would look a lot  
3 better if we stucco over that section  
4 instead of trying to replace all that brick  
5 up there.

6 MR. NOTARI: You're saying stucco,  
7 but really it's Dryvit. Right?

8 MR. LOPATKA: Yeah. That look,  
9 yeah.

10 MR. HOOVER: And that change order,  
11 that's going to CDBG for the elevator?

12 MR. LOPATKA: That one was.

13 MR. HOOVER: Okay, that's all.

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

16 MR. CROSSIN: Michael Crossin. Is  
17 there handicap access ramp?

18 MR. LOPATKA: Well, the handicap  
19 access ramps go into the police station.  
20 That's one of the whole reasons we're  
21 putting the elevator on, to provide  
22 accessibility for the whole building.

23 MR. CROSSIN: So the handicap ramp  
24 goes into the police station?

25 MR. LOPATKA: You park in the back,

1                   you can get to either floor.

2                   MR. CROSSIN: Now, suppose you have  
3                   an emergency in the building? Handicapped,  
4                   you can't use the elevator, they have to go  
5                   through the police department. How do they  
6                   get into the police department if there's  
7                   nobody there to use that ramp to get out of  
8                   the building?

9                   MR. LOPATKA: Well, there's areas of  
10                  refuge inside the building if there is --

11                  MR. CROSSIN: Would you want to be  
12                  inside that building if there was a fire?

13                  MR. LOPATKA: All we can do is go by  
14                  the code, sir.

15                  MR. CROSSIN: I don't think you're  
16                  right with that.

17                  MR. LOPATKA: It got reviewed by a  
18                  third-party reviewer for the borough, BIU.

19                  MR. CROSSIN: Did they happen to  
20                  check with the Americans with Disabilities  
21                  Act?

22                  MR. LOPATKA: It's all part of the  
23                  code.

24                  MR. CROSSIN: I don't know how you  
25                  can have a ramp in case of emergency inside

1 one of the offices that may be locked and  
2 unable to get out. Doesn't make sense.  
3 You're putting the borough at jeopardy if,  
4 God forbid, something happens.

5 MR. LOPATKA: It's all done by code,  
6 sir.

7 MR. CROSSIN: I don't care if it's  
8 done by code, it's common sense.

9 MR. RUSSELL RINALDI: Any other  
10 questions? Anyone else for Dave? Thanks,  
11 Dave.

12 Police chief, we have your report.  
13 Anything?

14 CHIEF DUBERNAS: I just gave you the  
15 other monthly one. I forget to give it to  
16 Sandy. The one that she e-mailed you was  
17 the comm center breakdown.

18 MR. RUSSELL RINALDI: Anything else,  
19 Chief?

20 CHIEF DUBERNAS: That's it.

21 MR. RUSSELL RINALDI: Does anybody  
22 have any questions for the chief? Thanks,  
23 Chief.

24 MR. HOOVER: I have one question.  
25 Do we continually have a cop down the park

1 on Miles Street?

2 CHIEF DUBERNAS: My second shift  
3 guys go there, and then if we know there's  
4 an event there I will schedule somebody  
5 there.

6 MR. HOOVER: I went to a girls  
7 softball game, a playoff game, and there was  
8 dogs all over the place, kids on bicycles.  
9 The place was jammed. I had to tell two of  
10 the kids you're not allowed to bring your  
11 bikes in there. I don't know how that  
12 happens if there's supposed to be a cop  
13 there. A lot of senior citizens down there  
14 watching their grandchildren.

15 CHIEF DUBERNAS: There's not one  
16 scheduled here, they just go throughout the  
17 afternoon.

18 MR. HOOVER: I think when there's a  
19 large playoff game next time, I think we  
20 should put someone there permanently.

21 CHIEF DUBERNAS: Okay. If I'm told.  
22 Even with the little league, if we had a  
23 schedule I would have somebody there. I  
24 don't get all the schedules all the time.

25 MR. HOOVER: People from Old Forge

1 were bringing their dogs there.

2 MR. NOTARI: I noticed that, too,  
3 and I was going bring it up and have our rec  
4 board and our rec committee meet and go over  
5 park rules, update them, make sure we get  
6 some better posting at the park, some  
7 promotion of the rules. I mean, kids are  
8 kids, but the adults are the ones that  
9 disappoint me. They know there shouldn't be  
10 a dog in the park, yet they bring their dogs  
11 in the park. So we'll work on that.

12 MR. RUSSELL RINALDI: Any other  
13 questions? Anything else, Chief?

14 CHIEF DUBERNAS: No.

15 MR. RUSSELL RINALDI: Thank you.  
16 Attorney Rinaldi, solicitor's report.

17 ATTY. RINALDI: Tonight you have on  
18 your agenda consideration for passage of the  
19 zoning amendment changing the three parcels  
20 and extending the boundary line from  
21 residential to C-2.

22 You also have the garage bids, which  
23 Marylynn can go over with you.

24 And the lease agreement. I did get  
25 a lease agreement put together for the Saint

1 Lawrence Church. The bishop signed the  
2 deeds today, so I have to pick them up  
3 tonight.

4 MR. RUSSELL RINALDI: Thanks. Any  
5 questions for the solicitor?

6 MR. HOOVER: Yes, I have a question.  
7 Where do we go tomorrow? Today's June 15th.  
8 What do we do with --

9 ATTY. RINALDI: He's supposed to  
10 meet one condition on June 16th. Probably  
11 repeat with Chris, see if we can't get a  
12 view of the property and then notify the  
13 judge of the condition. Then he's got to  
14 first comply with the rest of the order,  
15 which is bring it totally in compliance.  
16 Put up the screen planting, put up fencing,  
17 get a permit before that work gets done,  
18 forfeit the \$20,000 bond with the borough,  
19 pay the borough attorney's fees of \$7,500.  
20 That order's going into effect even though  
21 there's an appeal pending.

22 MR. HOOVER: All right. We'll go to  
23 the judge tomorrow.

24 ATTY. RINALDI: I started on the  
25 letter already.



1 MR. HOOVER: Okay.

2 MR. NOTARI: In that line of  
3 questioning, how do we collect on the fine  
4 he owes us since November of 2017, \$500 a  
5 day fine?

6 ATTY. RINALDI: That will be the  
7 next step.

8 MR. NOTARI: Okay. By my count last  
9 week it's about \$650,000.

10 ATTY. RINALDI: That's daily, yes.

11 MR. HOOVER: That's all.

12 MR. RUSSELL RINALDI: Any other  
13 questions for the solicitor? Thanks, Bill.

14 Marylynn, borough manager's report?

15 MS. BARTOLETTI: Okay. Everyone has  
16 my financial report. Does anyone have any  
17 questions? No? Okay. As Russ said, we  
18 have the contract with Mascaro. We can do  
19 that during new business. That's all I  
20 have.

21 MR. RUSSELL RINALDI: Does anybody  
22 have any questions for the borough manager?  
23 Thanks, Marylynn. I'll go down the table,  
24 see if the mayor or council have anything.  
25 Mayor Legg?

1                   MAYOR LEGG: Thank you,  
2                   Mr. Chairman. I'd like to congratulate you  
3                   on being named president of council and  
4                   Councilman Notari on being named  
5                   vice-president. I think two excellent  
6                   selections. And Mike, welcome aboard. My  
7                   former student. Welcome to this room of  
8                   fine homo sapiens. That's all I have.

9                   MR. RUSSELL RINALDI: Thanks, Mayor.  
10                  Councilman Febbo?

11                 MR. FEBBO: No, I'm good.

12                 MR. NOTARI: I'd just like to  
13                 congratulate the Old Forge High School  
14                 graduates. I know they used the Miles  
15                 Street park for some of their activities  
16                 before graduation and after graduation, and  
17                 wish them the best and thank them for kind  
18                 of taking our spring sports teams and kind  
19                 of bringing them back to a little bit of  
20                 normalcy. We had two fine seasons from our  
21                 spring sports teams. That's all I have.

22                 MR. LETTIERI: I'd just like to  
23                 congratulate Mike, welcome, and also  
24                 yourself and Mr. Notari.

25                 MS. AVVISATO: I'm going to echo

1           that. Congratulations, Mike. Russell and  
2           Ricky, you guys do a good job. Mike, I know  
3           you will do a good job as well. That's all.

4           MR. RUSSELL RINALDI: Thank you  
5           very much. Councilman Hoover?

6           MR. HOOVER: I'm good.

7           MR. RUSSELL RINALDI: I'd just like  
8           to say congratulations to Mr. Komensky as  
9           well. I know I stated that this isn't an  
10          easy position to sit in and I commend anyone  
11          who comes forward to do it. I'd just like  
12          to thank the candidates, the other two  
13          applicants as well, who put in. I don't  
14          want to let them go unnoticed. It takes a  
15          lot of effort to do that, too, as well. So  
16          I'd like to compliment them on that.

17          I'd like to congratulate Councilman  
18          Notari on his vice-presidency. I think it's  
19          well deserved. I actually think any member  
20          who sits at this table could either be  
21          president or vice-president.

22          I'd like to thank you all for also  
23          nominating me and making me the new  
24          president. Again, I feel that the president  
25          who sits in the middle of the table doesn't

1 have any more power than any of you who sit  
2 at this table. My only duty is to run the  
3 meetings. We all have the same agenda, we  
4 all have the same people in mind, and I feel  
5 that we're all on the same level. Like I  
6 said, other than me running the meeting, I  
7 don't feel any more important or higher than  
8 any of you. So to put me in the middle and  
9 have me conduct the meetings I say thank you  
10 very much.

11 I'd also echo off Councilman Notari  
12 on congratulations to the high school  
13 graduates and our sports teams.

14 Before we move into new business, if  
15 no one has anything else we're going to go  
16 into public comment. Anything else before  
17 we go into public comment?

18 First public comment, Mrs. Wilk?

19 MS. WILK: I'm here on the tower  
20 that's being put in behind my house. I  
21 listened at the last meeting that was here.  
22 It's a cut deal. There was supposed to be a  
23 vote on whether to change it from  
24 residential to commercial. They're already  
25 working on it. I saw them. Mr. Mariotti, I

1 saw, Verizon was over there. What happened  
2 to the vote on saying okay, this is what  
3 we're going to do? Not done.

4 The radiation from those towers --  
5 and correct me if I'm wrong, Mr. Febbo. The  
6 gentleman said tower is high, and whatever  
7 comes out of the tower will go into the  
8 atmosphere. That's called secondary  
9 radiation. Secondary radiation is the most  
10 harmfulest radiation going on. Same way as  
11 an x-ray tech walks into the x-ray room  
12 after they take an x-ray. The secondary  
13 radiation bounces off the walls. She really  
14 gets -- he or she is the one that's getting  
15 hit with that radiation. I know. I was an  
16 x-ray tech. Never listened to what I should  
17 have done, now I'm paying the price for it.

18 We had a lot of cancer in our  
19 neighborhood. My husband had brain cancer,  
20 several people in the neighborhood. I,  
21 myself, have some medical issues. I think  
22 it is a bad thing by putting that up, that  
23 tower. There's houses there, schools there.  
24 It's a safety factor.

25 I know these guys know it's a done

1 deal because at the last meeting the  
2 gentleman from Verizon got up and said I'll  
3 be back. I talked to PPL. I'm going to  
4 have an extension. Nothing was said.  
5 Nothing was voted on. Correct?

6 Then your planning commissioner --  
7 one of your planning people, Piccolini,  
8 voted to have this changed from residential  
9 to commercial. Couple days prior to that  
10 meeting he came from Florida, from the  
11 Mariotti -- from the Mariotti place that  
12 they have out in Florida. The compound out  
13 in Florida.

14 This place is being investigated  
15 now. I think it should be continued to be  
16 investigated on your planning commission.  
17 It's not fair, it's dangerous. People like  
18 my next door neighbor, cancer. Go right  
19 down the list, down the whole street. It's  
20 not a safe place putting that tower up.  
21 You're making people rich who are already  
22 rich, who could care less about what happens  
23 in that town, and I am against it for that  
24 purpose, with the school there, four houses  
25 right there. It's not safe.

1 But Verizon's already been in  
2 contact with PPL, so apparently you guys  
3 must have had a meeting I didn't know about.

4 MR. RUSSELL RINALDI: There was no  
5 meeting.

6 MS. WILK: I know there wasn't,  
7 Russell. I know there wasn't. There is the  
8 assumption of it's a done deal here.

9 MR. HOOVER: I noticed something  
10 going on over there today and I stopped. It  
11 seems like they're putting some kind of a  
12 small tower -- let me finish -- on their  
13 property that's there. It's behind the  
14 fence, I think. I saw it today. It's  
15 probably some existing work that's going on  
16 there. But it has nothing to do with the  
17 new tower --

18 MS. WILK: Mr. Hoover, the first  
19 week of June they were there. I saw  
20 Mariotti in his Mercedes. I graduated with  
21 the guy. PPL was there, Verizon was there.  
22 Well, you got one investigation. You might  
23 have another one because I plan on talking  
24 to one of my friends who's a retired federal  
25 prosecutor.

1 MR. NOTARI: Mrs. Wilk, you said  
2 there was work going on there.

3 MS. WILK: They were down there  
4 about a week -- first week of February.

5 MR. NOTARI: The first week of  
6 February?

7 MS. WILK: Not February, June.  
8 First week of June.

9 MR. NOTARI: Has there been anything  
10 in front of the planning commission that  
11 would have to do with any work on that  
12 property?

13 MR. GOETZ: No, there's not, but  
14 they're doing property maintenance on their  
15 own stuff. Nothing would have to be brought  
16 up in front of planning. My understanding  
17 of what's going on right now is that's  
18 exactly what they're doing. They're already  
19 there. Just basic maintenance. Updating  
20 whatever they have to. There's no permits,  
21 there's no --

22 MR. RUSSELL RINALDI: Let me jump  
23 in. Are they doing work behind the fence?

24 MS. WILK: A whole bunch of them  
25 were there, Russell, the first week of June.



1 MR. RUSSELL RINALDI: Behind the  
2 fence, that's PPL. Am I correct?

3 MS. WILK: No, this is on Mariotti's  
4 property.

5 MR. RUSSELL RINALDI: Well, if  
6 Mr. Mariotti goes on his property --

7 MS. WILK: With Verizon?

8 MR. RUSSELL RINALDI: I'm not saying  
9 he's there with Verizon but --

10 MS. WILK: I saw Verizon.

11 MR. RUSSELL RINALDI: If he pulls up  
12 on his property like you said, we can't stop  
13 someone from going on their own property.

14 MS. WILK: But I saw Verizon. The  
15 man tried to pan off his property to the  
16 school board.

17 MR. RUSSELL RINALDI: But there's  
18 representatives here from the tower.  
19 Gentlemen, just so we can clarify, is  
20 there -- you guys don't have any dealings  
21 with anything behind the fence, do you?

22 ATTY. SOLFANELLI: No. I represent  
23 the applicant for the zoning change, Summit  
24 Tower. If you recall, three weeks ago we  
25 had extensive hearings on this zoning

1 change.

2 As far as activity there -- and as  
3 you heard from us, we've been in contact  
4 with PPL and Verizon and other companies in  
5 formulation of a potential plan that we  
6 would put there. We're obviously not here  
7 to go through the project without talking to  
8 people about what would go where, how do we  
9 do it. So there's been contact. It's  
10 obviously not us. We told you the  
11 communications we had. They were brought  
12 forth at the meeting. There's not active  
13 work being done on the Bell property parcel.  
14 PPL, on their property, is doing work for  
15 whatever they do. Those are operating  
16 transformers.

17 But there is nothing -- as you know,  
18 there's various steps that would go to that  
19 ultimate project we're discussing. Change  
20 of zoning, we presented evidence at the  
21 hearing. I don't want to get ahead of  
22 anybody else. All of you had various  
23 questions and concerns that I think we got  
24 into great detail about with some of the  
25 experts. They did cover some of this.

1 But there's obviously several steps  
2 left. We've been open about where we are in  
3 the planning stage, what was done, what we  
4 plan on doing.

5 MR. RUSSELL RINALDI: I just asked  
6 you because --

7 ATTY. SOLFANELLI: There's no  
8 activity.

9 MR. RUSSELL RINALDI: The work being  
10 done behind the fence --

11 ATTY. SOLFANELLI: That would not be  
12 us. There are procedural steps that would  
13 come before the ultimate fruition of the  
14 project in accordance with the law and  
15 borough policies that we would be following.  
16 Of course we're going to be there because we  
17 have more things to do before we can do  
18 anything.

19 MS. WILK: Yeah, right, Dave.

20 MR. RUSSELL RINALDI: Mrs. Wilk,  
21 anything else?

22 MS. WILK: No.

23 MR. RUSSELL RINALDI: Dave  
24 Merhalski?

25 MR. MERHALSKI: Storm drain problems

1 on Mowry Street, Kelly Drive and Lori Lane.  
2 When we have a heavy rain storm the water  
3 comes down, there's no storm drains on the  
4 streets, and it collects off to the side of  
5 Mucciolo's house. It's a big lake. So it's  
6 a catastrophe waiting to happen. Even in  
7 the wintertime, when it thaws out you get  
8 ice. It's a big river. There's no storm  
9 drains there at all.

10 MR. RUSSELL RINALDI: If you give  
11 those street names to our borough manager  
12 she'll have our DPW manager go up there.

13 MR. MERKOWSKI: At one time there  
14 must have been a bore hole there where it  
15 drained down. Also, when we had the flood  
16 that time up by Saint Stan's, where the  
17 creek washed out, the road that's going up  
18 on Mine Street going up by the cemetery,  
19 does anybody have any idea who owns that  
20 road going to the cemetery? Is it the  
21 diocese or Saint Mary's? Back in the day  
22 the borough paved that road. They plowed  
23 that road. If it wasn't for Carl from the  
24 firehouse -- he's the one that put the pipes  
25 back in or we wouldn't be able to go up

1                   there.

2                   MR. RUSSELL RINALDI: If you want to  
3                   give us until tomorrow, let the solicitor  
4                   pull the deed and find out who owns the  
5                   road. We'll have him investigate it.

6                   MR. MERKOWSKI: Thank you.

7                   MR. RUSSELL RINALDI: Thank you. TJ  
8                   Cusumano?

9                   MR. CUSUMANO: I'm just here to get  
10                  council approval on a subdivision that the  
11                  planning commission already approved. I  
12                  think the engineer looked at it.

13                  MR. RUSSELL RINALDI: You're under  
14                  new business tonight for a vote. If you  
15                  want to stick around for new business.  
16                  You're item seven.

17                  Joe Tagliaterra?

18                  MR. TAGLIATERRA: I have several  
19                  questions about a business that's down the  
20                  bottom of our street. It's Butler Street.  
21                  It's turning into a nuisance. We got  
22                  motorcycles screaming all around up and down  
23                  the alley, cars that they work on. I don't  
24                  know what they do down there.

25                  MR. RUSSELL RINALDI: Not to

1 interrupt you, but are you talking about the  
2 garage on the --

3 MR. TAGLIATERRA: Yeah, Ronnie's old  
4 garage. Cars parked all over the place.  
5 People can't get up, people can't get down.  
6 It's not a really wide road. Noise all the  
7 time with these four wheelers. They're  
8 getting on them, tweaking them out, zipping  
9 up and down the allies, going up and down  
10 Main Street constantly. I don't know where  
11 the cops are.

12 But this is what's going on.  
13 There's cars all over the place. They're  
14 pulling cars out of there, bringing cars  
15 back down the hill on tows, whatever. If  
16 something happens there -- there's a lot of  
17 elderly people on both streets, Garbler  
18 Street, Butler Street. You know, an  
19 emergency vehicle will never get up there in  
20 time.

21 I just want to know do these guys  
22 have permits? Are they licensed to do what  
23 they're supposed to be doing there? What  
24 exactly are they doing there and do they  
25 have the proper setup there? Do they have

1 the proper permits and licenses and things  
2 like that?

3 MR. RUSSELL RINALDI: Chris, are  
4 they all permitted up there?

5 MR. HART: Yes, they are in  
6 compliance with everything.

7 MR. RUSSELL RINALDI: Are you  
8 gentlemen here from -- we'll let you speak  
9 in a moment. Let me talk with the zoning  
10 officer.

11 Are they permitted?

12 MR. HART: Yes, they're in  
13 compliance with everything. They're an auto  
14 shop. A mechanic's garage. It's  
15 commercially zoned. They're within every  
16 ordinance in town. They're not permitted to  
17 paint, they're not painting. I've been  
18 there multiple times. You can speak to  
19 Jason. We checked cars, motorcycles, quads.  
20 Everything is legal, legit.

21 MR. TAGLIATERRA: They're permitted  
22 to drive all over the place?

23 MR. HART: That is not an issue with  
24 zoning or anything with the business.  
25 That's a police matter. But when it comes

1 to zoning, when it comes to their business  
2 operating they are within compliance with  
3 everything.

4 MR. HOOVER: Hours of operation?

5 MR. HART: As far as I'm concerned,  
6 yes. I mean, they're there eight to five.  
7 I mean, whatever happens after my hours when  
8 I'm out --

9 MR. HOOVER: Do they know they have  
10 to stop working at five? They can't --  
11 because I get complaints.

12 MR. RUSSELL RINALDI: They're here.

13 MR. HART: They're right here. Our  
14 noise ordinance, I don't know how that  
15 works, but at the end of the day it is their  
16 property. I can't go if they're not  
17 breaking any zoning laws or anything like  
18 that or breaking any ordinances on my end.  
19 Everything else is complaints to the police.

20 CHIEF DUBERNAS: The complaint we  
21 got was at 11:00 at night. We had one phone  
22 call about motorcycles.

23 MR. RUSSELL RINALDI: You responded  
24 to it? What did we find?

25 CHIEF DUBERNAS: They were in the



1 garage. It was not on the roadway but they  
2 were in the garage. I'd have to look at the  
3 report on exactly what happened there. I  
4 want to say it was a Friday night they said  
5 they were in the middle of the roadway  
6 revving a bike up. When they came there was  
7 nobody there but they were in the garage.

8 MR. TAGLIATERRA: So the hours of  
9 operation are from?

10 MR. RUSSELL RINALDI: Gentlemen,  
11 what are your hours of operation?

12 MR. MERRITT: Paul Merritt. Our  
13 hours of operation are normally eight to  
14 five, like you said, but there's times --  
15 like, I have a pregnant wife at home. I  
16 have doctors appointments once a week, so  
17 there's times where I'll stay there later on  
18 in the day. Until last week I was unaware  
19 of the hours that we're supposed to be open  
20 to. I heard there was a noise ordinance at  
21 8:00 instead of 11:00.

22 Now, we aren't from here. We're  
23 from Scranton. So down in Scranton it's  
24 11:00. You're allowed to make all the noise  
25 you want no matter what you do until 11:00.

1 Up here we were told it was 8:00. We have  
2 not been there past 9:00, maybe 10:00, and  
3 he makes no noise. We shut the door down at  
4 8:00 so you can't hear nothing outside. If  
5 we have to rev something up we shut down and  
6 wait until the next morning to do it.

7 As far as cars being towed in and  
8 out of there, we're an auto garage. We  
9 change motors, transmission. Sometimes  
10 things don't come out right from the  
11 junkyard or we'll have a customer bring a  
12 part in, they grab the wrong part. So we  
13 have to wait on it. Like, we have a job now  
14 tied up. We have the wrong motor from the  
15 junkyard. Still waiting for the right one.

16 When something like that occurs,  
17 then we have other stuff that comes in we'll  
18 push, tow it -- actually a neighbor came out  
19 and gave us a tow chain and said use this.  
20 It's a lot stronger. We've been using that  
21 ever since.

22 Not only that, you guys are going up  
23 the street around 50, 70 miles an hour. I  
24 got multiple people that drive up there.  
25 Red pickup truck, Lexus, Audi, Volkswagon --

1 MR. TAGLIATERRA: Not mine. I can't  
2 afford that.

3 MR. MERRITT: I'm not here to  
4 complain or cause problems. I'm doing  
5 everything by law. Everything in my power  
6 to make sure I don't make the neighbors any  
7 more mad than they already are.

8 MR. TAGLIATERRA: So 5:00 is shut  
9 down time.

10 MR. RUSSELL RINALDI: 8:00 is the  
11 noise ordinance. Business hours, eight to  
12 five. Eight clock is the noise ordinance.

13 Ben Tomeo?

14 MR. TOME0: Benjamin Tomeo, 199  
15 Marion Street, Old Forge. Coming a little  
16 bit late into this regarding my  
17 understanding and my neighbors talking to me  
18 about this proposed cell tower. It's right  
19 across the street from my house and theirs.  
20 There are a litany of concerns that people  
21 have, echoing a lot of the same that Joan  
22 was saying. Are you going to vote on this  
23 ordinance tonight?

24 MR. RUSSELL RINALDI: This is under  
25 new business tonight.

1 MR. TOMEO: Then I'll try to be as  
2 brief as possible. I would like to address  
3 this issue at three levels. One would be  
4 the community level. The health, safety.  
5 It's next to a multi-thousand watt power  
6 station, and they want to put this tower up  
7 there and there's already thousand-foot  
8 poles carrying power lines across the school  
9 grounds and in the neighborhood. There's  
10 already a major power station there.

11 A cell station, a school and  
12 residents, God forbid. Could terrorists  
13 want a better target than that? Just think  
14 about that for a second. Me, it's going to  
15 happen.

16 The health value. Joan addressed a  
17 lot of that. We know that there are things  
18 that are very harmful that come from cell  
19 towers. Why does this has got to be put in  
20 the middle of the people of our town? It's  
21 not necessary unless -- it's not a public  
22 utility. This is a commercial business.  
23 These aren't, you know, the eminent domain  
24 types of situations where it needs to be  
25 there. Doesn't need to be there. You know,

1           it's detrimental to just about everything  
2           around there. Home values. You know,  
3           there's a legal level there.

4                     Let me just read the definition of  
5           spot zoning. This property is surrounded on  
6           four sides by an R-2 zone, and even if it  
7           was three it would have to be under very  
8           close scrutiny. "The process of singling  
9           out a small parcel of land for use  
10          classification totally different from that  
11          of surrounding area for the benefit of the  
12          owner of such property and to the detriment  
13          of other owners." That's exactly what we  
14          have here, and it's just not good for  
15          citizens.

16                    Now, I came late because they just  
17          came and let me know about this stuff. Just  
18          a little quick studying about it. I hope  
19          you haven't already made up your mind.  
20          Please. This is really kind of important.  
21          I'm on my way out, I don't give a damn, but  
22          I do have some community responsibility. I  
23          feel this is a very irresponsible thing to  
24          do to this community in just about every  
25          other way.

1                   At a personal level, I can tell you  
2                   I don't know what's going on here. I think  
3                   it needs a really good going over before a  
4                   decision is made that we're going to regret  
5                   later, we're not going to be able to take  
6                   back. The people in town are going to get  
7                   up one morning and they're going to look out  
8                   their window and see this huge tower from  
9                   all over the town. You know what they're  
10                  going to hash tag? OMG. Who shot in my  
11                  bidet.

12                  Now, who is it that's behind this  
13                  and why is this happening before you guys  
14                  haven't even -- they're working on stuff  
15                  constantly there. I don't know what the  
16                  hell they're doing. Work for PPL or working  
17                  for the cell tower. But there's towers  
18                  going up there. I have photos of them right  
19                  here. There's already a tower platform  
20                  there.

21                  MR. RUSSELL RINALDI: The gentlemen  
22                  are right behind you. They already  
23                  addressed Mrs. Wilk. There's none of their  
24                  work taking place there. Am I correct to  
25                  say that?

1 MR. TOMEO: Can you verify that  
2 before you vote on this? Unless you guys  
3 already have your minds made up.

4 MR. HOOVER: No.

5 MR. NOTARI: I don't have my mind  
6 made up.

7 MR. RUSSELL RINALDI: It's nothing  
8 about our minds being made up, but there's  
9 work being done behind the fence. They  
10 don't own property behind the fence.

11 MR. TOMEO: I don't care about --

12 MR. RUSSELL RINALDI: Well, you're  
13 saying that's where the work is being  
14 performed.

15 MR. TOMEO: We don't know what it's  
16 all about.

17 MR. RUSSELL RINALDI: They have no  
18 rights to that property.

19 MR. TOMEO: Sixty percent of that  
20 property was one owner, the other 40 percent  
21 belongs to the school district.

22 MR. RUSSELL RINALDI: The property  
23 owner is public record.

24 MR. TOMEO: I thought it was the  
25 Mariotti family.

1 MR. RUSSEL RINALDI: It is.

2 MR. TOME0: But we just want to know  
3 how much of this is going on and why it's  
4 necessary. I mean, we're just little guys  
5 in the neighborhood. That cell tower, you  
6 know, I don't want the Eiffel Tower next to  
7 my house. This is right next to my house.  
8 I didn't even know it was going on before  
9 now.

10 God forbid anything happens there.  
11 That tower comes down it's going to hit the  
12 power grid, it's going to knock the power  
13 grid off, knock the school off, and the  
14 safety of the school. They've already  
15 trampled on that with their power lines.  
16 But that may be what's necessary because of  
17 eminent domain.

18 This is a private company trying to  
19 use that for business, private business, and  
20 asking us as a community, a town to rezone  
21 it so they could put their business on a  
22 residential area. This is wrong. This is  
23 wrong. I really implore you to really think  
24 about this before you decide what effect  
25 this is going to have on our community.



1 It's not going to be good. I don't want to  
2 live next to the Eiffel Tower. I don't  
3 care. If it had to be, it had to be. But  
4 this is not necessary. Just all business,  
5 all money. That's about all I can say.  
6 Vote your conscience.

7 MR. RUSSELL RINALDI: Just to let  
8 you know before you leave the table, this  
9 isn't something that just started. This has  
10 been a process for months and months on end.  
11 So it isn't just like a surprise.

12 MR. TOMEO: I understand that, and  
13 I'm sorry to be Johnny-come-lately.

14 MR. RUSSELL RINALDI: My explanation  
15 to you, in no way, shape or form am I  
16 speaking in defense of the company. I'm  
17 just giving you the information as a  
18 representative to you.

19 The property was legally advertised.  
20 There was a public hearing last month on  
21 this. Members of the public were invited to  
22 come if they wanted to address. They had a  
23 lot of their people here last time. But  
24 they had experts here last time, they ran  
25 down everything with council and the public

1 at the meeting. They went through the  
2 allowable heights of the tower, the band  
3 width that comes off, if the tower was to  
4 fall. I think if you were here at the last  
5 meeting they would have -- I'm not saying  
6 they would have made you comfortable, but  
7 they would have definitely answered a lot of  
8 your questions. If you have questions for  
9 them turn right around and ask them.

10 MR. TOMEO: Council should not move  
11 on this tonight until we look into it a  
12 little bit more because the neighbors are  
13 just starting and they got a hold of me.  
14 I'm responsible for them. I just think we  
15 need to rethink this a little bit before we  
16 go ahead with that. You guys feel like you  
17 got it all wrapped up, but ultimately people  
18 nearest it are going to pay for this. It's  
19 not necessary. Just somebody's business,  
20 and it's spot zoning, by the way. I'd take  
21 you to court on that.

22 MR. RUSSELL RINALDI: Any other  
23 questions?

24 MR. TOMEO: No.

25 MS. SHELSKI: Ann Shelski, and I

1 live directly across from this tower. I  
2 said I'd like to know if any member here  
3 would like to live directly across from this  
4 tower and feel safe.

5 MR. RUSSELL RINALDI: Are you  
6 directing your question towards anybody?

7 MS. SHELSKI: Everybody.

8 MR. RUSSEL RINALDI: I can answer  
9 for myself. Do you want to ask me? Okay.  
10 If the concerns were addressed, like what  
11 I've heard over the past few months, and I  
12 think it's even longer. We sat through  
13 these meetings -- I sat through them, all  
14 public. Anyone was able to attend them.  
15 They came forth and explained to us, like I  
16 was giving Mr. Tomeo an explanation, if the  
17 tower were to fall, how high it is, the band  
18 width that comes off of it. If all that is  
19 proven to be 100 percent accurate and all of  
20 that was 100 percent expertise and all after  
21 was 100 percent covered, me personally, as  
22 long as it's built to the ordinance, as long  
23 as it's followed by the code, well, then it  
24 wouldn't bother me. I don't know how other  
25 members can answer, but I can only answer

1 that for myself.

2 MR. TOME0: Okay. The idea of it is  
3 you don't have to.

4 MR. RUSSELL RINALDI: No, I just  
5 answered a citizen's question.

6 MR. TOME0: We have to live next to  
7 it.

8 MS. SHELSKI: And we have no choice.

9 MR. TOME0: Sorry I came so late,  
10 but I just learned about this. I didn't see  
11 any public notification. I don't know where  
12 these meetings were published, when they  
13 were held. I don't have any of that  
14 background. I think that it's going to be  
15 reviewed.

16 MR. RUSSELL RINALDI: They were all  
17 in the newspaper.

18 MR. TOME0: Do we have proof that  
19 these were all published and everything?  
20 Because I can't believe I missed that.

21 MR. RUSSELL RINALDI: Are you asking  
22 if we have proof? We have copies of all the  
23 ads that are published in the --

24 MR. TOME0: Can we look at those?

25 MR. RUSSELL RINALDI: Could you get

1 a copy? Of course you can. Call the  
2 borough office tomorrow. Our borough  
3 manager will have one of the secretaries get  
4 you a copy.

5 MR. TOME0: This meeting with this  
6 as a subject was not published for tonight.  
7 This subject was not published, that there  
8 was going to be a zoning vote -- I mean, a  
9 council vote on this zoning ordinance. Not  
10 published.

11 MR. RUSSELL RINALDI: That doesn't  
12 have to be published. What he's talking  
13 about is we don't have to publish our  
14 agenda. That's what I meant. This one in  
15 particular was published, but, I mean --

16 ATTY. RINALDI: There was an ad  
17 placed that the ordinance will be considered  
18 at the meeting.

19 MR. RUSSELL RINALDI: But we don't  
20 publish our entire agenda, but this  
21 particular one was published.

22 MR. TOME0: Can you tell me what  
23 you're going to vote on before you vote on  
24 it? We're going to hear that?

25 MR. RUSSELL RINALDI: Yeah, you're

1 going to hear it. It will be read, if it  
2 even comes to the table.

3 MR. TOME0: Just on behalf of my  
4 neighbors and myself. Obviously, I'm not  
5 going anywhere. I'm at the end of the road.  
6 I don't give a shit. But there's a lot of  
7 other people who are going to be impacted by  
8 a lot of things. If it's not necessary, you  
9 know, why cause people's lives disruption so  
10 one guy can profit. That's the story of  
11 life, but it doesn't have to be. Do the  
12 best you can.

13 MR. NOTARI: Attorney Rinaldi, if  
14 this motion passes on the change in  
15 ordinance, if they want to put a cell tower  
16 on their property they have to go to  
17 planning?

18 ATTY. RINALDI: You're voting to  
19 extend the C-2 district through the three  
20 lots to make them within a C-2 district. So  
21 they're currently R-2. You're changing the  
22 zoning to C-2 highway commercial. Now, that  
23 means anything in a C-2 highway commercial  
24 district can be -- if it was adopted could  
25 be put in that area. One of those things is

1 a cell tower if they get approval from  
2 planning.

3 MR. NOTARI: That's a special  
4 exception.

5 ATTY. RINALDI: They can't even make  
6 an application to put a cell tower there  
7 because of the zone. It's an R-2 zone.

8 MR. NOTARI: So they would then go  
9 to planning and planning would have to give  
10 them their blessing, and then they'd have to  
11 come back to us and then we would have to  
12 give them our blessing?

13 ATTY. RINALDI: Yes.

14 MR. TOMEO: You're not making any  
15 kind of final decision tonight?

16 MR. NOTARI: Not on a cell tower,  
17 just on the zoning.

18 MR. TOMEO: Who's advised you on the  
19 legality of really even considering the  
20 zoning? What really is the reason? It's  
21 already got, you know, grandfathered in  
22 super heavy duty power conduction plant,  
23 thousand-foot poles going all the way up the  
24 hill. How much are you going to put on it  
25 there and cause them financial and health?

1 We don't know what the hell the cell tower's  
2 going to do. That's all.

3 MR. RUSSELL RINALDI: Keith  
4 Leshinski?

5 MR. LESHINSKI: Congratulations on  
6 your appointment, Russell, Mr. Notari and  
7 Mr. Komensky. So, now I just heard -- you  
8 know I'm here about the garage at the bottom  
9 of my street, three years. Russell, you're  
10 president. I'm going to ask you who thought  
11 it was funny for me to keep coming back to  
12 every meeting every month if there was  
13 nothing wrong? To keep coming back?

14 MR. RUSSELL RINALDI: If you're  
15 asking me if I thought it was funny, I don't  
16 think it was funny at all.

17 MR. LESHINSKI: Why won't anybody  
18 tell me that it was zoned correctly, that  
19 I'm barking up the wrong tree?

20 MR. RUSSELL RINALDI: I think that  
21 it's zoned -- to answer your question or to  
22 answer Mr. Tagliaterra's question, the  
23 zoning is for the business that they're  
24 doing. You were coming forth and saying  
25 that they were doing a chop shop, you were



1 coming forth saying they were doing  
2 basically illegal activity. Correct?

3 MR. LESHINSKI: Right.

4 MR. RUSSELL RINALDI: It's not zoned  
5 for that stuff. But every time we send our  
6 zoning officer there or we send the police  
7 there the business they're running is a  
8 legal business and that's zoned correct.

9 But I think what you're saying is --  
10 and don't take offense -- your speculation  
11 of their business, if you see them doing  
12 what you think might be illegal and then you  
13 bring it to our attention, it's not zoned  
14 for that type of stuff.

15 MR. LESHINSKI: Like, all the zoning  
16 guy had to do is tell me Mr. Leshinski, a  
17 phone call, it is okay to be like that, and  
18 I wouldn't be all upset and coming here and  
19 complaining.

20 MR. FEBBO: Let me jump in. We did  
21 not know exactly what it was zoned for until  
22 Chris came on board and did extensive  
23 research into what is allowed and what is  
24 not allowed. We just found that out since  
25 he came on board last month.

1 MR. LESHINSKI: Awesome. Your  
2 extensive research, between an auto body  
3 shop and a mechanical shop, is there a  
4 difference?

5 MR. HART: It's not an auto body  
6 shop.

7 MR. LESHINSKI: Is there a  
8 difference between an auto body shop and a  
9 mechanical shop, is what I asked you?

10 MR. HART: Yes, but they also can  
11 both be combined together because --

12 MR. LESHINSKI: I'm asking you a  
13 question. All I'm asking for is an answer.

14 MR. HART: I just gave it to you.

15 MR. LESHINSKI: So there is a  
16 difference. So in a mechanical shop what  
17 gets done? By description of our code, our  
18 borough code, by description of it you're  
19 telling me that if you go in to get your air  
20 conditioner fixed that's a mechanical shop.  
21 Correct?

22 MR. HART: Correct.

23 MR. LESHINSKI: If you go in to  
24 build a car that's not a body shop?

25 MR. HART: That's also mechanical as

1 well.

2 MR. LESHINSKI: That's mechanical?  
3 Why do they separate it from a body shop to  
4 a mechanical shop, then?

5 MR. HART: How can you say that a  
6 body shop is not mechanical as well?

7 MR. LESHINSKI: Because it's body.  
8 Why do they make a difference of it? Why do  
9 they distinctly say it's different?

10 MR. HART: At the end of the day  
11 it's still mechanical. If you get into an  
12 accident with a vehicle where do you take  
13 it?

14 MR. LESHINSKI: Why do they make it  
15 distinctively different in our borough code?

16 MR. RUSSELL RINALDI: Gentlemen,  
17 gentlemen, gentlemen. Keith, Keith, there's  
18 no reason for either one to raise your  
19 voices.

20 MR. LESHINSKI: Why was Ronnie Coles  
21 fined in the beginning, a year ago?

22 ATTY. RINALDI: Because he could  
23 operate there, but the way he was operating  
24 he was violating --

25 MR. LESHINSKI: Yous knew all this

1 stuff and you let me come and do this stuff?

2 MR. NOTARI: No.

3 MR. LESHINSKI: Now he comes, he  
4 says three weeks, and there's two different  
5 codes.

6 ATTY. RINALDI: Do you want me to  
7 finish?

8 MR. LESHINSKI: I don't know if I  
9 want to hear it.

10 ATTY. RINALDI: We fined Ronnie  
11 Coles because he was parking vehicles on the  
12 street. That was your complaint.

13 MR. LESHINSKI: Right, many  
14 complaints.

15 ATTY. RINALDI: He's only allowed --  
16 which the new owner is -- allowed to have so  
17 many vehicles on the premises, and it  
18 equates to how big his building is. That's  
19 what he was fined for. He went over that  
20 and we fined him, among other things we  
21 fined him for.

22 MR. LESHINSKI: So when they say  
23 there's vanilla ice cream and chocolate ice  
24 cream, two different things. Correct? If  
25 they put in our code book a mechanical shop

1 and a body shop, two different things.  
2 Correct? I'm just asking you a question.  
3 You're an attorney. I'm asking you a  
4 question.

5 ATTY. RINALDI: I'll review it, but  
6 to me --

7 MR. LESHINSKI: You'll review it.  
8 Everybody broke out their phones all the  
9 time. Now this guy's going to tell us that  
10 that's what the rule is? There's a body  
11 shop rule and there's a mechanical shop  
12 rule. They got a mechanical shop rule, and  
13 I'll show you cars right now that are  
14 smashed beyond recognition. And they got  
15 more cars there than Ronnie.

16 And you think that all of our  
17 neighbors, you think we've been sitting  
18 around wanting to make this up? Like I  
19 didn't want this to happen? And then I got  
20 to deal -- all yous had to do -- dude, you  
21 better be quiet. I'm telling you now. I'm  
22 telling you now. You better be quiet.

23 Listen, I'm not getting any  
24 satisfaction nowhere. Not paying taxes, and  
25 now it went from blaming it not on the cops

1 to blaming it on the code and the code guys  
2 right now. Now it went both ways. It went  
3 backwards. Ronnie was fined, now they're  
4 not. They got just as many cars on their  
5 lot. I almost got hit by a quad the other  
6 day. I've been coming to you guys for three  
7 and a half years and nothing's getting done.  
8 The cops blame it on code, code's blaming it  
9 on the cops now, now nothing's getting done.  
10 All these neighbors, all these husbands,  
11 wives, fathers, people that work are all  
12 lying. They have nothing better to do.

13 I almost got hit head-on by a quad  
14 the other day in my own neighborhood where  
15 I've lived for 25 years, and I got people  
16 laughing at me and making faces. You think  
17 I'm having a baby? Is that what you asked  
18 we that one day? You think I'm pregnant.

19 They call themselves a salvage yard  
20 on Facebook. They're selling junk cars.  
21 They're buying cars and building one car out  
22 of three. It's illegal. It's not a  
23 mechanic shop. He needs to read more.

24 MR. RUSSELL RINALDI: Who needs to  
25 read more?

1 MR. LESHINSKI: Our zoning guy.  
2 He's incorrect. I called you three times.  
3 Correct? You haven't called me back.

4 MR. HART: I'd call you back, but  
5 every time I speak with you you get hostile  
6 and --

7 MR. LESHINSKI: It's not true. I've  
8 never spoken to him in my life. And you  
9 know me. I haven't spoken to him in my  
10 life. I gave him my number last meeting and  
11 I was quiet. I haven't seen him since. You  
12 know me all my life.

13 MR. RUSSELL RINALDI: I don't think  
14 you're a liar.

15 MR. LESHINSKI: He just told me he  
16 spoke to me and I got hostile. I'm done  
17 with that.

18 MR. RUSSELL RINALDI: I don't think  
19 you're a liar or a hostile person, but I  
20 can't attest to who you speak to or not. I  
21 don't know who people speak to beside  
22 myself.

23 MR. LESHINSKI: Well, I'm telling  
24 you I never spoke to him and he just told  
25 you he spoke to me and I got hostile with