

OLD FORGE BOROUGH COUNCIL
OLD FORGE, PENNSYLVANIA

IN RE: COUNCIL MEETING

JUNE 20, 2023
7:00 p.m.
310 SOUTH MAIN STREET
OLD FORGE, PENNSYLVANIA

APPEARANCES:

RUSSELL RINALDI, PRESIDENT

JIM HOOVER

ANDY BUTLER

LOU FEBBO

DAVID LOPATKA, BOROUGH ENGINEER

BOB LEGG, MAYOR

BILL STULL, ASSISTANT FIRE CHIEF

WILLIAM RINALDI, ESQUIRE, SOLICITOR

JASON DUBERNAS, CHIEF OF POLICE

JOSEPH LENCESKI, DPW MANAGER

MIKE SOKOLOWSKI, ZONING/CODE ENFORCEMENT OFFICER

MOLLIE GILL, RPR
COURT REPORTER

1 MR. RUSSELL RINALDI: Good evening,
2 ladies and gentlemen. I would like to call
3 the meeting to order with the Pledge of
4 Allegiance, please.

5 (Pledge of Allegiance.)

6 MR. RUSSELL RINALDI: Roll call,
7 please, Bill.

8 ATTY. RINALDI: Ms. Avvisato.
9 Absent.

10 Mr. Butler.

11 MR. BUTLER: Here.

12 ATTY. RINALDI: Mr. Febbo.

13 MR. FEBBO: Here.

14 ATTY. RINALDI: Mr. Hoover.

15 MR. HOOVER: Here.

16 ATTY. RINALDI: Mr. Lettieri.

17 Absent.

18 Mr. Notari.

19 MR. NOTARI: Present.

20 ATTY. RINALDI: Mr. Rinaldi.

21 MR. RUSSELL RINALDI: Here.

22 Once again, ladies and gentlemen,
23 welcome to the Old Forge Borough Council
24 meeting. Tonight is Tuesday, June 20, 2023.
25 The purpose of our meeting is to go through

1 a few housekeeping motions. We'll hear from
2 our dependent heads. We'll go down the
3 table and hear from our council members and
4 our mayor. There's a public sign-in sheet
5 that the chief of police has if anybody
6 would like to sign it. At the end of the
7 meeting, we'll give you a few minutes to
8 address us.

9 With that said, we'll move into our
10 first housekeeping motion, and it's going to
11 be a motion to approve the minutes of the
12 prior meeting.

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

14 MR. RUSSELL RINALDI: Motion on the
15 floor by Councilman Febbo.

16 MR. NOTARI: Second.

17 MR. RUSSELL RINALDI: Second by
18 Councilman Notari.

19 On the question. Public input.
20 Roll call, please.

21 ATTY. RINALDI: Mr. Butler.

22 MR. BUTLER: Yes.

23 ATTY. RINALDI: Mr. Febbo.

24 MR. FEBBO: Yes.

25 ATTY. RINALDI: Mr. Hoover.

1 MR. HOOVER: Yes.

2 ATTY. RINALDI: Mr. Notari.

3 MR. NOTARI: Yes.

4 ATTY. RINALDI: Mr Rinaldi.

5 MR. RUSSELL RINALDI: Yes.

6 Second item is motion to approve the
7 treasurer's report. Please note this does
8 not include the sewer account.

9 MR. NOTARI: I'll make that motion,
10 Mr. Chairman.

11 MR. RUSSELL RINALDI: Motion on the
12 floor by Councilman Notari.

13 MR. BUTLER: I'll second it.

14 MR. RUSSELL RINALDI: Second by
15 Councilman Butler.

16 On the question. Public input.
17 Roll call, please.

18 ATTY. RINALDI: Mr. Butler.

19 MR. BUTLER: Yes.

20 ATTY. RINALDI: Mr. Febbo.

21 MR. FEBBO: Yes.

22 ATTY. RINALDI: Mr. Hoover.

23 MR. HOOVER: Yes.

24 ATTY. RINALDI: Mr. Notari.

25 MR. NOTARI: Yes.

1 ATTY. RINALDI: Mr Rinaldi.

2 MR. RUSSELL RINALDI: Yes.

3 Third item is motion to approve
4 invoices for payment. Once again, please
5 note this does not include the sewer
6 account.

7 MR. NOTARI: I'll make that motion,
8 Mr. Chairman.

9 MR. RUSSELL RINALDI: Motion on the
10 floor by Councilman Notari.

11 MR. BUTLER: I'll second.

12 MR. RUSSELL RINALDI: Second by
13 Councilman Butler.

14 On the question. Public input.
15 Roll call, please.

16 ATTY. RINALDI: Mr. Butler.

17 MR. BUTLER: Yes.

18 ATTY. RINALDI: Mr. Febbo.

19 MR. FEBBO: Yes.

20 ATTY. RINALDI: Mr. Hoover.

21 MR. HOOVER: Yes.

22 ATTY. RINALDI: Mr. Notari.

23 MR. NOTARI: Yes.

24 ATTY. RINALDI: Mr. Rinaldi.

25 MR. RUSSELL RINALDI: Yes.

1 Fourth item is a motion to approve
2 treasurer report for the sewer department.

3 MR. BUTLER: I'll make that motion.

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

6 MR. HOOVER: I'll second that.

7 MR. RUSSELL RINALDI: Second by
8 Councilman Hoover.

9 On the question. Public input.
10 Roll call, please.

11 ATTY. RINALDI: Mr. Butler.

12 MR. BUTLER: Yes.

13 ATTY. RINALDI: Mr. Febbo.

14 MR. FEBBO: Yes.

15 ATTY. RINALDI: Mr. Hoover.

16 MR. HOOVER: Yes.

17 ATTY. RINALDI: Mr. Notari.

18 MR. NOTARI: Yes.

19 ATTY. RINALDI: Mr Rinaldi.

20 MR. RUSSELL RINALDI: Yes.

21 Last item is motion to approve sewer
22 department invoices for payment.

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

24 MR. RUSSELL RINALDI: Motion on the
25 floor by Councilman Hoover.

1 MR. NOTARI: I'll second it.

2 MR. RUSSELL RINALDI: Second by
3 Councilman Notari.

4 On the question. Public input.
5 Roll call, please.

6 MR. BUTLER: Yes.

7 ATTY. RINALDI: Mr. Febbo.

8 MR. FEBBO: Yes.

9 ATTY. RINALDI: Mr. Hoover.

10 MR. HOOVER: Yes.

11 ATTY. RINALDI: Mr. Notari.

12 MR. NOTARI: Yes.

13 ATTY. RINALDI: Mr Rinaldi.

14 MR. RUSSELL RINALDI: Yes.

15 We'll move into our department
16 heads. The first department is DPW manager
17 Joseph Lenceski. We have his report.

18 Joe, do you have anything to add to
19 the meeting?

20 MR. LENCESKI: Nothing to add to the
21 meeting.

22 MR. RUSSELL RINALDI: Does anybody
23 have any questions for Joe?

24 MR. BUTLER: Adeline Strazik called
25 me thanking everybody. She said the drain

1 is working great.

2 MR. NOTARI: Good.

3 I got a call from a resident on Mine
4 Street asking if we still had a CEDO
5 program, and I told them, no, we haven't had
6 a CEDO program in 20 or 25 years. The
7 complaints about the drainage being
8 overgrown at the top of Mine Street. Do you
9 know anything about that?

10 MR. LENCESKI: Top of Mine?

11 MR. NOTARI: I don't think it's the
12 alley behind his house, but I think it's
13 something -- whatever is coming down the
14 front, any of those drains that are right in
15 front of the property.

16 MR. LENCESKI: I can definitely take
17 a look.

18 MR. NOTARI: Take a look. I'll give
19 you his number if you want to call him. He
20 would be happy to talk.

21 MR. LENCESKI: Okay. Great. After
22 the meeting.

23 MR. NOTARI: Yeah.

24 MR. LENCESKI: Okay.

25 MR. NOTARI: Couple other things.

1 Entrance to Pagnotti Park is starting to
2 become overgrown. Is there any way to cut
3 those back if we have some time? Right at
4 the gate.

5 MR. LENCESKI: Actually, during the
6 brush hog last week --

7 MR. NOTARI: Oh, I was there
8 Saturday, and it was still -- was I there
9 Saturday? Saturday I was there.

10 MR. LENCESKI: Connell Street or
11 going actually up?

12 MR. NOTARI: No -- actually. When
13 you go to make the turn.

14 MR. LENCESKI: Okay. Yeah. I
15 talked to Frank about that.

16 MR. NOTARI: Okay. And the other
17 thing is -- and I know I ask this every
18 year, and I never remember what the answer
19 is. The corner of First and Smith Street
20 where the stop sign is. The trees are
21 starting to grow into the street. Is that
22 our responsibility or is that the property
23 owner's responsibility?

24 MR. LENCESKI: I'll have to look at
25 the map.

1 MR. NOTARI: Okay. It's right at
2 the stop sign is where all the trees are
3 growing into the road. That's all I have.
4 Thanks, Joe.

5 MR. LENCESKI: Okay. You're
6 welcome.

7 MR. RUSSELL RINALDI: Anyone else
8 have any questions for Joe?

9 Thank you, Joe.

10 MR. LENCESKI: You're welcome.
11 Thank you.

12 MR. RUSSELL RINALDI: You're
13 welcome.

14 Code enforcement zoning officer Mike
15 Sokolowski. Anything to add for the
16 meeting, Mike?

17 MR. SOKOLOWSKI: No, I have nothing.

18 MR. RUSSELL RINALDI: Anybody have
19 any questions for Mike?

20 MR. FEBBO: Yeah, I just want to
21 discuss Moosic Road with Mike and the rest
22 of council while we're here.

23 MR. SOKOLOWSKI: Sure.

24 MR. FEBBO: Why don't you fill us in
25 on where we're at with that.

1 MR. SOKOLOWSKI: We still have a
2 permit down there. We're still getting a
3 lot of complaints.

4 MR. FEBBO: Okay. Where do we go
5 with this? I don't want another Stocki to
6 happen down there. When this guy is opening
7 up in business and all that without permits,
8 zero permits.

9 MR. HOOVER: I was at the planning
10 commission maybe two months ago. He said
11 that he was going to get everything done,
12 and he still hasn't.

13 MR. FEBBO: Bill, what do we have to
14 do to shut that project down until we get --

15 ATTY. RINALDI: His temporary
16 occupancy ran out Saturday. So I think Mike
17 usually either issues those --

18 MR. HOOVER: His temporary occupancy
19 ran out?

20 MR. SOKOLOWSKI: Saturday.

21 ATTY. RINALDI: So I think he
22 usually does the buildings.

23 MR. RUSSELL RINALDI: Let me
24 interject one second. His temporary
25 occupancy permit was not issued by us. It

1 was issued by Joe Supulski; correct?

2 ATTY. RINALDI: BIU, right.

3 MR. RUSSELL RINALDI: BIU. Because
4 we were in between zoning officers at the
5 time. Okay. So if we send Mike down there
6 to shut him down -- and I'm all for it,
7 because if he's not going to comply, he's
8 not going to come to meetings, he's not
9 going to try and get his property up to
10 code, shut him down. Is Joe Supulski --

11 ATTY. RINALDI: I'm sorry, Joe will
12 go down because that's who issues the --

13 MR. RUSSELL RINALDI: That was going
14 to be my question. Is Joe -- are we able to
15 shut him down or is he going to stay open?

16 ATTY. RINALDI: Because he approved
17 his improvements for the building.

18 MR. SOKOLOWSKI: Just the building.
19 Just the building itself.

20 ATTY. RINALDI: Right. But he only
21 had a temporary for the building.

22 MR. SOKOLOWSKI: That's just for the
23 building, not to operate. Not for the land
24 development. There's no land development.
25 None of that was ever --

1 ATTY. RINALDI: Well, did he do what
2 Joe told him to do?

3 MR. SOKOLOWSKI: Just for the
4 building.

5 ATTY. RINALDI: Did he do it?

6 MR. SOKOLOWSKI: Yes.

7 ATTY. RINALDI: Joe Supulski said he
8 needed to do what he needed to do for the
9 building. Okay. So the issue is you could
10 shut him down then.

11 MR. RUSSELL RINALDI: He might have
12 done what he needed to do for the building,
13 but he didn't do what he needed to do for
14 the property.

15 MR. FEBBO: No. Conservation water
16 still running. In other words, let's get
17 this thing right. Okay. If you have to
18 shut him down, go do what you have to do,
19 not to be a hard ass or a wiseguy.

20 ATTY. RINALDI: I'll reach out to
21 him, and we'll go from there.

22 MR. FEBBO: Legally, Mike needs to
23 know what he has to do.

24 MR. SOKOLOWSKI: Give me the
25 direction of exactly what I have to do.

1 MR. RUSSELL RINALDI: That's what
2 we'll do, Mike. Talk to Bill and go down
3 there and shut him down.

4 MR. SOKOLOWSKI: Actually, I did
5 talk to Joe Supulski. And Joe said -- he
6 goes, it's up to me now to give him
7 occupancy because he give him temporary from
8 the 60 days. Now, that ran out, but he said
9 if everything is not done up to our end, we
10 don't have to give him the occupancy.

11 MR. FEBBO: Okay. So far, he has
12 not come to us, planning or anybody with
13 plans. There is nothing.

14 ATTY. RINALDI: He came to -- well,
15 he did come to a planning meeting.

16 MR. LOPATKA: His consultant did,
17 and he and said that he was going to do a
18 land development, and up to this point, we
19 haven't seen anything.

20 ATTY. RINALDI: I know he hired an
21 engineer because Dave spoke with him.

22 MR. LOPATKA: Well, no. He hired --
23 his consultant is the guy who did his
24 building work. He was supposed to hire an
25 engineer.

1 ATTY. RINALDI: I thought Mancinelli
2 was the engineer.

3 MR. LOPATKA: Mancinelli is, but the
4 guy who came to the meeting is John Rebar
5 who did his building work. Not his -- not
6 any land development stuff.

7 MR. FEBBO: Okay. So as we sit here
8 right now at this point, he has a building
9 occupancy permit from Joe?

10 MR. SOKOLOWSKI: Which ran out.

11 MR. FEBBO: Okay. So he has nothing
12 that says that he should even be there
13 operating. Okay. With that being said, he
14 has no permits. All right.

15 You have the authority to shut him
16 down; correct, Bill?

17 ATTY. RINALDI: Whatever the
18 ordinance says. He can't get an occupancy
19 permit.

20 MR. FEBBO: Okay. Now, there's even
21 more chances than there is on a punch board.
22 So let's do what we have to do here. Thank
23 you.

24 MR. SOKOLOWSKI: Okay.

25 MR. FEBBO: Mike, anything you need,

1 let us know.

2 ATTY. RINALDI: Mike, anything else?

3 MR. BUTLER: I have one question.

4 With the -- Joe Mariani.

5 MR. SOKOLOWSKI: They gave us some
6 information.

7 MR. BUTLER: So we know the guy's
8 name and address.

9 ATTY. RINALDI: Well, evidently he
10 was already cited and fined. That's why --
11 this was going back two years ago. So there
12 was a court case. It goes back to Steve
13 Barilla (phonetic) actually. Evidently, he
14 still acted out down there. So we'll find
15 out what that court case says.

16 MR. SOKOLOWSKI: Someone cut the
17 grass.

18 MR. BUTLER: He hired a guy -- kid,
19 whatever. He hired a kid to cut the grass.
20 The kid cut the grass, but he didn't get
21 paid. So he's not going to go cut the
22 grass.

23 MR. SOKOLOWSKI: Well, somebody just
24 did yesterday. I don't know who.

25 MR. BUTLER: Oh, well, then he must

1 have paid somebody else, but the original
2 kid that cut the grass last time, he never
3 got paid. So he's -- the kid quit. So he
4 must have got somebody else to cut the
5 grass.

6 MR. FEBBO: Okay. I hear Steve
7 Barilla's name mentioned. My first week on
8 Council, and actually, my first year on
9 Council, which was eight years ago, Steve
10 and I went down there. Same thing we're
11 talking about now. Try to get it shut it
12 down and get the cars out of there. All
13 right. And all he did was get the grass
14 cut. Eight years. So here we are in
15 another situation where, you know, we're on
16 ice. We're spinning our tires.

17 ATTY. RINALDI: Well, no, Steve went
18 down and took care of it. I think I was at
19 the hearing. He was found guilty. Whether
20 he paid the fine or not, that I don't know,
21 but we'll find out.

22 MR. BUTLER: If he paid the fine but
23 doesn't do anything to the property, it's
24 just that. He's just paying fines every
25 time you turn around. You have to do

1 something with the property. This guy is
2 out of control. We're letting everybody get
3 out of control. It's ridiculous.

4 MR. FEBBO: Can't we go in there,
5 Bill, and do it and then serve notice to him
6 that we're going to be filing.

7 ATTY. RINALDI: It's somebody else's
8 property.

9 MR. RUSSELL RINALDI: It's private
10 property.

11 MR. FEBBO: I keep hearing that.
12 What does every other town do?

13 ATTY. RINALDI: I can only tell you
14 that people get sued when they send the DPW
15 down for trespass and for damages to the
16 property. There is case law of it.

17 MR. FEBBO: All right. So what
18 recourse do we have so people comply with,
19 you know, crappy house. In other words, the
20 neighbors are suffering like seven years
21 now.

22 ATTY. RINALDI: You could enforce
23 the ordinance on the books which he already
24 filed. He didn't give them a warning. He
25 just went down and filed it at the

1 magistrate. That's what your code calls
2 for. It's a fine or -- I don't know if
3 that's a civil or criminal fine, if it's
4 incarceration or not. I don't have it in
5 front of me.

6 MR. NOTARI: We need to start
7 discussing a three-strike rule. Because
8 like Councilman Butler said, if someone --
9 if it's \$100 fine or whatever it is, and
10 they're going to pay the fine, and then
11 they're going to let the property go to hell
12 again for the next three to six months, and
13 then we're just gonna repeat the process,
14 and they're just going to pay another \$100
15 fine, then what's the point? We either need
16 to either increase the fines or come up with
17 a way that we're going to take multiple
18 nuisance properties. That the fines become
19 so outrageous that they're either going to
20 take care of it or they're going to be out
21 of a ton of money.

22 ATTY. RINALDI: You're statutorily
23 limited by the amount of fine you can give.

24 MR. NOTARI: Okay.

25 ATTY. RINALDI: It can only go up to

1 -- I think they raised it from six hundred
2 to a thousand dollars.

3 MR. BUTLER: Let's make it a
4 thousand.

5 MR. HOOVER: Narrow the time limit.
6 30 days, that's crazy. Two weeks you have
7 to clean your property. You don't have it,
8 you get cited.

9 MR. FEBBO: If that's the case, two
10 weeks you have to do it. And it goes back
11 to Stocki again. Stocki would pay the \$500
12 fine and do the same thing.

13 MR. BUTLER: Drop it down. Give
14 them 30 days, then you give them two weeks.
15 If he doesn't do it, you give him a week
16 until he runs out of time.

17 ATTY. RINALDI: It doesn't work that
18 quick. He didn't give him any strikes. He
19 just went down and filed. So by the time
20 you get a hearing date, we're already
21 running.

22 MR. SOKOLOWSKI: I gave him a
23 written warning a couple weeks ago, but it
24 was still in the mailbox.

25 MR. FEBBO: How many notices do we

1 give? At what point do you say okay. You
2 get fined, you get fined.

3 ATTY. RINALDI: He can go and file
4 the citation.

5 MR. FEBBO: Now, how do we take
6 action?

7 ATTY. RINALDI: We took action.
8 Now, it's a scheduling issue with the judge,
9 not with us. They set their calendar. The
10 magistrate sets it. So we'll get a notice
11 of a hearing date, and we go down. But I
12 know it's at least probably two weeks to a
13 month normally to get a hearing.

14 MR. FEBBO: Does he get jail time
15 out of that maybe after so many cases?

16 ATTY. RINALDI: It's a criminal
17 penalty. I don't know -- tell me what
18 section.

19 MR. FEBBO: Well, we just have too
20 many places in town that have been dragging
21 on for years and years and years, and we
22 have the same story. All right. I rest my
23 case on this one.

24 MR. BUTLER: My second question.
25 Preate's, the trailers. Do we or do we not

1 have -- does he have the right to go on
2 their property to check that?

3 MR. SOKOLOWSKI: We have 11 of 16.

4 ATTY. RINALDI: 11 of 16.

5 Registrations coming back from the state. I
6 just got them today.

7 MR. BUTLER: So they are going to be
8 registered?

9 ATTY. RINALDI: There's 5 more that
10 are coming from the state. Because he
11 bought them all at an auction. It takes a
12 while to get the titles in your name. So I
13 gave him all the copies of the titles.

14 MR. BUTLER: Okay.

15 MR. RUSSELL RINALDI: What's in the
16 trailers?

17 MR. BUTLER: Junk.

18 ATTY. RINALDI: Everything he had on
19 the ground, he put in the trailers.

20 MR. BUTLER: There's cars in there,
21 too.

22 MR. FEBBO: So he has a right to
23 have those there?

24 ATTY. RINALDI: As long as they're
25 registered.

1 MR. FEBBO: If they're registered.

2 ATTY. RINALDI: Yeah, he's in a
3 commercial zone, and it's not a residential
4 zone.

5 MR. FEBBO: All right. If they are
6 registered. Under what? A tractor trailer?
7 Storage?

8 ATTY. RINALDI: Title registration
9 in Pennsylvania.

10 MR. SOKOLOWSKI: Their registration.

11 MR. FEBBO: So it has to be tagged
12 and inspected for roadwork.

13 ATTY. RINALDI: I don't know about
14 tagged, but our ordinance calls for
15 registration.

16 MR. SOKOLOWSKI: That's all it calls
17 for is registration.

18 MR. FEBBO: Registration is that you
19 own it. You own it for what purpose.

20 ATTY. RINALDI: It shows they're not
21 abandoned.

22 MR. FEBBO: Okay. But at what point
23 does that go from being a trailer to a
24 storage unit? And then again, he has 16 of
25 them there. Is he running an illegal

1 storage unit? You know, we don't have that.

2 MR. RUSSELL RINALDI: Well, That's
3 why I asked what's in the trailer.

4 MR. FEBBO: Storage units. I mean,
5 you just can't be doing what you want to do
6 and say, I'm going to call it this.

7 ATTY. RINALDI: You don't have
8 anything under your code that says I can't
9 have multiple trailers and use them for
10 storage. It just says any trailer on
11 commercial property has to be registered.
12 If you want to put together an ordinance to
13 say you can't have more than X number of
14 trailers or what you want to store in them.
15 It's a commercial zone.

16 MR. BUTLER: We told Pam it was an
17 R-1 zone. R-1A. R-2 zone.

18 ATTY. RINALDI: Well, Council
19 changed that years ago, I think before I got
20 here, to make it commercial.

21 MR. BUTLER: Only where the winery
22 is, is commercial. The rest of it is
23 residential.

24 ATTY. RINALDI: He's only on the
25 winery lot.

1 MR. SOKOLOWSKI: It's not around on
2 the house property.

3 ATTY. RINALDI: Where the store was
4 there on the side.

5 MR. SOKOLOWSKI: It does go past
6 where the building ends, that whole lot.

7 MR. BUTLER: The trailers are behind
8 where he had the winery.

9 MR. SOKOLOWSKI: Yeah, alongside the
10 building.

11 MR. NOTARI: It's all the same long.

12 ATTY. RINALDI: The store was in the
13 back. You would access it. That's where
14 you used to go in the back there off
15 Milwaukee. The winery was in the front.
16 The whole lot was commercial.

17 MR. RUSSELL RINALDI: So, Bill, by
18 next meeting, could we have an ordinance to
19 tighten up the restrictions and not just for
20 Preate Winery, for any property in the
21 Borough of Old Forge. Just tighten up
22 restrictions on someone purchasing trailers
23 and making a self-storage unit.

24 MR. BUTLER: Right. That's what it
25 is. He could put 16 trailers there, and

1 leave it there forever.

2 ATTY. RINALDI: I mean, we could
3 explore it.

4 MR. BUTLER: I thought making it a
5 storage unit, they have to be on the ground.
6 They can't be on tires.

7 ATTY. RINALDI: They are not storage
8 units. It's a trailer.

9 MR. BUTLER: He's got stuff in
10 there. What are they? Empty?

11 ATTY. RINALDI: Whether they got
12 stuff in them or not, you could still have
13 the trailer there.

14 MR. BUTLER: It's a storage
15 facility.

16 ATTY. RINALDI: If you want to
17 regulate what's in trailer's on people's
18 property, we can look into that.

19 MR. BUTLER: If it's a storage
20 facility, it's a storage facility. You got
21 junk in there, you know, it's a storage
22 facility.

23 MR. FEBBO: Trailers, as far as I'm
24 concerned, are made for hauling, not
25 storing.

1 ATTY. RINALDI: Does anybody here
2 know what's in those trailers?

3 MR. BUTLER: I know there's cars in
4 there because he just sold George Davis's
5 old car to somebody -- a Camaro. I think it
6 was a 68 Camaro.

7 ATTY. RINALDI: And it was junk?

8 MR. BUTLER: No, it's a car that
9 runs.

10 ATTY. RINALDI: Okay.

11 MR. BUTLER: I could find out who he
12 sold it to, but I know it was George Davis's
13 car.

14 ATTY. RINALDI: I thought you wanted
15 storage of junk.

16 MR. BUTLER: Any kind of storage.

17 MR. FEBBO: To scrap.

18 MR. NOTARI: It seems like every
19 commercial property he buys, that's what he
20 does. He puts a trailer on it and then he
21 puts junk in it. I mean, that's what
22 happened to Saint Stan's lot up there.

23 MR. FEBBO: That's a fire hazard.
24 Don't you consider that a fire hazard?
25 Saint Stan's?

1 MR. STULL: Yeah, we have a do not
2 enter in that building. If it's on fire, no
3 entry into that.

4 MR. FEBBO: So that's the only
5 recourse we have that we can't go there.
6 Let the place burn. But in the meantime,
7 it's infested by animal, and the poor
8 neighbors have to look at it and live with
9 it.

10 MR. STULL: Pretty much.

11 MR. FEBBO: That's not right.
12 That's just not right.

13 MR. RUSSELL RINALDI: Well, for that
14 building up there, Mike can go up there and
15 cite him for that.

16 ATTY. RINALDI: If it's anywhere in
17 our ordinance he is violating, yes.

18 AUDIENCE MEMBER: Anybody can walk
19 in that building. It's open in the back.

20 MR. RUSSELL RINALDI: No, what I'm
21 talking about is our zoning officer code
22 enforcement going up there and --

23 AUDIENCE MEMBER: Is that a
24 violation, though, with it being open like
25 it is? The building is not sealed up.

1 MR. FEBBO: That's a hazard. That's
2 a danger.

3 MR. RUSSELL RINALDI: Well, that
4 would be a violation on him as well.

5 MR. BUTLER: If somebody goes in
6 there and gets hurt, who are they going to
7 come after? They are going to come after
8 the Borough. They're not going to go after
9 him. They are going to come after the
10 Borough because we didn't do anything about
11 it.

12 MR. FEBBO: Under nuisance
13 properties, what legal right do we have
14 under nuisance properties?

15 ATTY. RINALDI: Well, is it a
16 nuisance? This is the first time I'm
17 hearing about it.

18 Have you seen it, Mike?

19 MR. SOKOLOWSKI: No.

20 ATTY. RINALDI: Go up and take a
21 look at, and we'll see --

22 MR. BUTLER: It's been like that
23 forever.

24 MR. FEBBO: Do we deem it nuisance
25 if he inspects it? If he says it's a

1 hazard?

2 ATTY. RINALDI: If it's in danger of
3 falling down, yeah.

4 MR. FEBBO: You mean like the garage
5 in my kid's backyard. Take a look at that.

6 ATTY. RINALDI: I mean, we've had
7 cases where buildings were structurally
8 unsafe that we sent them notice, had a
9 hearing, and they had to -- they either tore
10 it down or fixed it up. If he doesn't know
11 about it, he can't do anything about it.

12 MR. FEBBO: If they're notified, and
13 Mike has notified, you know, on several
14 occasions, and he's told that they are
15 working on it -- how long is that, Mike,
16 with the garage?

17 MR. SOKOLOWSKI: About a month.

18 MR. FEBBO: Longer than that.

19 ATTY. RINALDI: Which garage? I
20 thought we were talking about the church.

21 MR. SOKOLOWSKI: Well, this is a
22 different property.

23 ATTY. RINALDI: All right.

24 MR. FEBBO: What I'm saying, Bill,
25 is that we have them all over town, the

1 nuisance properties, and we're doing nothing
2 about it.

3 ATTY. RINALDI: I mean, I can't --
4 he's your zoning officer.

5 MR. FEBBO: Okay. Well, we'll deal
6 with Mike and then Mike has to deal with it.
7 Hopefully he'll give Mike the answer to give
8 to us.

9 ATTY. RINALDI: Give him a list of
10 properties to go out and inspect.

11 MR. SOKOLOWSKI: I got them.

12 ATTY. RINALDI: Okay.

13 MR. SOKOLOWSKI: Between that and
14 the high grass and every other thing.

15 MR. FEBBO: Do you have Wyalusing
16 Street? The two houses down there -- three
17 houses.

18 MR. NOTARI Scott Fuel Station
19 property. How long have we been waiting for
20 that to be cleaned up?

21 ATTY. RINALDI: Scott's cleaned up.

22 MR. NOTARI: No, it's not.

23 ATTY. RINALDI: Are you talking
24 about the one with the old guy?

25 MR. FEBBO: They moved the cars out.

1 That's about it.

2 ATTY. RINALDI: You know that was
3 finished in court.

4 MR. BUTLER: But the shed -- the
5 shed is still three feet out.

6 MR. SOKOLOWSKI: We're on that.

7 MR. NOTARI: He's getting on that.

8 MR. SOKOLOWSKI: I've been on that
9 one.

10 MR. RUSSELL RINALDI: So, Mike,
11 Moosic Road, Saint Stan's lot. And what
12 else do we want?

13 MR. SOKOLOWSKI: (Inaudible.) I
14 just talked to them Thursday on that. The
15 bank owns that property. So they sent me to
16 someone else. Whoever I talked to at first
17 -- okay -- we're working on it, we're
18 working on it. Then that I called again,
19 then they give me somebody else. Yeah,
20 we're working on it.

21 MR. FEBBO: They're working on it.

22 MR. SOKOLOWSKI: It's bank owned.
23 And I said we have somebody in the borough
24 here that will do demolition if you need it
25 done. I said, I can set you up with

1 someone. And he said, no, we have to get
2 three bids, blah, blah, blah, and that's it.

3 MR. RUSSELL RINALDI: All right.
4 Well, let's get on those two for tomorrow.

5 MR. SOKOLOWSKI: All right.

6 MR. RUSSELL RINALDI: Anybody have
7 any questions for Mike?

8 MR. FEBBO: Thanks, Mike. I know
9 we're killing you with a lot of work, but
10 you're getting it done, and as far as I'm
11 concerned, we're back into the hill.

12 MR. NOTARI: I think we need to
13 figure out and find out -- and it's going to
14 have to come from Mike after he's here for a
15 year to come back and say I need something
16 with more teeth to help me.

17 MR. BUTLER: Exactly.

18 MR. NOTARI: Let him get his feet
19 wet. He's only here still a couple months.

20 MR. FEBBO: Good point.

21 Mike, take that into consideration
22 as you go along, what is it that you think
23 that we need to do to give you more
24 leverage.

25 MR. NOTARI: And we need to be more

1 strenuous with our ordinances and our
2 regulations, and that's something we would
3 have to adopt.

4 MR. FEBBO: And sometimes I have to
5 got compliment him. Because the reports I'm
6 getting from him is that he's diplomatic and
7 he's got people skills. He's not
8 aggressive. And you can get a lot more done
9 that way. So I want to compliment you on
10 that.

11 MR. RUSSELL RINALDI: Anyone else
12 for Mike? Thanks, Mike.

13 Dave Lopatka.

14 MR. LOPATKA: I don't have anything
15 for the agenda. I mean, I think on the
16 agenda is the Casper Street to go out to
17 bid. And the paving project, I talked to
18 them yesterday. He's supposed to get back
19 to me. But it looks like mid-July is when
20 they'll probably start.

21 MR. HOOVER: Okay.

22 MR. LOPATKA: He's going to get me a
23 better timeframe, but that's around when
24 he's thinking.

25 MR. HOOVER: What about the price of

1 Sonny Drive?

2 MR. LOPATKA: I haven't gotten it
3 yet. I'll send them another email. I sent
4 them two emails asking them, and he got back
5 to me the first time saying he hasn't gotten
6 it yet -- or I don't know if it's estimated
7 or whatever. They haven't gotten it to me,
8 but I'll shoot an email tomorrow.

9 MR. NOTARI: Dave, how long do we
10 expect plans to be for the county to be
11 approve the senior citizens' center?

12 MR. LOPATKA: I actually was going
13 to call them today, but I kind of got tied
14 up because they've been there since the end
15 of May. So I'm hoping that they get back to
16 me with comments or whatever so we can get
17 it out. I'll check.

18 MR. NOTARI: Thank you.

19 MR. FEBBO: Keyser Avenue and Casper
20 Street, do they tie together?

21 MR. LOPATKA: No, they're not tied
22 together. Casper Street -- we did them as
23 separate items because the stormwater issue
24 on Keyser. Now, I presented a plan. I'll
25 bring it again. But it's going to cost

1 time, and you're going to have to get a
2 permit, a highway occupancy permit, for any
3 work you're doing anywhere if you're doing
4 it in the right-of-way is basically all the
5 work. It's on the plan. It's in the
6 right-of-way. So you have to get that
7 permitted first.

8 MR. FEBBO: And you're working on
9 that.

10 MR. LOPATKA: I could. I mean, you
11 guys need to tell me if -- if you want to
12 move forward.

13 MR. FEBBO: Yeah, I believe so;
14 correct? Keyser ave, we talked about that,
15 yes.

16 MR. LOPATKA: Yeah. I mean, I have
17 a layout. We got the survey done. We laid
18 it out. We just have to -- I'll just have
19 to move forward with getting the drawings
20 together to give them to PennDot.

21 MR. FEBBO: All right. I'll give
22 you a little breather here because your
23 plate is pretty well full. I won't go into
24 the river part.

25 MR. LOPATKA: You can call me on

1 that whenever you want to talk about it.

2 MR. FEBBO: Okay. Thank you.

3 MR. NOTARI: Are we talking about
4 Keyser Ave where Mr. Morawski (phonetic) has
5 been asking to do something?

6 MR. FEBBO: Yeah.

7 MR. NOTARI: Isn't there a cut
8 there?

9 MR. BUTLER: There is.

10 MR. RUSSELL RINALDI: There was a
11 water main break there a few months ago.

12 MR. LOPATKA: Yeah, and we shot all
13 that. I mean, we could -- we could
14 tie into -- there's two different spots that
15 we're talking about tying into, but, you
16 know, you're going to have to cut the road
17 to do that. Plus, PennDot is typically
18 going to make you pave that whole thing.

19 MR. RUSSELL RINALDI: There was a
20 water main break there a few months ago.
21 They cut it. They fixed it. They patched
22 it. It's actually now worse.

23 MR. HOOVER: There's about six cuts
24 there.

25 MR. NOTARI: That's something we

1 could maybe expedite and get done and get it
2 done before they pave it. And when they
3 pave, we wouldn't have to worry about it.

4 MR. LOPATKA: Who has the cuts?
5 Like, are they the same people?

6 MR. HOOVER: All of it. The water
7 main keeps breaking.

8 MR. LOPATKA: So if it keeps
9 breaking, and they have six cuts, aren't
10 they supposed to pave the road?

11 MR. HOOVER: They're supposed to
12 pave three cuts within 100 feet.

13 MR. LOPATKA: Right, curb to curb.

14 MR. HOOVER: But there's not three
15 cuts within 100 feet.

16 MR. LOPATKA: Oh, 100 feet. They're
17 all separate.

18 MR. HOOVER: They're all separate.

19 MR. FEBBO: On all of Keyser?

20 MR. HOOVER: Not all of Keyser, just
21 a portion.

22 MR. RUSSELL RINALDI: The portion
23 that keeps breaking.

24 MR. HOOVER: But again, it's a state
25 road, state permits. You know how long,

1 maybe next year. Who knows.

2 MR. LOPATKA: It all depends. I'll
3 get it ready to submit to PennDot, and we'll
4 get it going.

5 MR. HOOVER: So I mean, any work we
6 do, you know, if they come in to do the
7 water mains, we'll pave with them.

8 MR. LOPATKA: Well, we're going to
9 cut it twice. Plus, we're going to cut
10 along the edge of the road probably.
11 They're probably going to make us pave that
12 section as part of it.

13 MR. FEBBO: What's it 20 feet,
14 Jimmy? How long of a distance do we have to
15 pave? 20?

16 MR. HOOVER: Yeah.

17 MR. LOPATKA: Yeah, you're going to
18 have two cuts minimum across that to tie in
19 what's on the other side onto the easterly
20 side of Keyser.

21 MR. FEBBO: So in reality, it's not
22 a real big project, but it is a
23 time-consuming and pain-in-the-butt project.

24 MR. HOOVER: It's a costly project
25 on a state road.

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the same spots. There are two spots that are actually crossing.

MR. FEBBO: Okay. Thanks, Dave.

MR. RUSSELL RINALDI: Anything else, Dave?

MR. LOPATKA: No.

MR. RUSSELL RINALDI: Thank you.

Chief of police. Anything for the meeting?

CHIEF DUBERNAS: I'm sorry you just got my monthly report. I thought I handed it in with the other ones.

The only other thing I got -- I sent it to MaryLynn. I just got it back from Robert Kretschmer. He's the district 4 traffic guy regarding Marion and Oak Street. He's saying that it goes out to the borough, and the borough engineer --

MR. LOPATKA: So it's Bob Kretschmer. Yeah, he's the traffic engineer for PennDot. So his -- based off what I read on the -- on his email back to Jason, is that you're going to need to do a traffic study to verify whether or not that intersection meets the warrants for a

1 signal.

2 MR. NOTARI: We have to do a traffic
3 study?

4 MR. LOPATKA: They're not going to
5 do it. PennDot doesn't do anything.
6 PennDot is going to put everything back on
7 you guys, or if it's a developer, they'll
8 put it back on them.

9 CHIEF DUBERNAS: And the other part
10 of it was that the engineer has to do the
11 study of where the lights going to be or a
12 stop sign -- .

13 MR. LOPATKA: Well, that's if it
14 meets the warrants. And then the second
15 part of it is, is that any work or any
16 design that needs to be done, they're not
17 going to pay for it. It's going to be the
18 Borough paying for it.

19 MR. NOTARI: Even though it's a
20 state road?

21 MR. LOPATKA: It doesn't matter if
22 it's a state road. All you're really doing
23 is you want to put something there within
24 their right-of-way. So from their
25 perspective, it's all a liability for them.

1 You have to do it, and you have to take the
2 responsibility for it. Even if you put a
3 signal up. The signal --

4 THE HOOVER: Who put the lights up?

5 MR. LOPATKA: The Borough would have
6 to put a light up.

7 MR. NOTARI: Is that anywhere?

8 MR. LOPATKA: That's anywhere.

9 MR. NOTARI: So all these years of
10 us asking for a light down on Lonesome Road
11 and Bridge Street, and they telling us no,
12 no, no.

13 MR. LOPATKA: Well, you can't just
14 put a light up. It has to meet certain
15 requirements.

16 MR. HOOVER: So you're telling me
17 when there's a bad intersection, you have to
18 do a traffic study, you have to get the
19 permits. You have to buy the poles, buy the
20 lights, and --

21 MR. LOPATKA: You have to put it out
22 to bid. You have to build it and --

23 MR. HOOVER: The municipality is
24 paying all that. PennDot just says okay.

25 MR. LOPATKA: Yep.

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MR. FEBBO: You pay PennDot for the permit.

MR. LOPATKA: Yes. So even developers. I do projects for private developers, and the developer has to put all the signals in. PennDot --

MR. HOOVER: Those lights on Maine Avenue in Scranton, Scranton is paying for all those?

MR. LOPATKA: Scranton has to maintain all those. But when they put them up, it all depends. If a developer is doing something --

MR. HOOVER: No.

MR. LOPATKA: But if a developer -- like, I'm doing a project in Moosic right now. The borough is required to sign the permit because it's within the right-of-way, but the developer has to pay for installing it all.

AUDIENCE MEMBER: That doesn't make sense.

MR. LOPATKA: I'm just telling you what it is.

(Simultaneous talking.)

1 MR. LOPATKA: You saw the email. I
2 deal with it every day --

3 MR. HOOVER: The City of Scranton is
4 paying to put those lights up?

5 MR. LOPATKA: Where?

6 MR. HOOVER: Up in west side. Up
7 yesterday. They have four brand new lights.

8 MR. LOPATKA: Well, let's step back
9 a little bit. There is -- you could get on
10 their -- I think -- I forget what they call
11 it. LLST program, but you might wait. You
12 might wait ten years before they actually do
13 the project for you.

14 MR. HOOVER: Scranton's not waiting
15 ten years.

16 MR. LOPATKA: Well, I mean, I'm just
17 telling you.

18 MR. NOTARI: What's our next step on
19 Oak Street?

20 MR. LOPATKA: Over here is to do a
21 traffic study.

22 MR. NOTARI: And who does that?

23 MR. RUSSELL RINALDI: The chief?

24 MR. LOPATKA: No, it has to be done
25 -- we don't even do them. We typically hire

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a consultant, like a traffic engineer.

CHIEF DUBERNAS: We do them on our side roads where there's a lot of accidents.

MR. NOTARI: If a traffic study is done, if you ask me right now, we need one.

CHIEF DUBERNAS: Sure.

MR. LOPATKA: Well, so what the traffic study will do is, they will send somebody out, and they have to count cars at peak times in the morning and the afternoon and then certain times during the day. And then they -- they take those numbers, they plug them into a program to see who is turning where, and there's a whole process to it, and then they also look at accident data.

MR. NOTARI: What does that cost about, Dave?

MR. LOPATKA: The traffic study is probably about two grand, three grand.

CHIEF DUBERNAS: Especially the amount of accidents we have there. They're not just, like, little fender benders.

MR. RUSSELL RINALDI: The accidents -- between the kids, the school, the busses.

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There's so much congestion.

MR. LOPATKA: And the traffic study isn't the expensive part. The expensive part is if you actually have to put a light up.

MR. NOTARI: But if we did a traffic study, and it proves that we need a light there -- I mean, we all think we need a light there, but if we have something to back that up, then we go talk to our representatives and our folks in Harrisburg and see what kind of money they can get us.

MR. LOPATKA: You can -- I mean, well, that was their other recommendation. We should apply for grants and other stuff. I mean, some of that cost could be defrayed, but ultimately the borough is the one who is going to have to actually do the work.

MR. NOTARI: I got it.

MR. RUSSELL RINALDI: If we need to vote and we need to authorize the chief to --

MR. NOTARI: Well, it's not the chief.

CHIEF DUBERNAS: It's a phone call

1 or you make the phone call.

2 MR. LOPATKA: We have traffic use
3 studies all the time. I can get a traffic
4 study there.

5 MR. RUSSELL RINALDI: For him to do
6 a traffic study. Hire the consultant.

7 CHIEF DUBERNAS: It would have to be
8 conducted on Main -- or on Marion and Oak
9 because the amount of cars turning and
10 coming into the school.

11 MR. LOPATKA: So Oak Street passes.
12 Right? Marion.

13 CHIEF DUBERNAS: Yeah, Oak Street --

14 MR. LOPATKA: Right. So when they
15 do their counts, they'll do counts at that
16 intersection at those three spots.

17 CHIEF DUBERNAS: Tell them to wait
18 until September to do their count because
19 school.

20 MR. LOPATKA: Well, that's all --
21 that's all considered. They would consider
22 the counts based of off -- and you're right.
23 You want to do it at the time when the most
24 traffic.

25 MR. NOTARI: Why don't we have Dave

1 make that call to get it in motion, and
2 we'll put it on the agenda for July, and
3 then we'll pass it.

4 MR. LOPATKA: And I'll get you a
5 price, and then you guys can pass it, and
6 then you'll know what the price is.

7 MR. NOTARI: Okay.

8 MR. RUSSELL RINALDI: Let's do that.
9 Chief, anything else?

10 CHIEF DUBERNAS: Nothing. I would
11 just like to have five minutes of your time
12 after the meeting to discuss tasers.

13 MR. RUSSELL RINALDI: Sure.

14 Anybody else have any questions for
15 the chief?

16 Thanks, Chief.

17 Bill Stull, assistant fire chief.
18 Anything for the meeting?

19 MR. STULL: Yeah, just one or two
20 things. I know Mike just got hired here,
21 and the fire department has been working
22 with Mike on a lot of things. And I think
23 we finally got this ironed out now with the
24 occupancy permit about who gives it out.
25 Okay. We met with MaryLynn in her office,

1 and my concern that was the occupancy
2 permits was given out by Joe Supulski.
3 Okay. And signed and everything like that.
4 Well come to find out, he signs them down to
5 Mike. Mike is the authorizing authority to
6 give them to the building owner. Right?

7 So we did get that ironed out
8 because a lot of times the fire department
9 on anything we like to sign off on the
10 occupancy permit before it's issued so we
11 can make sure that it meets the ordinances,
12 fire department connections, stuff like
13 that. And just to do an overall walkthrough
14 on the buildings.

15 I know Joe Supulski goes in and he
16 does his walkthrough. It's only the part of
17 the building that's being remodeled. Okay.
18 We ran into that down in Moosic Road. Okay.
19 At that place that's in -- a little
20 controversy going on there with that. So
21 when he did the front part of it, he signed
22 off on his occupancy permit. We go down.
23 We do the entire building, basement to the
24 attic. We do everything there. And that's
25 our report that we give to the building

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owner and then we send over to Mike for code enforcement.

So there is a little gap on what should be done and what's not being done. We just want to keep on top of things on the fire department side. I'm just tired of being behind the eight ball on a lot of stuff that we're getting notified on, and it's weeks that people are in these building. A prime example is City Mark, up there, the federal credit union. They moved in. Somehow they got through little gaps in the road and everything like that. We weren't notified. Finally, we got up there. We did our inspection. But we were six months behind the eight ball. They have been occupied that since January.

MR. RUSSELL RINALDI: Bill, I don't meant to interrupt you, and I think I can speak for everyone up here -- and I'm not saying that the other people's inspections aren't up to par. It sounds like your inspection that you guys do is, like you said, top to bottom.

MR. STULL: Right.

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MR. RUSSELL RINALDI: So when I said I could for speak everybody, we would want you to definitely be able to be in there as soon as possible.

MR. STULL: Right, and that's what we're trying to do.

MR. SOKOLOWSKI: That's what we're trying to do.

MR. RUSSELL RINALDI: Okay.

MR. SOKOLOWSKI: I will walk through with them before I issue an occupancy permit to make sure that he's good with it.

MR. RUSSELL RINALDI: Right.

MR. SOKOLOWSKI: The building part is done when I get it, but his has to be done before I issue. Safety.

MR. NOTARI: So why don't we make sure then that the plan when everybody comes to the planning commission, when those witnesses come to our planning commission to present their plans, I think we have to let them know that, you know, you can't open until the fire department and the code enforcement officer walks through the place.

MR. LOPATKA: Sometimes those people

1 don't have to go to planning depending on
2 what they're doing. If they're remodeling
3 the inside of the building, they may not
4 come to planning. So you want to close that
5 loop, too before -- because sometimes they
6 don't. If they do, then you know.
7 Sometimes it could just be a remodel.

8 MR. RUSSELL RINALDI: How do we
9 close that loop then? Do we have to rewrite
10 the ordinance?

11 MR. LOPATKA: I don't think you have
12 to rewrite the ordinance. I just think when
13 BIU gets the plans --

14 MR. SOKOLOWSKI: Just now, before I
15 hand out, I have to make sure that I check
16 with Bill first.

17 ATTY. RINALDI: They have to have
18 final proof of their plans. If they only
19 have preliminary, they've got to get final
20 from planning. They've got to have their
21 HOP. They have to have --

22 MR. LOPATKA: Yeah, but that part of
23 it is planning. Sometimes they don't have
24 to go.

25 ATTY. RINALDI: BIU, but also the

1 fire department.

2 MR. SOKOLOWSKI: Yes, before I issue
3 the occupancy.

4 MR. LOPATKA: I think Mike can do
5 that.

6 MR. SOKOLOWSKI: We sat down. We
7 just wanted to let you guys know.

8 MR. STULL: We got it ironed out.
9 Just going forward that we need to
10 communicate, and I think we are -- between
11 the fire department and code enforcement --
12 doing a good job on that.

13 But we did talk about doing the
14 multifamilies in town because those are a
15 disaster. So we need to work with Mike on
16 that and see how we're gonna do that. And
17 we just can't do, like, the outside. We
18 need to get inside these apartment
19 buildings, you know, with the landlords and
20 everything and make sure they are up to
21 code.

22 One thing I would like to see -- and
23 I don't know. Did you bring it up to the
24 meeting you guys had last Thursday?

25 MR. SOKOLOWSKI: Oh, with Charlie,

1 yeah, I did. And he said that's up to us.

2 MR. STULL: It's up to us. Okay.

3 So one thing I would like to see in an
4 ordinance done is these multifamily units.
5 I know they have smoke detectors in them,
6 but they don't have communicating smoke
7 detectors. Okay. Somehow we have to -- I'm
8 just going to take a four or five-unit
9 building. You have a fire down on the first
10 floor. Occupancies upstairs don't know that
11 there's something going on in the first
12 floor. If it's a multifamily, or if it's a
13 commercial with apartments -- we talked
14 about a couple on Main Street. Okay.

15 One that we just did was
16 Mr. Appliance. Okay. We brought to his
17 attention that you have an apartment
18 upstairs. You should have a communicating
19 smoke detector. Okay. If something's
20 happening in your business, that the
21 residents upstairs are notified.

22 MR. RUSSELL RINALDI: Preexisting
23 buildings?

24 MR. STULL: I would like to see it
25 in preexisting buildings. If we can do an

1 ordinance like that, it would, you know -- I
2 mean, it's not going to happen overnight.
3 You know, you got to give them, you know,
4 the landlords, you know, within four or five
5 years it's got to be done. You know, it's
6 just -- things are just happening in this
7 town. It's unbelievable.

8 MR. NOTARI: Make it part of our
9 registration of rental units ordinance.

10 MR. STULL: That should be something
11 that you should be able to charge for.
12 Okay. A fee to go in and do these --

13 MR. NOTARI: A license you're
14 saying? A rental registration?

15 MR. STULL: Yeah, but even for the
16 fire department to go in and do an
17 inspection on those -- it doesn't have to be
18 an astronomical fee. It could be, you know,
19 25, 50 dollars a unit. But that can also go
20 to help. Our other thing that we're looking
21 at is putting that fireman on during the
22 daytime to help pay for that expense, too.
23 You know, it's -- the landlord is only going
24 to go back to their tenant anyway on their
25 rental fees. But I think it's something

1 that we should look at and get going on
2 that, that we do some kind of inspection fee
3 for these places like that.

4 MR. NOTARI: Absolutely.

5 MR. FEBBO: I think I'll agree with
6 you on that. Going forward, why don't you
7 put together a program, you know, that you
8 want, and we'll support it.

9 MR. STULL: Okay.

10 MR. FEBBO: More things like that in
11 the community, the better off we're going to
12 be. I like that.

13 MR. STULL: Okay.

14 MR. RUSSELL RINALDI: Bill, I'm all
15 for it. I'm sure everybody up here is for
16 it. Whatever ideas, or, you know, thoughts
17 you guys have from your inspection side,
18 bring it to us.

19 MR. FEBBO: Absolutely.

20 MR. RUSSELL RINALDI: You definitely
21 have more knowledge and experience --

22 MR. FEBBO: And we need to know what
23 we don't know. We don't even know that
24 until you tell us.

25 MR. STULL: Right.

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MR. RUSSELL RINALDI: And however you're going to make it safer for the borough for the residents, we're all for it.

MR. STULL: Yeah, and a lot of places now, everybody is selling them off. And they're getting turned into, you know, two family units, three family units, you know. We get more and more apartment buildings popping up left and right in this town. You know, so we need to take a step to help us prevent this going down the road.

MR. RUSSELL RINALDI: So one, you and Mike are working together with -- he's not issuing the occupancy permit until you get to the inspection first.

Two, we're going to have Bill write an ordinance up for the fire alarms to be communicating with each other.

And the third one you're gonna bring up the -- you said about inspections, maybe a fee for that.

MR. STULL: Right. I think that will work as an offset to help pay for that position that we're looking at.

MR. FEBBO: Bill, where are we with

1 that by the way?

2 MR. STULL: It's up to you guys.

3 MR. HOOVER: I have a question about
4 that. Bill, I just want to know -- I mean,
5 we discussed it a month ago, I think.

6 MR. NOTARI: A little longer.

7 MR. HOOVER: And we discussed it a
8 month, a month and a half, two months, and I
9 thought we kind of vote on it in July to
10 approve it.

11 MR. FEBBO: I think the sooner the
12 better. Give us whatever information you
13 need. We'll approve it if you tell us what
14 we're approving.

15 MR. HOOVER: We were waiting for a
16 price on something. Weren't we waiting for
17 a cost? A yearly cost or a monthly cost it
18 would be?

19 MR. STULL: So right now, Moosic
20 Fire Department, they've been doing it for
21 three years. Okay. Taylor Council just
22 approved the hire of their -- their
23 individual. So we had a meeting on Saturday
24 with all three fire chiefs from the three
25 municipalities discussing what's going on.

1 And one of the questions came back to us is
2 where do we stand, and we said, we don't
3 know because we don't know if it was in your
4 budget for this year or not or next year or
5 --

6 MR. NOTARI: We're ready to approve.

7 MR. RUSSELL RINALDI: We're ready to
8 vote.

9 MR. FEBBO: Give us the information
10 you need to get it done.

11 MR. HOOVER: We're just waiting for
12 a cost -- an approximate cost.

13 MR. STULL: Okay. So right now,
14 it's based on \$15 an hour. Okay. They work
15 from 8:00 in the morning until 5:00. Now,
16 it's not one guy that you're hiring. It's
17 kind of like say on a stipend thing, and
18 they get a 1099 at the end of the year.
19 Okay. So they pay their own taxes and
20 everything like that.

21 Moosic, how they did it is, their
22 fire department takes care of all the
23 expenses -- the payroll expenses through the
24 accountant. Plus, they pick up their own
25 workman's comp. This way the borough had

1 nothing to do with it. The cost on that was
2 roughly between thirty -- forty two
3 thousand. Your fee for your firefighter
4 doesn't keep going up. It's your
5 administration. You know, the cost for the
6 accountant to do the paperwork, if you have
7 an increase in your workman's comp.

8 Chuck Molinaro, the fire chief from
9 Moosic, he just emailed us all the
10 information if we want to do the same system
11 in town that they do. So I'll have all that
12 paperwork.

13 MR. FEBBO: Well, why don't you get
14 a proposal for it. Why don't you put
15 together a proposal that you think suits you
16 and our community and give it to us.

17 MR. HOOVER: We'll vote in July.

18 MR. RUSSELL RINALDI: If you have
19 that ready by July, we'll put it on the
20 agenda for the July meeting.

21 MR. STULL: Yeah. For the work
22 session? Does that work?

23 MR. RUSSELL RINALDI: Well, if you
24 bring to the work session, then we can put
25 it on the agenda for the July meeting for

1 the regular meeting so we can vote on it.

2 MR. STULL: Okay. I'll have that
3 done.

4 MR. RUSSELL RINALDI: Definitely.
5 Anything else, Bill?

6 MR. STULL: No, there's nothing
7 else.

8 MR. BUTLER: I have something.

9 MR. RUSSELL RINALDI: Sure.

10 MR. BUTLER: A councilman from
11 Duryea called me about that, about what
12 we're talking about right now, for the same
13 thing, Duryea, Avoca, Dupont, and I think
14 one other town. They were asking me what
15 was going on. So I have get back to him and
16 tell him, but I was going to ask you about
17 it tonight anyway. If we're doing it, then
18 I'm going call them up and tell them, yeah,
19 we're doing it. They're going to have a
20 bigger problem because it's four towns, but
21 they were talking about doing it all. Like,
22 Pittston area type of deal.

23 MR. STULL: Right. I know they had
24 -- I want to say Hughestown is opting out of
25 that. They're going to go a different way

1 of doing it. But I definitely know Duryea
2 and Avoca are in on it because they asked us
3 about it.

4 MR. BUTLER: Okay.

5 MR. STULL: It's coming down the
6 pipe. Every municipality is going to be
7 doing it within the next ten years. They
8 have to. The volunteerism is just about
9 done. But, yeah, I'll definitely get that
10 to you before next meeting.

11 MR. RUSSELL RINALDI: Any other
12 questions for Bill?

13 Bill, anything else?

14 MR. STULL: No, I'm good. Thank
15 you.

16 MR. RUSSELL RINALDI: Thank you.
17 You're welcome.

18 Attorney Rinaldi, anything for the
19 meeting?

20 ATTY. RINALDI: Other than what's in
21 my report, just the next planning meeting is
22 July 20th. It's kind of winding down. A
23 lot of the questions you guys seem to be
24 asking are getting addressed there. So
25 that's where the input comes in.

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MR. RUSSELL RINALDI: Anybody have any questions for Bill?

MR. NOTARI: I don't know if it's for Bill. I don't know who the question is for. Villa Drive, I saw something in your report.

ATTY. RINALDI: Villa Drive was paved partially, but I don't know if there was an HOP. I don't know if there was a permit. I haven't heard back from anybody.

MR. NOTARI: Okay. Who do you need to hear back? From because my guess is that nothing -- nothing was permitted, and nothing was --

ATTY. RINALDI: Because the last time they were going to -- the old developer was going to do it, we signed off on the HOP. So I don't know what transpired down there.

MR. RUSSELL RINALDI: Is Villa Drive a road or is it -- I thought it was Louis Ciuccio's private driveway.

ATTY. RINALDI: Well, it's -- the land is owned by Louis Ciuccio. The borough has an easement on one side, and then

1 Birchwood Estates, I think, is on the other
2 side. Birchwood's plan is to not include an
3 access on Villa Drive because he only said
4 one access.

5 MR. FEBBO: Wasn't there an escape
6 route there?

7 ATTY. RINALDI: No. That was the
8 prior developer was going to use it as an
9 escape route. He has nothing in there on
10 his plan. Coming back there the road is
11 paved. So I don't know if PennDot's aware.
12 I don't know what transpired.

13 MR. RUSSELL RINALDI: Who owns the
14 road?

15 MR. NOTARI: I don't think anybody
16 knows what happened. What do we need -
17 like, do we need to do something?

18 MR. BUTLER: It's like right down
19 the middle of the road. It's not like the
20 whole road is paved. It's just a strip down
21 the middle. That's all it is.

22 MR. FEBBO: What happened there was
23 Dunbar was getting complaints from all the
24 neighbors to try to control the dust. So he
25 just sat out there and had it all paved from

1 his property all the way up the middle and
2 made the neighbors late because a lot of
3 them gave him work to do, thanked him for
4 it. That access road you're talking about I
5 think is a temporary one just to get off his
6 property because, again, the trucks coming
7 in and out of there -- the gate. They come
8 out that side road of Villa Drive. But
9 that's just a temporary road, and it gets
10 paved because of dust.

11 MR. RUSSELL RINALDI: Yeah, he was
12 here a couple meetings ago. That road in
13 the back isn't going to be open.

14 MR. FEBBO: No.

15 MR. RUSSELL RINALDI: I think it's
16 open now because of the construction.

17 CHIEF DUBERNAS: There's a sign for
18 construction vehicles.

19 MR. RUSSELL RINALDI: Yeah,
20 construction vehicles only.

21 ATTY. RINALDI: Does he need a
22 paving permit, Mike?

23 MR. SOKOLOWSKI: It's private
24 property.

25 MR. NOTARI: He didn't pave the

1 whole road, just paved the strip down the
2 middle. We're not going to be able to plow
3 it.

4 MR. RUSSELL RINALDI: Then why don't
5 we tell him he has to plow it? We'll tell
6 him he has to plow it.

7 MR. NOTARI: It's not his road.

8 MR. RUSSELL RINALDI: No, but I'm
9 saying, why don't we tell George he has to
10 plow.

11 MR. BUTLER: I don't think he would
12 have a problem with it.

13 MR. RUSSELL RINALDI: Well, he plows
14 his own developments already. Doesn't he?
15 He plows his own roads.

16 MR. FEBBO: The only thing he pays
17 for -- he gets out of us is police and fire.
18 That's all. Garbage, road maintenance,
19 water, sewer, it's his.

20 MR. RUSSELL RINALDI: Tell him he
21 has to plow it.

22 ATTY. RINALDI: If it's a road, then
23 it's a PennDot issue. So I don't know what
24 they want to do with it.

25 MR. RUSSELL RINALDI: Is it a road?

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ATTY. RINALDI: Well, that's why if nobody knows what's going on, if it's going to be an issue, if somebody's going to start using it as an accessway, then that's an issue. And it's going to be, where is his permit and what did you guys do down there.

MR. NOTARI: Well, it is being used as an accessway because his trucks are using the road to build the apartment complexes that are not on the plans -- on the original plans.

MR. LOPATKA: Well, they came back for amendments on those. They did. But if they're using the road, it should be a permit.

MR. NOTARI: Well, they obviously are using the road because he paved it.

MR. RUSSELL RINALDI: It's construction vehicle back there; correct?

CHIEF DUBERNAS: Yeah, all the construction vehicles.

MR. RUSSELL RINALDI: That's what they said at the meeting.

ATTY. RINALDI: It's land development. I wasn't here at planning when

1 he came in and said, here's my plan to pave
2 the road.

3 MR. LOPATKA: He didn't.

4 MR. NOTARI: He didn't.

5 MR. LOPATKA: Not that I saw. I
6 mean, I didn't see plans for that to be
7 done.

8 MR. NOTARI: Okay. So do we have
9 any recourse or do we need to do anything or
10 do we just let it go?

11 ATTY. RINALDI: It's up to you guys.

12 MR. NOTARI: So what you're saying
13 is there's no legal ramifications then if
14 it's up to us.

15 MR. FEBBO: Unless we want to make
16 something.

17 MR. BUTLER: Not our property. We
18 can't do anything.

19 MR. LOPATKA: I mean, PennDot would
20 probably make him get a permit.

21 MR. NOTARI: That's the answer I
22 wanted.

23 MR. RUSSELL RINALDI: Or Louis.

24 MR. LENCESKI: The problem is when
25 it snows, you don't know where the road is.

1 MR. FEBBO: Yeah, especially with
2 the strip in the middle. That's the way he
3 paved it.

4 MR. RUSSELL RINALDI: Well, he plows
5 all of his own developments is what I'm
6 saying.

7 MR. LOPATKA: And technically, it
8 shouldn't even be him getting the permit.
9 It should be Ciuccio signing the permit
10 because it's his property.

11 MR. LENCESKI: Could PennDot come
12 after the borough?

13 MR. LOPATKA: I don't know --

14 MR. BUTLER: PennDot could go to the
15 property owner and say you don't have a
16 permit.

17 MR. RUSSELL RINALDI: I will say
18 this, though. I asked about that road for
19 years, and everyone kept telling me it's
20 Ciuccio's private driveway. So is it a road
21 or a private driveway? Because a private
22 driveway and a road are two different
23 things.

24 MR. LOPATKA: Well, either one of
25 them needs a permit to enter the state road.

1 MR. RUSSELL RINALDI: I understand
2 that.

3 MR. HOOVER: It's a borough road up
4 to --

5 MR. NOTARI: It's not a borough
6 road, but it was always a road because
7 everybody used it to get to Pagnotti Park.

8 MR. RUSSELL RINALDI: Right. It was
9 always a road.

10 MR. NOTARI: Before the bridge
11 washed out.

12 ATTY. RINALDI: It was never a road.
13 It was never on Ciuccio's plan. He kind
14 fudged it. Made it look like it was an
15 access, but it was never on the subdivision
16 plan.

17 MR. RUSSELL RINALDI: No, because
18 when we went down there, we were in court
19 all those years, and we were trying to get
20 the road paved down there, and we were going
21 back and forth for years -- Joe, you were on
22 Council. When we went before the judge,
23 that road -- that dirt accessway -- I don't
24 even want to call it a road -- was --
25 Ciuccio's lawyer fought and they deemed it

1 his driveway. And that's why we didn't have
2 to pave it.

3 ATTY. RINALDI: This goes back to
4 when the road washed out. Everybody here on
5 Council wanted to do something, and I said,
6 well, you approved this subdivision without
7 that as an access. The subdivision goes on
8 the other side --

9 MR. FEBBO: So you're saying that
10 road does not exist on plans anywhere?

11 ATTY. RINALDI: Not on Ciuccio's
12 plans.

13 MR. FEBBO: Okay. So then it
14 doesn't exist. It's nothing. It's not even
15 there.

16 MR. RUSSELL RINALDI: It doesn't
17 exist on them because we were in court with
18 him. Louis, his lawyer argued that that's
19 his driveway.

20 ATTY. RINALDI: We're not talking
21 about Villa.

22 MR. RUSSELL RINALDI: We're talking
23 about from Milwaukee Avenue all the way
24 back.

25 ATTY. RINALDI: I didn't sue him

1 over that because I couldn't. It wasn't on
2 the plans you guys approved.

3 MR. RUSSELL RINALDI: But we fought,
4 as a borough, to try and pave. When the
5 judge ordered us to pay 50 percent and him
6 pay 50 percent, we fought to pave.

7 ATTY. RINALDI: No.

8 MR. RUSSELL RINALDI: Yes, we did.
9 We asked -- because Mr. Catori (phonetic)
10 and Mr. Haluska (phonetic) was arguing about
11 the dirt, the dust, and all the property.
12 This is going back ten years.

13 ATTY. RINALDI: And I'm just saying,
14 it wasn't in the lawsuit.

15 MR. RUSSELL RINALDI: No, but it was
16 a conversation in the court proceeding is
17 what I'm saying. And his lawyer said,
18 that's not a road. That's Mr. Ciuccio's
19 private driveway. And Judge Minora said,
20 okay. It's his driveway.

21 ATTY. RINALDI: Well, it was based
22 on not on the plans of Ciuccio's. I mean,
23 it's not. It was never an accessway to
24 Villa Estates. That was the problem. He
25 had no accessway to Villa Estates.

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MR. FEBBO: Before that road came in, that was the access to his property.

ATTY. RINALDI: Right. He lied to Council and Council approved the plans and put Villa Drive --

MR. RUSSELL RINALDI: That's going back to the 90s.

ATTY. RINALDI: Right. The bridge washed out. We had no responsibility because you guys didn't approve the plan that said that that was an accessway.

MR. RUSSELL RINALDI: Okay. So where we stand right now in all of this?

MR. FEBBO: It doesn't exist.

MR. RUSSELL RINALDI: We tell him to plow it. Right?

MR. NOTARI: We don't have to plow it.

MR. LENCESKI: It's public safety to Norma's house. God forbid there was emergency, whether it be fire department had to get down there and an ambulance.

MR. RUSSELL RINALDI: Right.

ATTY. RINALDI: All it is is an easement for that guy.

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MR. LENCESKI: That's as far as we plowed. We didn't keep plowing because there was a road there in the summertime.

MR. NOTARI: We can't stop doing that then. In the eyes of public safety, we can't just say, okay. We're not going to plow it. Because now if our fire trucks or our ambulance has to get there. Regardless of whether we're liable or not, we're not going to put our own residents at risk.

ATTY. RINALDI: It's the borough's easement. It's Dunbar's easement. And it's Ciuccio easement -- not easement but land. So anybody can plow it.

MR. FEBBO: Anybody can?

ATTY. RINALDI: Again, it's your easement. The borough has an easement there all along his property. Dunbar has an easement all along his property. If he wants to plow it, he can plow it. You can't tell him to plow it, but you can plow it. He has the right to use it as a road. We have the right to use it as a road. The two houses there have the right to use it as a road.

1 MR. FEBBO: Should we reach out to
2 him and ask him if he would, you know -- or
3 mention it to him.

4 MR. RUSSELL RINALDI: Yeah, that's
5 what we'll do. We'll reach out to him.

6 MR. LENCESKI: The only thing that
7 we could do to prevent any accidents with
8 the plow truck is prior to winter, mark the
9 sides of the road so we know to plow in
10 between.

11 ATTY. RINALDI: There is lots of
12 people that use it to get to the property.
13 It's an easement.

14 MR. RUSSELL RINALDI: That's what
15 I'm saying. So he might want to plow it
16 himself. If he spent the money on paving it
17 himself --

18 ATTY. RINALDI: Yeah, but if he is
19 going to use it as an entrance to Birchwood,
20 he's got to come back to planning and say I
21 want a road to get in the back of Birchwood.

22 MR. RUSSELL RINALDI: He's been
23 driving those construction vehicles down
24 there for eight years. Why didn't we tell
25 him eight years ago that he had to do that?

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Why are we telling him now?

ATTY. RINALDI: Because he didn't tell us he was going to use that road. He actually said I'm not using that road. My developments all enter in through Keyser Avenue.

MR. BUTLER: I think that's only temporary.

MR. HOOVER: He used temporarily.

MR. RUSSELL RINALDI: It's just the construction vehicles.

MR. BUTLER: It says construction vehicles only on the sign.

MR. FEBBO: Because right now the development that he's putting there all the way in the back. So right now, it's cement trucks coming there, tractor trailers coming there, Mariotti's trucks --

(Simultaneous talking.)

MR. RUSSELL RINALDI: Foot traffic --

MR. FEBBO: People traffic right now. People walking their dogs and all that. That's the way they go. Right now, they circumvent and all that coming through

1 the back.

2 ATTY. RINALDI: If this is a clear
3 road being used as a road, then you're
4 probably going to want to stop that.

5 MR. RUSSELL RINALDI: Yeah, once the
6 construction is down, the road will shut
7 down. Plus, you can't get back there anyway
8 to the development unless you're a
9 construction person because it's blocked
10 off. Only construction vehicles. There is
11 barriers up inside the development. So if
12 like you were driving down there to go into
13 one of buildings, you can't get to it
14 because there's barriers blocking
15 everything. And the construction vehicles
16 drive down there and only go back there,
17 turn around in the dirt, come back up the
18 road.

19 MR. FEBBO: Because of the mud.

20 MR. RUSSELL RINALDI: Yeah, and then
21 there's all big boulders down there blocking
22 the entrance to the development. Because he
23 doesn't want the construction vehicles, I
24 think, driving in there either on the good
25 roads.

1 MR. FEBBO: Exactly.

2 MR. RUSSELL RINALDI: So we'll
3 contact him, and we're going to ask him to
4 plow. And then if he agrees to plow, he
5 plows. If not, then we will have to plow
6 down, and we'll tell him to mark the sides
7 so we know. But I think he'll plow it, but
8 I don't know that so we'll have to wait
9 until we get his answer.

10 Bill, anything else?

11 ATTY. RINALDI: No that's it.

12 MR. RUSSELL RINALDI: Anyone have
13 anything else for Bill?

14 MaryLynn is absent. We have her
15 reports and her email. So if anyone has any
16 questions, you can contact her tomorrow.

17 With that said, before we go into
18 new business, we will go into public
19 comment. Karen Piekarski.

20 MS. PIEKARSKI: Basically, Mr.
21 Febbo addressed our questions, and we'll
22 just wait until next month to see what
23 happens with the expired permit. Thank you.

24 MR. RUSSELL RINALDI: You're
25 welcome.

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MS. PIEKARSKI: Okay. All right.

Take care.

MR. RUSSELL RINALDI: Thanks.

Bob, I'll cross you off.

MR. PIEKARSKI: Yeah, you can cross me off. Thank you.

MR. RUSSELL RINALDI: You're welcome.

Bill Kossouth. How are you, Bill?

MR. KOSSOUTH: Good. So we have the property off of Babb Street. And we cleared it all out, and we wanted to put some marble vinings on the property line that's off Babb Street in that little alleyway. We come to find out that after the survey that the property -- I thought the easement was the alleyway. It's not, and the easement goes 14.2 feet on my property. It was for initially the construction of the sewer lines and then later on for maintaining the sewer lines.

So I guess my question is, is that still relevant to have that easement there? And, if so, where can I put that relative to that if it has to stay that way?

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MR. RUSSELL RINALDI: Bill.

ATTY. RINALDI: It's going to depend on where the easement is.

MR. KOSSOUTH: The easement is on the alleyway on Babb Street.

ATTY. RINALDI: Doesn't it say where the easement is?

MR. KOSSOUTH: Yes. If you go down Babb Street this way, there's a little alleyway this way, and then this is my property right here, and that's where the easement is from the corner of that alleyway.

ATTY. RINALDI: I can't give you legal advice, but I don't think you can construct anything on the easement.

MR. BUTLER: Is there garages there in the back of your house?

MR. KOSSOUTH: The easement also extends on the other side of the alleyway, like, 16 feet, and there's many garages over there. So like, any construction remaining would fall on my property line only for the, like, the 14 feet or so. But I didn't know if an easement would still be needed for

1 maintaining that kind of --

2 MR. BUTLER: For maintaining a house
3 or a garage, it has to be.

4 ATTY. RINALDI: If they ever have to
5 repair the sewer, they are going to come
6 through there. Whatever you got, it's
7 going.

8 MR. KOSSOUTH: It's gonna get moved
9 one way or the other.

10 ATTY. RINALDI: I'd go by what
11 easement dimensions are there.

12 MR. KOSSOUTH: All right. Thank
13 you.

14 MR. RUSSELL RINALDI: Anything else,
15 Bill.

16 MR. KOSSOUTH: No that's, it. Thank
17 you.

18 MR. RUSSELL RINALDI: You're
19 welcome.

20 Elaine D'Andriola. Hi, Elaine.

21 MS. DANDRIOLA: Hi. How are you?

22 MR. RUSSELL RINALDI: Good. How are
23 you?

24 MS. DANDRIOLA: Good. I spoke to a
25 couple of our neighbors. What I was asking

1 for is a stop sign -- you know where I live.
2 Like right there, there is Bubernak coming
3 down Winter and coming from Amity up.

4 The van in the morning when the kids
5 are going to school, he can't even back out
6 because the traffic is just going. It's a
7 little bit blinded when you're coming out of
8 Bubernak. And, I mean, she has, like, a
9 hill. It's just a little incline, but
10 enough to impair your vision. I had asked.
11 They said it would be too close to another
12 stop sign. Which then I had called
13 Harrisburg to ask them how they allow for
14 stop signs, and they said they would have to
15 do a traffic study -- which I think if you's
16 would just watch there, you would see it's
17 needed. And when I spoke to a lot of the
18 neighbors, they would even write a petition
19 to get a stop sign in there.

20 Jimmy, you've been down. You see
21 how bad it is.

22 MR. HOOVER: It's On Church Street.
23 Right? The one on Church?

24 MS. DANDRIOLA: Winter. Coming down
25 Winter, Jimmy, because coming down --

1 MR. HOOVER: The shrubs stick out.

2 MS. DANDRIOLA: The other thing is,
3 there was a bus accident there a couple
4 years ago, and then somebody just hit.

5 MR. RUSSELL RINALDI: Who did you
6 call?

7 MS. DANDRIOLA: I talked to
8 Michelle, and she said to --

9 MR. RUSSELL RINALDI: Well, we would
10 ask the chief to go out. It's our road. We
11 would ask the chief to go out and look at
12 it. If we need a stop sign or signs
13 anywhere in the borough, the chief would go
14 out and do a traffic study.

15 ATTY. RINALDI: We have an ordinance
16 for that. You can't have your shrubs --

17 MS. DANDRIOLA: When they did this
18 development, they should have pushed it all
19 down, but they didn't. His property is up,
20 like, on a hill. Do you know what I mean?
21 He would have to have everything out. You
22 can't.

23 MR. BUTLER: It's the shrub and the
24 cars coming down the street. It's a big
25 shrub right in the conner of her lot there.

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MR. HOOVER: And the shrub is extended over the curb line.

MR. NOTARI: What's the address where the shrub is?

MR. BUTLER: It would be on the corner of Winter and Bubernak. Right before you hit Bubernak on the right-hand side, the last house before you turn.

CHIEF DUBERNAS: Who owns the house?

MS. DANDRIOLA: But you see how they are? They are on a hill. I mean, when they leveled it out, they should have been there. You can't ask somebody to move that. They have been there 40 years. But that's what we needed, and I don't know -- do you want me to just get a petition together or if you would review it for us?

MR. NOTARI: A petition is not going to help.

MS. DANDRIOLA: Okay.

MR. NOTARI: We have to do a traffic study, and the chief will do a traffic study, and if the traffic study shows that we need the stop sign, then we'll put a stop sign.

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MR. RUSSELL RINALDI: Could you come here real quick. Just looking on the map so I know what we're looking at. You want a stop sign here?

MS. DANDRIOLA: Right.

MR. RUSSELL RINALDI: So you would stop. The stop sign would be on your right. Bubernak is on your right as well. So right here.

MS. DANDRIOLA: Right. He can't even get out of the driveway in the morning.

MR. RUSSELL RINALDI: So the corner on 561 Winter Street.

CHIEF DUBERNAS: So Bubernak. There's already a stop sign on Bubernak.

MR. BUTLER: She wants it coming down Winter Street.

MS. DANDRIOLA: Right. Because then if they can stop there, people can get out of driveways in the morning. It's crazy.

MR. RUSSELL RINALDI: We'll send Chief Dubernas down, and we'll have him look at it and do a traffic study.

MS. DANDRIOLA: Especially with all the little ones. We have three little ones.

1 So somebody will get back to me and let me
2 know.

3 MR. RUSSELL RINALDI: Yeah, we'll
4 send the chief down.

5 ATTY. RINALDI: Mike, check that
6 out.

7 MR. SOKOLOWSKI: Yeah, I know the
8 house.

9 MS. DANDRIOLA: The other thing that
10 you were discussing that property on -- is
11 it Moosic Road where you keep sending papers
12 and everything? Why don't you do cease of
13 construction? Is he building?

14 MR. RUSSELL RINALDI: Well, he is.
15 We didn't issue the original permit down
16 there. Our zoning officer before him
17 resigned. We were in between a period of
18 advertising and hiring. Joe Supulski --
19 which is our state inspector. He works for
20 BIU -- was handling some of the things
21 coming before us. He took that one on when
22 we didn't have an active zoning officer. He
23 was working with that guy down there. He
24 issued the original permits. The guy did
25 not get all the right permits he was

1 supposed to get. The guy did not turn in
2 all the right plans he was supposed to turn
3 in. So now his temporary permit, which was
4 issued by Joe Supulski, has run out Sunday
5 -- Saturday.

6 MR. SOKOLOWSKI: The 17th.

7 MR. RUSSELL RINALDI: So Mike is not
8 issuing another permit now, but he's going
9 down there to explain to him what he needs.
10 So he's not getting no permits right now as
11 of tomorrow until he complies with -- he has
12 the storm management water. He has to show
13 us curbs and sidewalks. Right?

14 MR. SOKOLOWSKI: Yeah, whatever he
15 doing.

16 MR. RUSSELL RINALDI: Everything.
17 So as of right now, there will be no permits
18 issued. His temporary one ran out, which we
19 didn't issue. And I'm not pointing the
20 finger at Mr. Supulski, but he's the one who
21 was handling it when we didn't have our --
22 we were in between zoning officers.

23 MS. DANDRIOLA: And just one more
24 thing.

25 MR. RUSSELL RINALDI: Go ahead.

1 MS. DANDRIOLA: I have been asked,
2 like, about a senior citizen thing. Is
3 there any senior citizen place in here that
4 they meet or anything? Remember they used
5 to have a senior citizen --

6 MR. LOPATKA: That's getting
7 updated. Those are the plans.

8 MR. RUSSELL RINALDI: We're getting
9 plans to remodel.

10 MS. DANDRIOLA: Okay. Thank you
11 very much.

12 MR. RUSSELL RINALDI: You're
13 welcome, Elaine.

14 Mike Zupon. (Phonetic.)

15 MR. RUSSELL RINALDI: Hi, Mike.
16 Good evening.

17 THE WITNESS: Good evening.

18 MR. RUSSELL RINALDI: What could we
19 help you with?

20 THE WITNESS: Well, I got some
21 photos -- satellite photos of Chickey's.
22 He's actually on borough property.

23 MR. RUSSELL RINALDI: Let's see
24 them.

25 THE WITNESS: They were taken

1 yesterday. This is me standing in the
2 borough alley. This is the borough alley
3 right here behind Preate's. All these
4 houses had garages back there. The house
5 actually right here is on the alleyway, the
6 porch. And now he's claiming that alleyway
7 is his. He pushes the property back into
8 the people's -- into their own yards in the
9 back. It's where the old building used to
10 be that burned. There was an alleyway back
11 there. It came in from -- here's that fence
12 that he is actually pushing through the
13 fence now. It's starting to wash. This is
14 on the borough property. Our engineer said
15 it was safe to push it through.

16 ATTY. RINALDI: That's not a borough
17 alley. That's a private easement on four of
18 those persons' lots. It's actually on their
19 property so they can get behind --

20 THE WITNESS: When did all these
21 become private?

22 ATTY. RINALDI: Recorder of deeds
23 office. Look it up. It's not an alley.
24 It's not a road. It doesn't have a name on
25 it. It's private.

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THE WITNESS: I got maps from the 90s that show the borough collected fuel packs.

ATTY. RINALDI: We didn't collect any liquid fuels for that.

So, Mike, if you go on, you'll see the actual map that shows that road and that alleyway you're talking about is actually owned by Pagnotti, Santioni, Evans, and Seaman. That is all as part of their property. So in other words, they pay taxes on it. So it's all up to them in a trespass action if he were to push any dirt on that property or any water. I went through this with the woman who used to come here all the time, and she's got all that information. I think she hired her own civil attorney.

THE WITNESS: All this junk, he has it boxed in so you can't see. This is actual satellite photos yesterday afternoon. Mr. Butler was with me when I took these photos. He even has them on the residential area by the house. He has tons of cars and junk by the house.

MR. RUSSELL RINALDI: He got this

1 from Google maps.

2 THE WITNESS: It wasn't Google maps.
3 I have satellite.

4 MR. RUSSELL RINALDI: Okay. So your
5 question.

6 THE WITNESS: All of this stuff -- I
7 mean, he's allowed to have all that stuff in
8 between the trailers and over by the houses
9 in the residential area?

10 MR. RUSSELL RINALDI: Mike, I don't
11 know what's in between these trailers. It's
12 very blurry. What is it?

13 THE WITNESS: It's junk.

14 MR. RUSSELL RINALDI: Well, you saw
15 it with your own eyes.

16 THE WITNESS: It's just junk.

17 MR. RUSSELL RINALDI: Where were you
18 standing that you saw it with your own eyes?
19 I'll go look, but I'm saying, I can't see
20 from these.

21 THE WITNESS: He has a tarp here so
22 you can't see. He put a tarp so you can't
23 see this stuff. If you park right here, and
24 you look in --

25 MR. RUSSELL RINALDI: Well, I can't

1 go on his property.

2 THE WITNESS: You're not on his
3 property. You're on the road. You can
4 actually see some of the stuff. If you park
5 in the gas station --

6 MR. NOTARI: On what road?

7 THE WITNESS: Milwaukee Avenue. You
8 could see underneath the trailer through the
9 bottom of the trailers because they're on
10 wheels. You could see underneath them. And
11 then he has, like, cars, and all kind of
12 other stuff over where the house is, which
13 is residential. That's loaded with car
14 trailer, car -- stuff like that.

15 MR. RUSSELL RINALDI: Well, we know
16 some of the stuff that's there. That's why
17 -- were you here earlier?

18 THE WITNESS: I heard them talking a
19 little bit.

20 MR. RUSSELL RINALDI: That's why
21 Mike is going to go speak to him again.
22 Bill did all that other research with her.
23 So Mike is going to go down there now, and
24 we asked him if we can look into maybe an
25 ordinance a little bit tighter for a storage

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unit, especially trailers.

THE WITNESS: That was just that one. There is -- this is over on Ray Street in the back. Scott Carey owns that house. There's all kind of rodents. The lady is calling me. She saw a beaver. Nothing is being done. He is saying his girlfriend is going to move in it. If you see the garbage piled up there.

MR. RUSSELL RINALDI: If the lady is calling you, tell her to call the borough.

THE WITNESS: I did.

MR. BUTLER: I brought it up about two months. I was told that we can't do nothing. They're paying.

MR. RUSSELL RINALDI: Tell her to call the borough office. Because her telling you does nothing.

THE WITNESS: I know that. But she said she talked to people at the borough. Nothing is getting done. There's all three houses all one property.

MR. RUSSELL RINALDI: Did she say who she talked to? Did she give names?

THE WITNESS: She talked to

1 MaryLynn.

2 MR. RUSSELL RINALDI: She talked to
3 MaryLynn and she's saying nothing got done?

4 THE WITNESS: Nothing got done.
5 They have been waiting the same with this
6 house here. The porch is falling in.

7 MR. NOTARI: Is this part of your
8 list, Mike?

9 MR. RUSSELL RINALDI: Ray street.

10 MR. SOKOLOWSKI: Yeah, that's Scott
11 Carey's house and the one guy that has the
12 towing place.

13 MR. RUSSELL RINALDI: Mike, did you
14 get any calls on it?

15 MR. SOKOLOWSKI: Yeah, I went down.
16 They cut the grass. The one in the back, I
17 can't find him.

18 THE WITNESS: It's straight back.

19 MR. RUSSELL RINALDI: You're not
20 talking about the property. You find the
21 owner.

22 MR. SOKOLOWSKI: No.

23 MR. RUSSELL RINALDI: Who owns it?

24 THE WITNESS: Scott Carey. He lives
25 on far side of Sibley Avenue. All the way

1 up on the right.

2 MR. SOKOLOWSKI: You have a number
3 for him or anything?

4 THE WITNESS: I can get you one.

5 MR. SOKOLOWSKI: That would be great
6 if you can get the number for us.

7 THE WITNESS: I don't know if you
8 guys know about this situation here on
9 Winter Street and Sumner Street. You could
10 have all these pictures or Mike can have
11 them. Someone is storing cars and
12 everything.

13 MR. SOKOLOWSKI: That's on the alley
14 in the back?

15 THE WITNESS: That's at the
16 magistrate.

17 MR. SOKOLOWSKI: Okay.

18 THE WITNESS: The last thing was
19 Milwaukee Avenue. It's way out in the road.
20 I'm actually parked in the road here. The
21 weeds around the road. And these tires have
22 been there last four months just sitting on
23 the road.

24 MR. RUSSELL RINALDI: And where is
25 this at?

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THE WITNESS: That's just off
Milwaukee -- south of Milwaukee.

MR. NOTARI: Mike, that 107 Ray
Street, that house is Andrew Pisko.

MR. SOKOLOWSKI: Yes. I talked to
him. That one I know. He's supposed to cut
the grass. That's what he told me.

THE WITNESS: Broken windows. You
can get right in the house. The gas company
has a line right there coming through the
pipeline.

MR. RUSSELL RINALDI: Are you aware
of this, Mike? Right there on south
Milwaukee. This would probably -- this
looks like it would be behind this a little
bit going towards UGI.

Joe, could you make a call to the
gas company. Because this would be their
land. Ours is behind it.

MR. LENCESKI:

MR. RUSSELL RINALDI: Okay. We'll
have Joe call. We'll have them send it down
and trim it.

THE WITNESS: I noticed on the line
of Lonesome Road actually coming up. The

1 road is actually washed out from underneath
2 with the heavy rains all the time. About a
3 foot in from the white line going toward the
4 center line, there's a hole -- a sinkhole.

5 MR. RUSSELL RINALDI: On Lonesome
6 Road?

7 THE WITNESS: On Lonesome Road.
8 Right where they fixed it from getting
9 washed out.

10 MR. FEBBO: That's the reason why
11 we're in the process of writing a grant
12 right now with Dave and myself.

13 THE WITNESS: It a hole down now.

14 MR. FEBBO: I already looked at it.
15 We need a dike down there, and we're working
16 on that.

17 MR. NOTARI: There's a hole there
18 right now, Mike?

19 THE WITNESS: Yeah.

20 MR. NOTARI: Joe, will you drive --

21 MR. LENCESKI: Well, I spoke when
22 PennDot was here, and I said what we do we
23 do about potholes, and they said call
24 1-800-pothole for PennDot. That's how they
25 be contacted. Anyone can actually call.

1 It's like when a streetlight is out. Anyone
2 can call PP&L and say the streetlight is
3 out. But I will call. But just so everyone
4 knows, anyone can call.

5 MR. RUSSELL RINALDI: I didn't know
6 that.

7 MR. LENCESKI: You don't have to
8 come -- you could actually do something
9 about it. It's no different than what I'll
10 do, even if I'm a street commissioner or not
11 a street commissioner, just so everyone
12 knows.

13 THE WITNESS: No, I was just worried
14 about it being a safety problem.

15 MR. LENCESKI: I understand. Talk
16 to PennDot. Because I have to go on the
17 website just like everybody else can go on
18 the website and report it.

19 THE WITNESS: Okay.

20 MR. LENCESKI: I don't have any more
21 juice than anyone else.

22 The WITNESS: I understand that.
23 More of a safety hazard. There might be a
24 hole underneath it, but I'm just letting you
25 know.

1 MR. LENCESKI: I'll make the call,
2 though. I'll go on the website.

3 THE WITNESS: That's it for now.

4 MR. RUSSELL RINALDI: Thanks, Mike.

5 Before we go into new business,
6 anyone else want to public speak? Okay.
7 Thank you.

8 First item under new business --
9 it's going to be a motion to approve the
10 start process for the Casper Street bid
11 project.

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

13 MR. RUSSELL RINALDI: Motion on the
14 floor by Councilman Hoover.

15 MR. FEBBO: I'll second it.

16 MR. RUSSELL RINALDI: Second by
17 Councilman Febbo. On the question. Public
18 input. Roll call, please.

19 ATTY. RINALDI: Mr. Butler.

20 MR. BUTLER: Yes.

21 ATTY. RINALDI: Mr. Febbo.

22 MR. FEBBO: Yes.

23 ATTY. RINALDI: Mr. Hoover.

24 MR. HOOVER: Yes.

25 ATTY. RINALDI: Mr. Notari.

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MR. NOTARI: Yes.

ATTY. RINALDI: Mr Rinaldi.

MR. RUSSELL RINALDI: Yes.

Second item under new business is just going to be a motion to add this to the agenda. It's a motion to add the appointment of the zoning board member.

MR. NOTARI: I'll make that motion, Mr. Chairman.

MR. RUSSELL RINALDI: Motion on the floor by Councilman Notari.

MR. HOOVER: I'll second it.

MR. RUSSELL RINALDI: Second by Councilman Hoover.

On the question. Public input.
Roll call, please.

ATTY. RINALDI: Mr. Butler.

MR. BUTLER: Yes.

ATTY. RINALDI: Mr. Febbo.

MR. FEBBO: Yes.

ATTY. RINALDI: Mr. Hoover.

MR. HOOVER: Yes.

ATTY. RINALDI: Mr. Notari.

MR. NOTARI: Yes.

ATTY. RINALDI: Mr. Rinaldi.

1 MR. RUSSELL RINALDI: Yes.

2 Third item is going to be a motion
3 to appoint the zoning board member.

4 MR. NOTARI: Mr. Chairman, I would
5 like to make a motion to appoint Gerald
6 Hobbs as the zoning board member.

7 MR. FEBBO: I'll second that
8 motion.

9 MR. RUSSELL RINALDI: Motion on the
10 floor by Councilman Notari for Gerald Hobbs.
11 Second by Councilman Febbo.

12 On the question. Public input.
13 Roll call, please.

14 ATTY. RINALDI: Mr. Butler.

15 MR. BUTLER: Yes.

16 ATTY. RINALDI: Mr. Febbo.

17 MR. FEBBO: Yes.

18 ATTY. RINALDI: Mr. Hoover.

19 MR. HOOVER: Yes, good choice.

20 ATTY. RINALDI: Mr. Notari.

21 MR. NOTARI: Yes.

22 ATTY. RINALDI: Mr. Rinaldi.

23 MR. RUSSELL RINALDI: Yes.

24 No more items under new business
25 unless anyone has anything.

1 We'll go down the table. We'll see
2 if anyone has anything to add before we
3 adjourn. Mayor Legg.

4 MAYOR LEGG: Thank you,
5 Mr. Chairman. I just wanted to thank all
6 the Council members for showing up for the
7 Glynn Lunney celebration. I think just
8 about everybody was there and that was nice.
9 I like the way MaryLynn ended by giving
10 Mr. Lunney's daughter the big plaque and all
11 you guys were standing behind her. I think
12 that was really a good way to end the
13 ceremony. I would like to thank Mike
14 Sokolowski and Joe Lenceski and his crew.
15 They were there cleaning up. And Mike's not
16 even in the DPW, and he was there sweeping
17 up cigarette butts and everything else.
18 And, of course, MaryLynn, you know, she came
19 to the rescue with food and coffee and
20 donuts and what have you. So I think the
21 Lunney family was very pleased with the day.
22 And that's all I have. Thank you.

23 MR. RUSSELL RINALDI: You're
24 welcome. They were. I spoke to them a
25 little bit afterwards, and I mean, them,

1 everyone you just named, Mr. Fender, you, I
2 mean, you guys all really did a really great
3 job.

4 MAYOR LEGG: One thing I would like
5 to add, if I may, we had meetings for, you
6 know, months before, and he brought up about
7 mention the Council several times, and I
8 told him not to say something like that
9 because this Council gave us permission to
10 go through with the whole program. So
11 sometimes his mouth goes a little faster
12 than his brain. That was not in reference
13 to this Council. I just want to make that
14 clear. That's all I have. Thank you.

15 MR. HOOVER: You did a good job.
16 Thank you.

17 MR. NOTARI: Nice work.

18 MAYOR LEGG: Thank you.

19 MR. RUSSELL RINALDI: Thanks, Mayor.
20 Councilman Febbo.

21 MR. FEBBO: You guys just took the
22 words out of my mouth. The mayor does a
23 super job coordinating it and also running
24 the whole program. He does a good job.
25 Same thing with Memorial Day. He did a

1 super job down there. And appreciate having
2 you as a mayor.

3 MR. LEGG: Thank you.

4 MR. RUSSELL RINALDI: Councilman
5 Notari.

6 MR. NOTARI: I think we need to
7 change our July work session from July 4th
8 to July 11th.

9 ATTY. RINALDI: I have a conflict,
10 but it's only a work session so it's up to
11 you guys. I can get a report to you
12 beforehand.

13 MR. NOTARI: Okay. Okay. We'll let
14 MaryLynn know.

15 MR. RUSSELL RINALDI: Anything else?

16 MR. NOTARI: That's all.

17 MR. RUSSELL RINALDI: Councilman
18 Hoover.

19 MR. HOOVER: No, I'm good.

20 MR. RUSSELL RINALDI: Councilman
21 Butler.

22 MR. BUTLER: I'm good.

23 MR. RUSSELL RINALDI: I'm good as
24 well. We're going to break into a brief
25 executive session with the chief, and at

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that time, the chairman would entertain a motion to adjourn.

MR. FEBBO: I'll make it.

MR. RUSSELL RINALDI: Motion on the floor by Councilman Febbo.

MR. NOTARI: Second.

MR. RUSSELL RINALDI: Second by Councilman Notari. All in favor?

(Unanimous. Meeting adjourned.)

C E R T I F I C A T E .

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3 I hereby certify that I attended the forgoing
4 proceeding, the notes taken by me are contained fully
5 and accurately of the above cause, and that this copy
6 is a correct transcript of the same to the best of my
7 ability and understanding.
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13 _____
14 Mollie Gill, RPR
15 Court Reporter
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