

1 OLD FORGE BOROUGH COUNCIL MEETING

2
3
4 375 Milwaukee Avenue
5 Old Forge, Pennsylvania

6 Tuesday, June 21, 2022

7 7:00 p.m.

8
9 MEMBERS PRESENT: RUSSELL RINALDI, CHAIRMAN
10 RICK NOTARI, COUNCIL MEMBER
11 LOU FEBBO, COUNCIL MEMBER
12 JAMES HOOVER, COUNCIL MEMBER
13 MICHELLE AVVISATO, COUNCIL MEMBER
14 ANDREW BUTLER, COUNCIL MEMBER
15

16
17 ALSO PRESENT: MAYOR ROBERT LEGG
18 MARYLYNN BARTOLETTI - BOROUGH MANAGER
19 WILLIAM RINALDI, ESQUIRE - SOLICITOR
20

21
22
23
24 Janet E. Smith
25 Court Reporter
(570) 650-0753

Certified Original

P-R-O-C-E-E-D-I-N-G-S

CHAIRMAN RINALDI: Good evening,
everyone. I'd like to call the meeting to
order with the Pledge of Allegiance.

(Pledge of Allegiance.)

CHAIRMAN RINALDI: Roll call, please.

MS. BARTOLETTI: Councilman
Avvisato.

MS. AVVISATO: Here.

MS. BARTOLETTI: Councilman Butler.

MR. BUTLER: Here.

MS. BARTOLETTI: Councilman Febbo.

MR. FEBBO: Here.

MS. BARTOLETTI: Councilman Hoover.

MR. HOOVER: Present.

MS. BARTOLETTI: Councilman Lettieri
absent. Councilman Notari.

CHAIRMAN RINALDI. Here.

MS. BARTOLETTI: Councilman Butler.

MR. BUTLER: Present.

MS. BARTOLETTI: Councilman Rinaldi.

CHAIRMAN RINALDI: Here. Thanks,
Marylynn. Once again, ladies and gentlemen,
welcome to the regular meeting of the Old
Forge Borough. Tonight is Tuesday, June

1 21st, 2022.

2 We're going to go through some of
3 our housekeeping motions, hear from the
4 department heads and their reports for the
5 meeting. There's a public sign-in sheet
6 that the Chief has. If anyone else didn't
7 sign in already and would like to address
8 it, give you a few minutes at the end of the
9 meeting.

10 And then we will go down the table
11 and hear from our mayor and our council
12 members.

13 To begin, we'll go through our first
14 housekeeping motion, and that's motions to
15 approve the prior minutes.

16 MS. AVVISATO: Make that motion, Mr.
17 Chairman.

18 CHAIRMAN RINALDI: Motion on the
19 floor by Councilwoman Avvisato.

20 MR. BUTLER: Second.

21 CHAIRMAN RINALDI:: Second by
22 Councilman Butler on the question. Public
23 input. Roll call, please.

24 MS. BARTOLETTI: Councilman Avvisato.

25 MS. AVVISATO: Yes.

1 MS. BARTOLETTI: Councilman Butler.

2 MR. BUTLER: Yes.

3 MS. BARTOLETTI: Councilman Febbo.

4 MR. FEBBO: Yes.

5 MS. BARTOLETTI: Councilman Hoover.

6 MR. HOOVER: Yes.

7 MS. BARTOLETTI: Councilman Notari.

8 MR. NOTARI: Yes.

9 MS. BARTOLETTI: Councilman Rinaldi.

10 CHAIRMAN RINALDI: Yes. Second item

11 under housekeeping, a motion to approve

12 treasurer report. Please note this does not

13 include the sewer account.

14 MR. HOOVER: Make that motion.

15 MR. FEBBO: Second.

16 CHAIRMAN RINALDI: Motion on the

17 floor by Councilman Hoover. Second by

18 Councilman Febbo on the question. Public

19 input. Roll call, please.

20 MS. BARTOLETTI: Councilman Avvisato.

21 MS. AVVISATO: Yes.

22 MS. BARTOLETTI: Councilman Butler.

23 MR. BUTLER: Yes.

24 MS. BARTOLETTI: Councilman Febbo.

25 MR. FEBBO: Yes.

1 MS. BARTOLETTI: Councilman Hoover.

2 MR. HOOVER: Yes.

3 MS. BARTOLETTI: Councilman Notari.

4 MR. NOTARI: Yes.

5 MS. BARTOLETTI: Councilman Rinaldi.

6 CHAIRMAN RINALDI: Yes.

7 Third item is a motion to approve
8 treasurer invoices for payment. Please note
9 that this does not include the sewer
10 account.

11 MR. NOTARI: Mr. Chairman, I would
12 like to make a motion to approve invoices
13 for payment with the exception of any
14 invoices from the Borough engineer, the
15 Borough architect and D and M Construction
16 and company related to the ongoing Borough
17 building project.

18 MR. BUTLER: Second that motion.

19 CHAIRMAN RINALDI: Motion on the
20 floor by Councilman Notari. Second by
21 Councilman Butler on the question. Public
22 input. Roll call, please.

23 MS. BARTOLETTI: Councilman Avvisato.

24 MS. AVVISATO: Yes.

25 MS. BARTOLETTI: Councilman Butler.

1 MR. BUTLER: Yes.

2 MS. BARTOLETTI: Councilman Febbo.

3 MR. FEBBO: Yes.

4 MS. BARTOLETTI: Councilman Hoover.

5 MR. HOOVER: Yes.

6 MS. BARTOLETTI: Councilman Notari.

7 MR. NOTARI: Yes.

8 MS. BARTOLETTI: Councilman Rinaldi.

9 CHAIRMAN RINALDI: Yes. The fourth
10 item is a motion to approve the sewer
11 department financial report.

12 MR. NOTARI: Make that motion, Mr.
13 Chairman.

14 CHAIRMAN RINALDI: Motion on the
15 floor by Councilman Notari.

16 MS. AVVISATO: Second that.

17 CHAIRMAN RINALDI: Second by
18 Councilwoman Avvisato on the question.
19 Public input. Roll call, please.

20 MS. BARTOLETTI: Councilman
21 Avvisato.

22 MS. AVVISATO: Yes.

23 MS. BARTOLETTI: Councilman
24 Butler.

25 MR. BUTLER: Yes.

1 MS. BARTOLETTI: Councilman Febbo.

2 MR. FEBBO: Yes.

3 MS. BARTOLETTI: Councilman Hoover.

4 MR. HOOVER: Yes.

5 MS. BARTOLETTI: Councilman Notari.

6 MR. NOTARI: Yes.

7 MS. BARTOLETTI: Councilman Rinaldi.

8 CHAIRMAN RINALDI: Yes. The 6th

9 item -- I'm sorry. 5th item is motion to

10 approve sewer department invoices for

11 payment.

12 MR. NOTARI: Make that motion, Mr.

13 Chairman.

14 CHAIRMAN RINALDI: Motion on the

15 floor by Councilman Notari.

16 MR. BUTLER: Second.

17 CHAIRMAN RINALDI: Second by

18 Councilman Butler on the question. Public

19 input. Roll call, please.

20 MS. BARTOLETTI: Councilman

21 Avvisato.

22 MS. AVVISATO: Yes.

23 MS. BARTOLETTI: Councilman

24 Butler.

25 MR. BUTLER: Yes.

1 MS. BARTOLETTI: Councilman Febbo.

2 MR. FEBBO: Yes.

3 MS. BARTOLETTI: Councilman Hoover.

4 MR. HOOVER: Yes.

5 MS. BARTOLETTI: Councilman Notari.

6 MR. NOTARI: Yes.

7 MS. BARTOLETTI: Councilman Rinaldi.

8 CHAIRMAN RINALDI: Yes. Before we go

9 to our department heads, we have Joe

10 Rovinsky from Lackawanna County CDBG. Do

11 you want to give us the report before you

12 could --

13 COURT REPORTER: Sir, I just need

14 your name.

15 MR. ROVINSKY: Joe Rovinsky. On

16 behalf of Lackawanna County Department of

17 Planning and Economic Development.

18 I'm just going to give you an

19 overview of the program and the current

20 funding available for projects going in to

21 2022.

22 I also prepared a statement that is

23 provided. The Lackawanna County Department

24 of Planning and Economic Development is the

25 administering agency for the Community

1 Development Block Grant Program in the
2 county.

3 CDBG funds are federal funds from
4 the United States Department of Housing and
5 Urban Development, which are administered by
6 the PA Department of Community and Economic
7 Development.

8 There are 11 entitlement communities
9 which Old Forge Borough is one, and 27
10 non-entitled communities in Lackawanna
11 County, Pennsylvania.

12 To be considered an entitlement
13 community, the community must have a
14 population of 4,000 or more and meet the
15 current minimum standards of physical and
16 economic distress of the Federal Urban
17 Development Action Grant Program.

18 The current 2022 allocation is
19 estimated right now at \$145,000.00, and that
20 would likely change before the end of the
21 month as the second revision to the
22 allocation. While the allocation will be
23 out hopefully prior to the end of the month.

24 So it would be provided to the
25 Borough managers. So, the current

1 allocation for 2022 is \$145,000.00. That's
2 new money that will be coming in to the
3 Borough, which may be more or less, but not
4 -- within that range, which would help -- we
5 were told by DCB will be coming by the end
6 of this month. So, they are behind for the
7 current allocation for this year.

8 Objectives. There are numerous
9 objectives the program addresses. It
10 includes to assist communities and preparing
11 community development plans, designed to
12 address the significant needs of low and low
13 to moderate income individuals, to assist
14 communities in administering community
15 development activities designed to address a
16 number of community development needs
17 identified by the community development
18 plan, to encourage and assist communities to
19 focus upon and address housing and the
20 community facility problems and to pursue
21 economic development and commercial
22 revitalization activities through public,
23 private investment initiatives that will
24 result in the development of the expansion
25 of job opportunities within the

1 Commonwealth.

2 Examples of eligible activities
3 include water and sewer improvements, storm
4 water improvements, street improvements,
5 parks and recreation facilities and senior
6 center facilities.

7 Examples of ineligible activities
8 include buildings or portions used for
9 government, general government expenses,
10 operating and maintenance expenses,
11 political activities, purchase and
12 construction of equipment, purchase of the
13 fire protection equipment, purchase of
14 furnishings or personal property and income
15 payments.

16 For the project to be eligible, it
17 has to meet one of three national
18 objectives.

19 One of these objectives is to
20 benefit both the moderate income persons.
21 Another objective is the prevention or
22 elimination of slums or blight or to address
23 the immediate threat to the health and
24 safety of the community.

25 The most recent project we completed

1 with the CDBG was the elevator project in
2 the borough building and we are coordinating
3 with the Borough manager to get project
4 completeness for the 2022 application.

5 So, once we have the final funding
6 available, that information will be provided
7 to the Borough Council and Borough Manager.
8 And we anticipate that happening and be
9 finalized very soon, because they are
10 behind.

11 So, having said that, that's all I
12 have. I'll take any questions I can answer
13 from the people.

14 MR. HOOVER: Dunn Avenue?

15 MS. BARTOLETTI: We had talked about
16 it but we don't think it was going to be a
17 good plan because, by the time they perform
18 the surveys and all that, it would
19 definitely put us well in to next year.

20 MR. ROVINSKY: We do have people
21 going out for surveys in July and August.
22 That's our survey time, survey period time,
23 because the construction is scheduled by
24 August, September, it's hard to get road
25 jobs done in that period.

1 Also difficult because we've had a
2 lot of problems with road projects, recently
3 getting supplies. A lot of the contractors
4 are backed up significantly, due to the
5 supply chain issue. So, we have to take
6 that into account too in planning projects.

7 CHAIRMAN RINALDI: Any questions for
8 Joe?

9 MR. ROVINSKY: We will get the final
10 allocations to you as soon as we have them
11 from the state. We have the estimates.
12 That was the second time that we changed
13 them.

14 So, hopefully, this is the last
15 revision that we get from the state CDB.

16 CHAIRMAN RINALDI: Anything else,
17 Joe?

18 MR. ROVINSKY: That's all.

19 CHAIRMAN RINALDI: Thank you very
20 much. Appreciate you coming down. Thanks,
21 Joe. Have a good evening.

22 Moving to the department heads. Joe
23 Lenceski, DPW manager. We have his report.
24 Joe, anything else to add? Does anybody
25 have anything for DPW manager?

1 MR. NOTARI: Couple questions. Joe,
2 saw you had contacted Bureau of Mines for
3 two addresses, 113 Taroli, 116 Hickory
4 Street, we have a problem with signs?

5 MR. LENCESKI: Not a problem. They
6 come up from time to time. But when they're
7 on the property, I just notify the Bureau of
8 Mines for them, just to help them out.

9 Usually give that homeowner the
10 contact information.

11 COURT REPORTER: The acoustics are
12 terrible in here. Can maybe come up here
13 and speak? Thank you.

14 MR. NOTARI: One other thing. I
15 drove by Pero Park the other day. And there
16 was trees cut down, missing. Is that our
17 doing?

18 MR. LENCESKI: No, that isn't our
19 doing.

20 MR. NOTARI: Oh boy. Whose doing was
21 it? Do we not know?

22 MR. LENCESKI: Vandalism, just not
23 growing, not taking to the ground. Some of
24 the trees were actually yanked out.

25 CHAIRMAN RINALDI: Big pine trees

1 along the driveway were yanked out?

2 MR. LENCESKI: Pero Park. I thought
3 Marian Street Park. They were standing dead.

4 MR. NOTARI: So we cut them down?

5 MR. LENCESKI: Yes. One took out a
6 power line going to the triboro shed. I had
7 arborists come out and look at them. He
8 said they're standing dead. They need to
9 come down or they're all going to fall
10 eventually. So, for the safety of the
11 community, come down.

12 MR. NOTARI: Now explain where we had
13 vandalism.

14 MR. LENCESKI: I thought you were
15 talking about Marion Street Park. Some of
16 them were yanked out. Some of them were
17 accidentally hit by lawnmowers when they
18 were small.

19 MR. NOTARI: Okay. I was worried
20 about Pero Park. That's all I have. Thank
21 you.

22 CHAIRMAN RINALDI: Anyone else have
23 any questions for Joe? Thanks, Joe.

24 Code enforcement, zoning officer,
25 Chris Hart. Anything to add to the report?

1 MR. HART: Just that we need two
2 alternates for the Planning Commission. I
3 have six members right now. There's one
4 that we spoke about in the past that's
5 willing to come aboard but then we need
6 alternates.

7 Some people have conflicting
8 schedules with the time, so, only thing that
9 we need to discuss.

10 CHAIRMAN RINALDI: Are you short one
11 member?

12 MR. HART: Only have six, yes. I
13 need one with and then two alternates.

14 CHAIRMAN RINALDI: Need one member
15 and two alternates.

16 MR. HART: Correct.

17 MR. NOTARI: Mentioned Dave Fife,
18 right?

19 MR. HART: Yes. He's the one. I'm
20 unsure about Potosky at the moment, so. If
21 we get two alternates on, Billy took the
22 spot of one of them.

23 MR. NOTARI: Wait. Do we currently
24 have 7?

25 MR. HART: No. Six.

1 MR. NOTARI: Six includes Bob?

2 MR. HART: Yes. So, if Dave Fife
3 comes on board, that makes 7.

4 MR. HOOVER: Did we ask Dave?

5 MR. HART: Yes. He's willing to
6 join. If we have two alternates, then, you
7 know, depending on what happens, you know,
8 one could step in. Then we could have one
9 alternate on the side or just two
10 alternates, which would be good, because a
11 lot of people have kids and, you know, their
12 schedules.

13 MR. HOOVER: Anybody in mind?

14 MR. HART: I do not at the moment.
15 The two that I did were already used. I
16 will get with the planning commission and
17 ask them, see if they have any
18 recommendations.

19 MR. NOTARI: Do we need to advertise
20 for that last spot, Mary, or could we name
21 Dave Fife tonight?

22 CHAIRMAN RINALDI: Where did we lose
23 a member?

24 MR. HART: We were short one. Bob
25 Potosky.

1 CHAIRMAN RINALDI: Bob is still on.
2 He hasn't resigned, right?

3 MR. HART: Yes.

4 ATTORNEY RINALDI: Only one that
5 resigned was --

6 MR. HART: Vince came in.

7 ATTORNEY RINALDI: Bill took Stassi's
8 spot. We need two alternates.

9 MR. HART: Two alternates, and then
10 we need one for Potosky. Stassi, he's --

11 ATTORNEY RINALDI: Is he gonna
12 resign?

13 MR. HART: On the borderline right
14 now, yeah.

15 MR. NOTARI: Who is currently on the
16 planning commission?

17 MR. HART: Right now, we have Billy,
18 Vince Piccolini, Jr., Bobby Giglio. We have
19 Mark Voyack. We have Sal Luzio, Louie.

20 MR. NOTARI: And Bob Potosky. So we
21 have seven members.

22 MR. HART: Right. So we need one
23 more.

24 MR. NOTARI: No. We have 7. We have
25 two alternates.

1 MR. HART: Bob Potosky is on the
2 borderline.

3 MR. NOTARI: But he didn't resign.
4 So, he's on the board. He's not off the
5 board, Chris. He's on the board. He's not
6 resigned. We need two alternates. It's
7 simple as that. Period.

8 MR. HART: My problem is, I haven't
9 had a quorum in three meetings.

10 MR. NOTARI: Then we need two
11 alternates so we can have a quorum. Can't
12 replace somebody that hasn't resigned.
13 Period. I don't want an answer.

14 Could we advertise for two
15 alternates for the planning commission?

16 MS. BARTOLETTI: Yeah.

17 MR. NOTARI: Alternates can sit in on
18 meetings.

19 ATTORNEY RINALDI: We're gonna
20 advertise.

21 CHAIRMAN RINALDI: We could, if you
22 wanted to make a motion tonight if we have
23 one alternate, can have one alternate
24 tonight.

25 MR. HOOVER: I don't think we have

1 any.

2 CHAIRMAN RINALDI: We have Dave
3 Fife.

4 MR. HOOVER: All right. If he
5 definitely wants it, yeah. Have you talked
6 to him?

7 MR. HART: Yes, yes. What I wanted
8 was a nine person planning commission board.

9 MR. HOOVER: I just don't want to put
10 his name out there if I thought he doesn't
11 want the job.

12 MR. HART: No, he wants it. Like I
13 said, what I wanted was a nine person
14 planning commission board so that we know
15 that everybody is on board.

16 Sometimes alternates, you know, they
17 don't have a say in every meeting. So, if we
18 have a nine person board, then we're
19 guaranteed a quorum of four almost every
20 time.

21 MS. AVVISATO: Don't have anyone in
22 mind?

23 MR. HART: No.

24 MR. NOTARI: You don't have a quorum
25 of 4 in a nine person board. You need five.

1 MR. HART: Five.

2 MR. NOTARI: Right.

3 MR. HART: I have a better chance
4 there.

5 MR. NOTARI: Need to rewrite the
6 ordinance, I believe, then; right? Bill.

7 ATTORNEY RINALDI: You have seven
8 members and two alternates. If you don't
9 have a quorum with four, you pick an
10 alternate to make a quorum. So, you have
11 two chances to make a quorum.

12 MR. FEBBO: Alternates show up for
13 the meetings?

14 MR. HART: Billy used to, but there
15 hasn't been.

16 ATTORNEY RINALDI: The alternates
17 would show up.

18 CHAIRMAN RINALDI: Chris, you're
19 saying right now, you're having a problem,
20 currently, with the 7 members getting a
21 quorum.

22 MR. HART: Correct.

23 CHAIRMAN RINALDI: When is the last
24 time you had a quorum out of the 7 members?

25 MR. HART: Last one we did. The past

1 one, we did not. June we did not. One
2 before that we did. The one before that we
3 did not have a quorum.

4 MR. HOOVER: Just put Dave Fife on
5 tonight and alternate and put it in the
6 paper we need another alternate. Okay, Rick?

7 MR. NOTARI: I'm good with that. If
8 we're going to name Dave Fife as an
9 alternate tonight, we only need one
10 alternate.

11 MR. FEBBO: Alternate --

12 MR. NOTARI: Two alternates. Bill, if
13 we wanted to expand or remake the planning
14 commission, that would take a new
15 resolution; correct?

16 ATTORNEY RINALDI: You have to
17 change your ordinance. I think you're
18 allowed 7 and 2 alternates.

19 MR. NOTARI: For the first time I'm
20 hearing tonight that Chris would like a nine
21 person planning commission.

22 If we agreed with him and wanted to
23 do that, we would need to rewrite the
24 ordinance, correct?

25 ATTORNEY RINALDI: Right.

1 MR. NOTARI: Okay.

2 MR. HOOVER: Right now, just leave
3 Dave Fife and put an ad out for one. I don't
4 want to rewrite the ordinance.

5 MR. NOTARI: I don't either.

6 MR. HOOVER: God bless Bob. I hope
7 Bob comes back. But you can't do anything
8 about that. Put Dave Fife on tonight. Put
9 an ad in the paper for one more alternate.

10 MS. AVVISATO: Chris, I like all the
11 permits.

12 MR. HOOVER: Add that to the agenda?

13 CHAIRMAN RINALDI: Yeah. I have it
14 marked down. Chris, anything else to add?

15 MR. HART: Nothing.

16 CHAIRMAN RINALDI: Anybody have any
17 questions for the zoning officer?

18 MR. NOTARI: I have a question.
19 Where do we stand with the Preate Winery
20 property?

21 I had a call today regarding that
22 paper street that divides the property that
23 seemed to being dumped on by the property
24 owner. Have we made any headway with that?

25 MR. HART: Billy answered that.

1 ATTORNEY RINALDI: I answered her.
2 I sent her a copy of the deed. It's not a
3 paper street. It's actually a 15-foot
4 easement on all those properties back there.

5 And I'm assuming that's where she
6 means being dumped on, because there's
7 nothing else behind her property.

8 MR. NOTARI: Right.

9 ATTORNEY RINALDI: So, it's her
10 property that they're trespassing on. So
11 she would have to take the action if they're
12 dumping on that 15 foot. So I suggest that
13 she get an attorney or somebody to do a
14 title search and get the pins put in for the
15 survey and tell the guy, stop dumping on her
16 easement.

17 MR. NOTARI: Up to her to go tell the
18 guy to stop dumping on her property?

19 ATTORNEY RINALDI: Yep. It's not
20 Borough property.

21 MR. NOTARI: Thank you.

22 CHAIRMAN RINALDI: Any other
23 questions for Chris? Thanks, Chris.

24 David Loptaka, engineer's report,
25 anything to add? Anybody have any questions

1 for Dave?

2 MR. HOOVER: Yes, I do. Dave, where
3 do we stand with the Hoover Street project?

4 ENGINEER: Hoover Street, I actually
5 have the surveyor getting ready to go out
6 there and survey to see exactly what's going
7 on with the stormwater, just to see where
8 it's going, what it's tying into.

9 MR. NOTARI: That needs to be done
10 ASAP.

11 MR. NOTARI: That's a hot item. Not
12 like whenever he can get to that. Needs to
13 find the surveyor that could get to it
14 within a week.

15 MR. HOOVER: I'll get it.

16 MR. NOTARI: Okay. There's a lot of
17 damage being done at the cemetery. We're
18 getting the blame for it. Is it our blame?
19 I don't know.

20 MR. HOOVER: In the cemetery.

21 MR. NOTARI: In the cemetery.

22 MS. AVVISATO: Water problem, we
23 discussed it last week.

24 ENGINEER: Yeah. But the water
25 comes from the cemetery, doesn't it?

1 MR. NOTARI: No. Coming down the
2 hill.

3 ENGINEER: Above?

4 MR. NOTARI: Yeah. So, if we can
5 get on that, figure out what the fix is,
6 what it's going to cost us, and whether we
7 need to go to the cemetery association and
8 ask them for help, if they're part of -- if
9 it's part of the problem as well.

10 But it's something we need to take
11 action on it.

12 ENGINEER: I'll get it done.

13 MS. AVVISATO: Thanks, Dave.

14 CHAIRMAN RINALDI: Rick.

15 MR. NOTARI: Yes, sir.

16 CHAIRMAN RINALDI: Just quick
17 question on that. Is the water coming -- do
18 you know where the water is coming from?

19 MR. NOTARI: Down Smith. Coming down
20 Smith Street. Not only does it come down
21 Smith Street, but it comes off -- the last
22 time we had the super bad storm, which is
23 probably 2 do 3 years ago, water was
24 actually coming off two of the properties
25 that sit on the hill, coming out of the

1 gentleman's driveway like a river and coming
2 down Hoover Street or down Smith Street.

3 CHAIRMAN RINALDI: Along side the
4 fence.

5 MR. NOTARI: Along side the fence.
6 Actually comes across the street. It will
7 come down the left side of Smith Street as
8 I'm going down and will cross over to that
9 drain that's right in front of the gate.

10 CHAIRMAN RINALDI: Across from
11 Arcaro's house?

12 MR. NOTARI: Yeah, yeah.

13 ENGINEER: And it sits right there.

14 MR. NOTARI: Yeah.

15 ENGINEER: It's not coming out of the
16 cemetery or coming down Smith Street?

17 MR. FEBBO: Smith Street.

18 MR. NOTARI: No, actually coming out
19 of Mancuso's driveway. I've been told by
20 residence that there's actually water coming
21 out of that drain.

22 So, if we're feeding water in to it
23 and there's water coming out of it, one,
24 it's not taking it, and, two, it's backed up
25 from somewhere.

1 So, again, I know we've sent Joe out
2 there a couple times and he keeps telling me
3 and I believe him, that it's clean, that
4 there's no debris in there.

5 So, I don't know. Is the pipe not
6 big enough? Is it blocked somewhere,
7 wherever it's going to? But it's something
8 that needs to be fixed.

9 MR. HOOVER: Is the water coming down
10 Lincoln?

11 MR. NOTARI: Quite possibly is. But
12 there's another drain. It's between --
13 actually, it's in front of the Lucas house.
14 So, you know, I'm sure it comes down the
15 hill. I mean, it's not --

16 MR. FEBBO: Where is that going?
17 Where is that drain going?

18 MR. NOTARI: I don't know where that
19 drain goes.

20 MR. FEBBO: Where does that go, Joe,
21 do you know?

22 MR. LENCESKI: Combination system.

23 MR. FEBBO: Stormwater.

24 MR. NOTARI: Any water from Lincoln
25 Street and even Lee Street has to be going

1 there because there's really a minimal slope
2 up. Like, if you made the left turn, go to
3 Salemonti's house. All the water is coming
4 down that way. Definitely the low point is
5 in front of Deluca's and in front of
6 Balasitti.

7 CHAIRMAN RINALDI: Joe, are you
8 familiar with it? Dave, are you familiar
9 with it?

10 ENGINEER: I am.

11 CHAIRMAN RINALDI: When is the
12 soonest you can get down there?

13 ENGINEER: Well, I should get down
14 there Friday.

15 CHAIRMAN RINALDI: Any chance you can
16 meet Dave down there on Friday?

17 MR. HART: Yep.

18 MR. CAREY: Mr. Chairman.

19 COURT REPORTER: Sir, I just need
20 your name.

21 MR. CAREY: Mark Carey. One of the
22 issues I was going to raise. I know you're
23 talking about this subject.

24 Should I wait or can I make some
25 comments? Because I'm very familiar with

1 that. Do you want me to wait until --

2 CHAIRMAN RINALDI: Yeah, wait until
3 public comments.

4 MR. CAREY: I will be making some
5 comments and reflecting on that.

6 CHAIRMAN RINALDI: Good. And if you
7 have any information to give to the engineer
8 and DPW.

9 MR. CAREY: I'll be talking about it.

10 CHAIRMAN RINALDI: Good. Any other
11 questions for Dave?

12 MR. NOTARI: No thank you.

13 CHAIRMAN RINALDI: Thanks, Dave.
14 Chief Dubernas, anything else for your
15 report, anything to add?

16 CHIEF DUBERNAS: Nothing about the
17 civil service.

18 ATTORNEY RINALDI: Get the contract
19 finalized for that.

20 CHIEF DUBERNAS: Right. Nothing.

21 CHAIRMAN RINALDI: Anyone have any
22 questions for the Chief?

23 MR. NOTARI: I have a question. And,
24 Chief, I apologize. I didn't see your
25 report. For some reason, didn't come

1 through my e-mail.

2 But my question is, we were informed
3 that we received a grant for the body
4 cameras for the officers.

5 CHIEF DUBERNAS: Yes, last Thursday.

6 MR. NOTARI: Have we ordered them
7 yet?

8 CHIEF DUBERNAS: We already had the
9 quote. We just have to tell the guy when
10 it's finalized from --

11 MS. BARTOLETTI: I'm working on the
12 paperwork. They said do not order anything
13 until the paperwork was finalized.

14 MR. NOTARI: Okay. Thank you.

15 MS. BARTOLETTI: In the process.

16 MR. NOTARI: All I have.

17 CHAIRMAN RINALDI: Anyone else have
18 any questions of the Chief?

19 MR. HOOVER: Is he going to be here
20 for the executive session later?

21 CHAIRMAN RINALDI: Yes. Thank you,
22 Chief.

23 Bill Stall, assistant fire chief,
24 anything to report?

25 MR. STALL: Nothing.

1 CHAIRMAN RINALDI: Anybody have any
2 questions for the assistant fire chief?

3 Thanks, Bill.

4 Attorney Rinaldi, solicitor's
5 report.

6 ATTORNEY RINALDI: You have two
7 resolutions. One is with pave cut, fines
8 and fees. The ones that we talked about
9 last week that we were going to add and
10 didn't add because it was included.

11 When somebody gets a pave cut
12 permit, also supposed to get a permit for
13 anything behind the curb, walkways,
14 right-of-way, grass, green, trees.

15 If you see somebody on the other
16 side of the curb on the roadway, you go get
17 them and nail them for not having a permit.
18 Okay?

19 Landlord license administration
20 fees. You want to go over them, we can go
21 over them, for each one. Also have an
22 ordinance for the vehicles and traffic,
23 increasing the violations for parking
24 tickets from 25 to \$50.00 and quality of
25 life ordinance ticket process system. Easier

1 for Chris to go out and give tickets out
2 when he sees current violations under our
3 code.

4 Also a draft letter that we
5 discussed with regards to rain water on the
6 roads for developments. If that's okay, just
7 let Chris know. If you want to make a
8 change, you can do that.

9 And I spoke to the school district
10 solicitor. They are on-board with the idea
11 to correct that problem on Sherry Lane,
12 which Dave presented the plan to it.

13 Just need to tell Dave to go ahead
14 and start getting the dimensions and
15 everything together for it. The work will
16 come later, once we finalize. We need a
17 survey, metes and bounds.

18 MR. NOTARI: We're going to take over
19 the road?

20 ATTORNEY RINALDI: Well, we own it
21 now. We're going to give them the property
22 they want, less 50 feet of it, for the
23 shared lane.

24 They're going to give us a portion
25 of the apron that turns in to Sherry Lane

1 that's on their property, which would be
2 Melmore Street.

3 We need a little piece of their
4 property to connect Melmore and down to that
5 Sherry Lane Drive. Do you remember that
6 map?

7 MR. NOTARI: Yes.

8 MR. FEBBO: Does it become our road?

9 ATTORNEY RINALDI: It will be a
10 Borough road, yes. 50 foot road from
11 Melmore, a left off Melmore, down Sherry
12 Lane to the house that needs it. Remaining
13 land goes back to -- well, we're going to
14 give the remaining land to the school
15 district.

16 MR. FEBBO: Will that road go all the
17 way down to the railroad tracks?

18 ATTORNEY RINALDI: No. We're only
19 going down to the --

20 ENGINEER: End of that last house.

21 ATTORNEY RINALDI: Yeah. Shrive
22 house.

23 ENGINEER: But people going to
24 explain that the road doesn't go down that
25 far?

1 ATTORNEY RINALDI: That's Vitalla's
2 Lane, which he owns. I think he's the one
3 that did what he did there anyway on Sherry
4 Lane. So it will go down there.

5 You can make that decision, but at
6 least pick up the Shrive house. I don't
7 think it's going to go past there now,
8 because it doesn't go back there now, it's
9 like gravel to get down to that little
10 gravel driveway. Goes down to the garage on
11 the left.

12 Got a little garage there. I think
13 it even encroaches a little bit on the
14 railroad right-of-way.

15 ENGINEER: The pin is right on the
16 corner of the property, right on the corner
17 of the garage.

18 MR. HOOVER: That's going to be a
19 problem plowing? No?

20 ATTORNEY RINALDI: That's not our
21 problem. That's his problem. That's all I
22 have.

23 CHAIRMAN RINALDI: Anybody have any
24 questions for the solicitor? Thanks, Bill.

25 Marylynn, Borough manager report.

1 MS. BARTOLETTI: First, does anybody
2 have any questions on any of the financial
3 reports?

4 I just wanted to bring up two other
5 things. The first one is that the summer
6 camp is taking place and it's going to start
7 July 5th through the 29th, Monday through
8 Friday, 10 to 1.

9 And just also to bring up about we
10 have to discuss about the Go Joe bike ride.
11 He's going to be coming to Old Forge on July
12 28th. So we have to come up with a little
13 plan. And that's all I have to report.

14 CHAIRMAN RINALDI: Anybody have any
15 questions for the Borough manager? Thanks,
16 Marylynn.

17 Before we go on to new business,
18 going to go to public comments. Mark Carey.

19 MR. CAREY: Yes. Let's follow up on
20 what I was talking about earlier, talking
21 about that issue off of Smith Street.

22 When did that drain go in to the
23 cemetery? When was that drain placed in to
24 the cemetery, how many years? Does somebody
25 know?

1 CHAIRMAN RINALDI: Drain placed in
2 the cemetery or right outside?

3 MR. CAREY: The side gate. So
4 everybody is on the same page, if you come
5 up Hoover, turn on to Smith, you have the
6 Deluca, Belensini, you have the side gate.

7 There's a drain outside of that
8 side, outside the gate. If you walk in to
9 the gate and go ahead maybe 25, 30 feet,
10 there's a drain inside the cemetery, a storm
11 drain.

12 My family's headstones and family
13 are buried there. I'm there all the time. I
14 take care of those sites. I'm very familiar
15 what happens with the water. I have
16 pictures on my phone.

17 Last year, I was up at my neighbor's
18 yard, looking down from heavy rain storms
19 after a few days. It was a pond.

20 I have military family members that
21 their stones are under water. I'm walking
22 with boots, trying to put in flowers. It's
23 disrespectful. And I'm getting aggravated
24 with it. Something has to be done.

25 I've talked to Jimmy Scavo from the

1 association. He said to come here, to bring
2 it to your attention.

3 The water is coming out of that
4 storm drain, because when you go after a
5 rainstorm, you could see the grass and the
6 clippings are being pushed up. You can see
7 them laying out.

8 That water is coming out of the
9 storm drain in to the cemetery. Now, if you
10 look at the drain outside of the cemetery,
11 there is a curb.

12 When they did the road, there's a
13 high whatever they call it, that's dry.
14 After it rains, when that drain takes all
15 that water, that road is dry.

16 The cemetery is still under water.
17 So the water is not coming from the road. It
18 might be coming from part of it. It's
19 coming from that drain in the cemetery.

20 Now, I don't know where that goes to
21 or if the storm drain outside is feeding in
22 to that and coming out. I have no idea.

23 But something is causing that water
24 to go in to the cemetery and flood it. I'm
25 now paying to have my family members' head

1 stones fixed because they're tipping and
2 slanting and they're going to fall if I
3 don't get them repaired.

4 CHAIRMAN RINALDI: Not to interrupt
5 you. Let me ask one question. The storm
6 drain inside the cemetery.

7 MR. CAREY: Is pumping water out. If
8 you went after a storm, I was there over the
9 last couple weeks because of all the
10 holidays.

11 You could see, when they fresh cut
12 the grass, you can see the layout of the
13 clippings from the grass, the water from the
14 storm drain, you could see it is pushing
15 water out.

16 CHAIRMAN RINALDI: Is it a new storm
17 drain?

18 MR. CAREY: That's what I'm asking.
19 When did they install it? When did they put
20 that in?

21 MR. NOTARI: Why would the Borough
22 put a storm drain in the cemetery?

23 VOICE: Cemetery that did it.

24 MR. CAREY: Who is responsible for
25 correcting this? Because the association, I

1 talked to Jimmy and he said to come here
2 because of the fact that there's a drain
3 outside on Smith Street.

4 MR. NOTARI: I'm sorry, Mark. I
5 must have misunderstood you when we spoke
6 earlier.

7 It's not the drain on the outside
8 that's flooding?

9 MR. CAREY: No.

10 MR. NOTARI: It's the drain on
11 inside?

12 MR. CAREY: On the inside that's
13 flooding. But I don't know if that storm
14 drain on the outside is feeding somehow in
15 to that drain.

16 The water has to come from somewhere
17 to come out of the storm drain in the
18 cemetery.

19 MR. HOOVER: Joe, is that storm drain
20 outside the curb hooked in to that one?

21 MR. CAREY: That's the issue.

22 MR. HOOVER: Is that the water? But
23 it seems like it's not that far away. It
24 seems like --

25 CHAIRMAN RINALDI: That's hooked in

1 to it?

2 MR. CAREY: Yes. That's where the
3 water is coming from. It is coming from
4 outside on the street.

5 And I don't know why it's -- is that
6 -- does it stop at that drain? So,
7 basically, the water is coming from the road
8 and going right in to the drain in to the
9 cemetery and dumping all over in to the
10 cemetery is what you're telling me?

11 COURT REPORTER: What's your name
12 again?

13 MR. LENCESKI: Joe Lenceski. I don't
14 know where that water is going that's in the
15 cemetery or that pipe is going.

16 MR. HOOVER: That's not ours.

17 MR. CAREY: But the storm drain is
18 somehow on the road. It's tied in to that.
19 So I don't know if that was to try to make a
20 fix to try to stop it because that dip on
21 Smith Street would flood.

22 You have water ponding on the water
23 on the road. You don't have that as severe
24 now because you have it going in to the
25 cemetery.

1 MR. HOOVER: So we put the one in the
2 street. We didn't put the one in the grass.
3 But somehow they're hooked together?

4 MR. CAREY: Somehow.

5 MR. LENCESKI: That storm drain in
6 the cemetery is very old, very old.

7 MR. CAREY: It is? Because it has a
8 new cap on it and everything else. Seems
9 like it's new.

10 MR. LENCESKI: Then someone in the
11 cemetery association should know about it,
12 because we would never go in there and do
13 anything.

14 MR. HOOVER: I can't believe we
15 would go in there --

16 MR. LENCESKI: We wouldn't. Private
17 property.

18 MR. HOOVER: Why would we tie the
19 old one in to the new one? I don't think we
20 would do that. That water must be coming
21 from another catch basin somewhere, maybe on
22 top of the hill, coming down there and
23 coming out. Not necessarily the one that's
24 dry in the street.

25 MR. CAREY: That's taking a lot of

1 water coming down the street. That might be
2 feeding in to there. I don't know.

3 MR. HOOVER: I don't think it is
4 because we wouldn't have dug it -- if he put
5 the one in -- if the Borough put the one in
6 the street, they wouldn't dig on private
7 property, 25 feet in, to hook it to that
8 catch basin where the water would go in one
9 and come out the other.

10 It's private property. The Borough
11 wouldn't do that. But that water from that
12 catch -- the pipe underground, that's coming
13 from someplace else. Whether it's the one
14 up on top of the hill and coming straight
15 down and going out to Hoover Street, I don't
16 even know.

17 CHAIRMAN RINALDI: My question would
18 be, the drain that's inside the cemetery,
19 number one, who installed it? That's what
20 we have to find out.

21 MS. AVVISATO: May not know that.

22 CHAIRMAN RINALDI: That's their
23 property.

24 MR. CAREY: I'll go back and talk to
25 Jim. I have his phone number. I just want

1 this resolved.

2 CHAIRMAN RINALDI: I'm saying, they
3 would have had to install it, because we
4 didn't, because we wouldn't go on their
5 property. We can't.

6 Two would be, if they did install
7 it, whoever they had install it, did they
8 tie it in to our pipe and now there's an
9 issue because they did that?

10 MR. LENCESKI: I don't know.

11 CHAIRMAN RINALDI: Right. We have to
12 find out who installed that.

13 MR. CAREY: I'll do some leg work
14 too, because I want to get this resolved.
15 I'll find out. I'll talk to Jimmy Scavo and
16 meet with some members of the association
17 and find out what they did from the cemetery
18 association and see what they did.

19 CHAIRMAN RINALDI: Since you're
20 pretty familiar with it or the most in this
21 room familiar with it, in that area, was
22 there ever water ponding there prior?

23 MR. CAREY: Not like it is now.

24 CHAIRMAN RINALDI: But did it used
25 to?

1 MR. CAREY: Yeah, but it seems like
2 recent, the last number of years, it's
3 getting worse.

4 CHAIRMAN RINALDI: And I'm not saying
5 this, because I'm not sure. It seems like
6 somebody in the cemetery installed that
7 drain to try and fix the water that was
8 ponding there.

9 MR. CAREY: Whoever did, they
10 compounded the problem.

11 CHAIRMAN RINALDI: Seems that they
12 made it worse. Seems they tied in to our
13 drain.

14 And if they did, when our drain is
15 already taking on its own water, now it's
16 taking on that water, so they're running in
17 to each other and, of course it's going to
18 back up and flood the cemetery.

19 MR. CAREY: And that drain and the
20 grounds around the outside are dry. You go
21 by the inside there, it's marshy. There's a
22 lot of water in the cemetery, a lot of
23 water.

24 CHAIRMAN RINALDI: I'm just taking a
25 guess. It sounds that way, that that one

1 inside was connected to ours, not by us.

2 And now the water is flowing in to
3 it and it's such a smaller distance compared
4 to ours, that it's pushing it back and
5 causing all that ponding and that.

6 MR. CAREY: That's fine. I
7 appreciate your comments. And at least I
8 have some direction.

9 I'll go back to the cemetery
10 association, get some clarity on what they
11 did do. I will come back.

12 CHAIRMAN RINALDI: Ask who installed
13 that drain.

14 MR. CAREY: Give me some time and I
15 will be back.

16 MR. FEBBO: Dave, is it physically
17 possible that that is a French drain that
18 somebody put in there with the idea that, if
19 it's down deep enough, it would absorb the
20 water, and after it got filled up, would
21 burp back up again?

22 ENGINEER: Not if it's connected. If
23 they're putting a French drain in, they
24 wouldn't --

25 MR. FEBBO: No. French drain, not

1 the ground.

2 ENGINEER: Yeah. I mean, they could
3 have. But the pipe is connected, so, I mean,
4 that's not typically how you would put it
5 in.

6 It could go in to the ground, but
7 it's not -- I mean, the ground can't absorb
8 that much water.

9 MR. NOTARI: Is there a manhole?

10 MR. FEBBO: That's what I'm saying.
11 Get to the point where it can't absorb
12 anymore and burp it back up again.

13 ENGINEER: It could be. But with the
14 two of them connected, it's hard to say it's
15 a French drain, unless they a ton of stone
16 around the outside of it.

17 CHAIRMAN RINALDI: Mark, you said
18 that there was a new cap?

19 MR. CAREY: Seems like it's
20 relatively new.

21 CHAIRMAN RINALDI: Is it a manhole?

22 MR. CAREY: Yeah, it's a manhole.

23 MS. AVVISATO: Manhole or drain?

24 ENGINEER: Manhole.

25 MR. CAREY: It's a grate. It's a

1 grate.

2 COURT REPORTER: One at a time,
3 please. Hold on.

4 ENGINEER: Circular drain.

5 CHAIRMAN RINALDI: It's a grate. Why
6 don't you talk to the association and let us
7 know.

8 MR. CAREY: I'll come back to the
9 next meeting, if I can in that time frame.

10 CHAIRMAN RINALDI: No. If you find
11 out sooner, just call Joe and let Joe know
12 at the Borough.

13 MR. CAREY: I just want to get it
14 resolved.

15 MR. LENCESKI: What we need to do is
16 get Dave there to get a storm water system
17 in to the area. That's what we need to do.
18 Need to have the engineer come in there and
19 alleviate that whole entire Smith Street,
20 Hoover Street and get it down to the river.
21 That's what we need to do.

22 MR. CAREY: Because I'm trying to
23 hold back. There's a lot of family members
24 that are really upset that I'm trying to
25 handle this for, because I'm just trying to

1 get this resolved. They go there and it's
2 very upsetting.

3 MR. HOOVER: Mark, if you happen to
4 go down there with Jimmy or somebody, call
5 me.

6 MR. CAREY: I will. I'll need your
7 number, but that's fine.

8 MR. NOTARI: Joe, would you give
9 Jimmy Scavo a call too to see if we can get
10 behind and find out exactly what is going on
11 down there?

12 MR. CAREY: I have his phone number.
13 I can give it to you.

14 CHAIRMAN RINALDI: Mark, just so you
15 know, Joe and Dave are going to handle it on
16 our end.

17 But as soon as you find out the
18 information from inside, let us know as
19 well, so we can all coordinate together to
20 find out where the issue actually is coming
21 from or how it began.

22 MR. CAREY: One other issue. I don't
23 want to tie up too much time.

24 CHAIRMAN RINALDI: No, you're good.
25 Go ahead.

1 MR. CAREY: My son, a lot of playing
2 Little League baseball, this is, I guess,
3 has been an ongoing issue for a number of
4 years, and a number of people have gone
5 through it.

6 They get the set schedule. And then
7 constantly being bumped from certain fields,
8 specifically Miles Field, from whoever.

9 And I've been told, and as a parent,
10 I'm not a coach, but I see what it does to
11 these children. It's not just my child.

12 The last two and a half years,
13 children have gone through a lot, with this
14 pandemic, not seeing friends, wearing masks,
15 not being able to go here and there. Now
16 they have more turmoil, to my son and his
17 friends during this last season where they
18 were bumped multiple times. They're ready
19 for a game.

20 The one night, Brian Ravioli, the
21 head of the association, had a photographer
22 coming up from Allentown and somebody bumped
23 them. He had to call, within a days'
24 notice, to cancel the photos. That's not
25 right. I don't know who gets the authority

1 to bump them off the field.

2 Who controls the fields? They're
3 Borough fields, correct?

4 CHAIRMAN RINALDI: Borough fields.

5 MR. CAREY: Now, the Old Forge Lions
6 Club, which I'm a member for many years,
7 sponsors the Little League. We're the one
8 that gave them the charter.

9 Number one, I don't see our name on
10 the billboard or anything. That's another
11 matter. But --

12 MR. NOTARI: Let's start with that
13 matter. All those boards up at the park, at
14 the Miles Street fields, they are done by
15 the Little League.

16 The Little League, there's a board
17 of directors for the Little League. Right?
18 They solicit the community for those
19 advertising boards there.

20 MR. CAREY: Not the board. I'm
21 talking about -- it's not on the main score
22 board, the score board that you should have
23 something there. That's a different issue.
24 But on the score board.

25 MR. NOTARI: Score board was put up

1 by the Little League.

2 MR. CAREY: And they have Old Forge
3 Lions Little League, home of the devils. And
4 underneath, little caption and softball,
5 something to that effect.

6 MR. NOTARI: Score board was put up
7 by the Old Forge Lions Little League.

8 MR. CAREY: My question is this,
9 that's considered the Little League, but it
10 is also the missy league. Then you have Don
11 Pagnotti, which is called the softball
12 complex.

13 So, my question is, as a Borough,
14 why can't there be specific fields that are
15 dedicated for different -- why can't the
16 Little League have a field at Pagnotti? And
17 that would be their field. And the girls
18 could have the missy league field.

19 MR. NOTARI: One, I think it's kind
20 of discriminatory, first off. Two, there's
21 no missy league.

22 The Old Forge Lions Little League
23 sponsors baseball and softball in the
24 Borough of Old Forge. Falls under the Little
25 League mandate.

1 MR. CAREY: Correct.

2 MR. NOTARI: So, everybody that's
3 playing, boys and girls, no matter what age
4 group, it's Old Forge Lions Little League is
5 the sponsor and is the organization.

6 MR. CAREY: All right. But the
7 people that are running these teams and --

8 MR. NOTARI: Boys and girls.

9 MR. CAREY: Yeah. So, basically,
10 this issue about these fields and who, it's
11 at that level. So I need to go to that.
12 All right. Because I'll go back --

13 MR. NOTARI: To be honest with you,
14 Mark, in my opinion, it's the president of
15 the Little League that determines who -- or
16 the schedule committee or whatever they
17 have, who plays where.

18 Now, yes, we do have an issue
19 between the school and the Little League.
20 This is an issue there with the school teams
21 and the Little League.

22 MR. CAREY: But the fields are
23 Borough fields.

24 MR. NOTARI: Fields are Borough
25 fields. Fields are Borough fields.

1 MR. CAREY: Because it's frustrating,
2 because now have, I said, well, this is the
3 way it's always being done.

4 How is that fair if you have
5 children waiting to play and you're getting
6 ready and people running their family and
7 dealing with other children, and then the
8 day of the game, well, they're not playing,
9 they're bumped because that's the way it's
10 always has been. That, to me, is insulting
11 that, you know, well, somebody from
12 whatever, the missy league or whoever,
13 decides they're taking that field. That's
14 just not right.

15 MR. NOTARI: Stop. You're using the
16 wrong terminology. It's not missy league.
17 And it's not a different organization than
18 the Little League.

19 If there are girl softball teams,
20 youth softball teams bumping boys youth
21 baseball teams, it's coming from the same
22 league. If it's the high school team, then
23 it's different.

24 MR. CAREY: They are Borough fields.

25 MR. NOTARI: They are.

1 MR. CAREY: That's cool. That's all
2 I need to know.

3 MR. BUTLER: It is the high school
4 team. And let me ask you one question, Mark.
5 Why does the Little league not play on
6 Saturday and Sunday?

7 MR. CAREY: That I don't know. I'm
8 not a coach. I do not know.

9 MR. BUTLER: That field is
10 completely empty both those days.

11 MR. CAREY: Part of that problem is
12 because a lot of these children have gone
13 out of Little League for different reasons.
14 Maybe it's because of what I'm describing.
15 They just get frustrated.

16 A lot of them are involved in these
17 traveling leagues. And when they do that,
18 it's on Saturday and Sunday. And that's
19 when they're traveling. That's part of the
20 problem.

21 MR. BUTLER: Yeah, that is part of
22 the problem.

23 MR. NOTARI: Mark --

24 MS. BARTOLETTI: Because of the
25 league that the Little League participants

1 in because the Little League itself only has
2 two teams in Old Forge. The rest of the
3 teams are from out of town.

4 They don't play most of their games
5 on weekends. They play during the week. And
6 when the Little League has a game and the
7 high school game gets canceled and has to be
8 rescheduled, that's how they get bumped off
9 the field.

10 It's not Little League boys versus
11 Little League girls. It's Little League, in
12 general, versus high school needing to use
13 the field. So they get canceled because of
14 weather, they take the next --

15 MR. BUTLER: Pretty much saying that
16 field isn't getting used on Saturday and
17 Sunday, because these people are playing of
18 travel ball. That is no concern --

19 MS. BARTOLETTI: Because of league
20 that they're in. They can't control the
21 league they're in, because Old Forge only
22 has two teams. So --

23 MR. NOTARI: They could control the
24 league that they're in.

25 MR. BUTLER: Right.

1 MS. BARTOLETTI: Well, Little League
2 itself used to have many teams. Now they
3 just have two teams in Old Forge. So they
4 have to go elsewhere and find teams to play.

5 MR. CAREY: Let them play on the
6 field on Saturday and Sunday to make up that
7 game. They're getting told, well, that's
8 the way it is. They get preference over the
9 field. It's nonsense.

10 MR. NOTARI: Mark, we have
11 discussed this in a previous meeting.

12 MR. CAREY: Yes, we have.

13 MR. NOTARI: Like I told you, and
14 going forward, we are going to figure out a
15 way to prevent this from happening.

16 MR. CAREY: You let me know who I
17 need to be involved with or I need to talk
18 to. I'll be a part of that. I'll
19 participate in those conversations.

20 MR. NOTARI: I don't think you need
21 to be, but if we need -- if we need you as a
22 representative of the Little League, then --

23 MR. CAREY: Or as the Lions, that's
24 fine.

25 MR. FEBBO: We, as council, will be

1 addressing that.

2 MR. CAREY: All right. But thank
3 you for your time on both matters.

4 MR. NOTARI: You're welcome. Thanks
5 for coming.

6 MR. CAREY: Like I said, I will be in
7 touch with the people on this first issue.

8 CHAIRMAN RINALDI: Thanks, Mark.
9 Robert Kania, K-a-n-i-a.

10 MR. KANIA: I'm here to appeal the
11 ruling on the handicapped parking on Melmore
12 Street on the side of my house.

13 CHAIRMAN RINALDI: You applied for
14 the handicapped parking spot?

15 MR. KANIA: Yes, we did.

16 CHAIRMAN RINALDI: That's your
17 address.

18 MR. KANIA: Yes, took care of that.
19 The reason I did, on Melmore Street, from 8
20 in the morning until 3:00 in the afternoon,
21 that's a parking lot. And most of those
22 people park right on the sidewalk.

23 Not only can't you walk down the
24 sidewalk, you could never get a wheelchair
25 down the sidewalk.

1 We do have concrete in front --
2 there is a parking area in front of our
3 garage but that's used for medical people,
4 physical therapists and the nurse, busy
5 nurses that come over every day.

6 CHAIRMAN RINALDI: So, Chris, this
7 was an application?

8 MR. HART: Yep, I have the
9 application.

10 CHAIRMAN RINALDI: He came for the
11 handicapped spot. But he does have a
12 driveway.

13 MR. HART: Correct, he has a
14 driveway. And the Chief and I both looked
15 at it. Due to the driveway, you know, it is
16 a denial on it.

17 CHAIRMAN RINALDI: It's a denial.

18 MR. HART: Off-street parking.

19 CHAIRMAN RINALDI: But you're saying
20 that you're appealing it because, the
21 driveway is used for medical purposes.

22 MR. KANIA: For visiting medical
23 people that come in and out on a daily
24 basis.

25 CHAIRMAN RINALDI: Also, I thought

1 Chris mentioned it to us before or to me.

2 Is the driveway -- if you have the van with
3 the handicapped, with the wheelchair, is it
4 the driveway too small to --

5 MR. KANIA: Too small.

6 CHAIRMAN RINALDI: -- to operate with
7 the wheelchair getting out and everything?

8 MR. KANIA: Yeah.

9 MR. HART: I have a picture, if you
10 would like to see it.

11 CHAIRMAN RINALDI: Sure. Although
12 I'm familiar with the house.

13 MS. BARTOLETTI: If it's something
14 that doesn't conform with the ordinance, we
15 have no choice but to reject it to send it
16 to you guys. So that's why we wanted to
17 approve it, if you can, because it's not
18 what the ordinance says. You guys could but
19 we can't. We can't.

20 CHAIRMAN RINALDI: We could.
21 According to the ordinance, they can't.

22 MS. AVVISATO: Got it.

23 MS. BARTOLETTI: Mr. Kania, what's
24 the address?

25 MR. KANIA: 540 West Grace.

1 MR. NOTARI: Do you want to put the
2 spot in front of the fence?

3 MR. KANIA: Yeah, on the side of the
4 house.

5 CHIEF DUBERNAS: On Melmore.

6 MR. KANIA: Oh, on Melmore. Not on
7 Grace.

8 CHAIRMAN RINALDI: On a corner.
9 It's Apache, isn't it?

10 CHIEF DUBERNAS: No. Melmore, then
11 it starts --

12 MR. HOOVER: Apache is the other
13 side.

14 CHIEF DUBERNAS: Still Melmore for
15 two houses and then turns to Apache.

16 MR. NOTARI: I know what house I'm
17 thinking.

18 CHAIRMAN RINALDI: 540 West Grace.

19 MR. KANIA: 540 West Grace.

20 MR. NOTARI: Let me ask you this
21 question. Do we have to make it exclusive
22 to his handicapped number? You might have a
23 handicapped grandparent parking there,
24 waiting for their kids to get out of school
25 in that spot.

1 CHAIRMAN RINALDI: No. We could make
2 it -- if we want, we could make it
3 exclusive, just for his license plate.

4 ATTORNEY RINALDI: Not exclusive.
5 Anybody who is handicapped can park there.
6 They're not exclusive. Can't do that. I
7 mean, the state says you can't do that, not
8 me.

9 CHAIRMAN RINALDI: We have in the
10 Borough of Old Forge though at other places.

11 ATTORNEY RINALDI: I'm just saying
12 that they forbade them. They won't
13 prosecute them. He can't write a ticket.
14 Somebody has a handicapped plate and is
15 there and somebody comes out and says, no,
16 that's mine. No, it's not. It's a public
17 handicapped. I mean, just so we know,
18 somebody else uses it.

19 CHAIRMAN RINALDI: What about the
20 ones we have in the other places currently?

21 ATTORNEY RINALDI: He can't write a
22 ticket out. I don't know what the signs
23 said.

24 CHIEF DUBERNAS: Never had an issue
25 before.

1 MR. NOTARI: At the worse, it will
2 scare people.

3 ATTORNEY RINALDI: One person was
4 complaining that somebody was using their
5 handicapped parking place a couple years
6 ago. Well, anybody can use it.

7 CHAIRMAN RINALDI: Why can't we make
8 this one exclusive then?

9 ATTORNEY RINALDI: Can't make them
10 exclusive under the law, not allowed.

11 CHAIRMAN RINALDI: Allowed to make
12 them prior to this?

13 ATTORNEY RINALDI: Allowed to make
14 them handicapped parking place. That's it.
15 Designate them handicapped parking. But you
16 can't say it's this person's only.

17 CHAIRMAN RINALDI: Okay. So, we're
18 going to put your appeal on the agenda
19 tonight.

20 MR. KANIA: Okay.

21 ATTORNEY RINALDI: That will be under
22 new business.

23 MR. KANIA: Thank you.

24 CHAIRMAN RINALDI: You're welcome.

25 Thanks, Mr. Kania. Have a good night. Joanie

1 Wilk.

2 MS. WILK: Yeah. On June 5th, there
3 was a call of a neighbor, problems on Fallon
4 Street.

5 My concern is it's a very, highly
6 reputable business person is constantly
7 being harassed by Brianne Capwell, who rents
8 a house next door to his.

9 His wife cannot go in to that drive,
10 without this woman harassing. It's to a
11 point that Mr. Gillette is thinking of
12 selling his house in fear for the safety of
13 his family, because of this woman.

14 And on June 5th, it took the police
15 over 20 minutes to get to Fallon Street.
16 Mayor, I would like you to check the 911
17 calls, why it took long.

18 MAYOR LEGG: What date was that?

19 MS. WILK: June 5th. The police
20 officer that --

21 CHAIRMAN RINALDI: The Chief said he
22 could answer that.

23 CHIEF DUBERNAS: I could answer why
24 it took them so long. They had a EDP male
25 that ran out of the house naked in the

1 wooded area and they were looking for him.
2 That was explained to Mr. and Mrs. Gillette
3 at the time of the call.

4 MS. WILK: Okay. But, no matter,
5 they constantly call the police department
6 down there because of this woman harassing
7 them. Harassing them.

8 And one of the employees that did
9 come down there, when one of the neighbors
10 says, do something, your Officer stated that
11 Brianne Capwell, she has a right to freedom
12 of speech. I believe in freedom of speech.
13 But she harasses these people to no extent.

14 Bobby Gillette has helped people in
15 this community. People who couldn't afford
16 to bury their loved ones, he buried them for
17 free. And he has to put up with this stuff?
18 It's not right, Chief. It's not right.

19 CHIEF DUBERNAS: We haven't had an
20 issue in almost a month, when we
21 straightened it all out.

22 MS. WILK: Well, it's not
23 straightened out, because, constantly, Mrs.
24 Gillette has to take her children down to
25 her sister-in-laws' place in Dalton or

1 Dallas.

2 CHIEF DUBERNAS: Haven't called the
3 police since the next day because I was
4 there the next day. That was the 5th. The
5 Monday I was there for about 40 some
6 minutes.

7 MS. WILK: You people still didn't
8 help this guy. This guy is ready to sell
9 his house. For what? For a piece of garbage
10 from West Scranton that comes down here?

11 CHIEF DUBERNAS: Well, there's more
12 to the story with that. There's a Court
13 Order involved with that lady being there.

14 The solicitor could tell you that,
15 because I've already been down this road.

16 CHAIRMAN RINALDI: My question is,
17 Joe, not to interrupt you. If the police
18 are called numerous times, Bill, to a
19 property, after the third time, it's
20 considered a nuisance.

21 Under our ordinance, can't we take
22 action against the property?

23 ATTORNEY RINALDI: You can cite the
24 owner.

25 CHIEF DUBERNAS: And the owner has a

1 Court Order. I've already been down the
2 road with this. We addressed this issue.

3 So, she's a couple weeks behind. You
4 know what I mean? Please come talk to me.
5 I'll tell you the whole story.

6 MS. WILK: Well, I haven't had a
7 chance to come up because I wasn't feeling
8 too well.

9 I'm just disgusted that here's a
10 businessman, who has helped this community.

11 CHIEF DUBERNAS: We understand that.

12 MS. WILK: He's putting his house up
13 for sale, Jason.

14 CHIEF DUBERNAS: We understand that
15 and we --

16 MS. WILK: You understand it?

17 CHIEF DUBERNAS: When addressed this
18 issue. And when we left on the 6th,
19 everything was resolved.

20 MS. WILK: Not resolved.

21 CHIEF DUBERNAS: We don't know that,
22 because we haven't had a police call. We
23 haven't had an issue there. We ride there
24 all the time.

25 MS. WILK: The bottom line is, they

1 don't have any faith. Same day when Chris
2 had to go down there with 16 bags of garbage
3 on their back porch. Am I correct on that?

4 MR. HART: They were taken out.

5 MS. WILK: They gave you a hard time
6 too, just like everybody else.

7 MR. HART: Right. But I got it
8 taken out.

9 MS. WILK: Beside the point. I'm just
10 saying, the quality of the person. I mean,
11 she is just no damn good.

12 And people in this town, when you
13 get these carpet baggers that come in and
14 just destroy the place. And people don't --
15 starting not to have faith in anybody, which
16 is wrong.

17 MR. HOOVER: So, last month, Lynn
18 Deandreal (phonetic) was here with Bernie
19 Deandreal, who are neighbors down there.

20 MS. WILK: Right. They're
21 neighbors.

22 CHAIRMAN RINALDI: Mrs. Gillette was
23 here.

24 MR. HOOVER: Mrs. Gillette was here
25 herself and explained. We were here 40

1 minutes discussing --

2 MR. FEBBO: 2, 3 hours.

3 MR. HOOVER: Easy 40 minutes just
4 her talking and we discussed it. We did get
5 a letter from Lynn Deandreal this week.

6 It says, hi all. Thanks again for
7 your help and concerns with the problem
8 neighborhood on Fallon Street. The
9 increased police protection and presence has
10 been amazing. Also helped yet with another
11 altercation yesterday afternoon. We
12 appreciate all you're doing and hope that
13 the patrols continue. So Jason and his gang
14 have been doing the best we can.

15 MS. WILK: What could we do to get
16 rid of her?

17 MR. HOOVER: Problem getting rid of
18 her is a problem.

19 MS. WILK: Put on the rail and take
20 her out of town.

21 CHIEF DUBERNAS: She's there on a
22 Court Order.

23 MS. AVVISATO: Hire you to do that.

24 CHIEF DUBERNAS: She's on a Court
25 Order.

1 MS. WILK: Owner of the property,
2 find out what we can charge him with.

3 CHAIRMAN RINALDI: Joanie, it's not
4 specifically just, how do we get rid of her.
5 We're not singling her or anyone out. It's
6 people in the borough who are breaking the
7 laws and the ordinances. That's why I
8 asked --

9 MS. WILK: I understand that. I
10 understand that, Mr. Rinaldi. But what I'm
11 saying is, here's a man who has dedicated
12 himself to the Borough, and I know --

13 CHAIRMAN RINALDI: I'm not
14 disagreeing. I know Mr. Gillette for 45
15 years. I went to school since in first
16 grade.

17 MS. WILK: I don't know about
18 school. You know, I don't know about going
19 to school. Come on, kid. I know you since
20 you were a baby.

21 CHAIRMAN RINALDI: My point is, I
22 know him a long time. We spoke four times on
23 the phone within the past, I want to say,
24 two months.

25 MS. WILK: But it's terrible that

1 man is thinking on selling his home.

2 CHAIRMAN RINALDI: I agree with it.

3 It is.

4 MS. WILK: For what? A piece of trash
5 from West Scranton? That's all she is. By
6 the way, the day the guy that Bobby, the
7 teacher on a Friday, that weekend, I saw him
8 and he was on the porch. And that Sunday,
9 he lit himself behind my house. You tell me
10 about that. Those people are no good.

11 CHAIRMAN RINALDI: I didn't
12 understand that. I'm sorry.

13 MS. WILK: Bobby Williams, I saw him
14 on Friday.

15 CHIEF DUBERNAS: Let's not talk
16 about this. Come on now.

17 MS. WILK: I'm talking about it.

18 MR. NOTARI: We don't need to talk
19 about that.

20 CHIEF DUBERNAS: President, this is
21 ridiculous now with her, bringing up an
22 incident like that. You need to cut this
23 off. This is really an embarrassment to the
24 Williams family.

25 MS. WILK: It's not embarrassing to

1 the Williams family.

2 CHIEF DUBERNAS: Yes, you are.

3 MS. WILK: Telling you what kind of
4 garbage you have --

5 CHAIRMAN RINALDI: Joanie.

6 MS. WILK: -- where this guy was.
7 Don't you get smart with me, Jason.

8 CHIEF DUBERNAS: I'm not getting
9 smart with you. But that's embarrassing to
10 the Williams family.

11 MS. WILK: Yeah, you are. Just don't
12 want to hear the fucking truth.

13 CHAIRMAN RINALDI: Mrs. Wilk, please.
14 Anything else, Mrs. Wilk?

15 MS. WILK: No. Let the police do
16 their job.

17 CHAIRMAN RINALDI: Danielle Wenzler.

18 MS. WENZLER: Actually, I e-mailed
19 most of you a few videos. I think I tried
20 to get everybody that was on the list.

21 I'm actually here pretty much with
22 one of my neighbors, some of them also
23 couldn't come, regarding Walter Stocki and
24 Scrap Enterprises.

25 Now, it's a continuing issue. And I

1 know you're going to say, it's in the
2 Judge's hands. I know that's the typical
3 rhetoric, that it's in the Judge's hand, in
4 the Judge's hands. But we have zoning codes
5 and ordinances here, correct?

6 CHAIRMAN RINALDI: Yes.

7 MS. WENZLER: Correct?

8 CHAIRMAN RINALDI: Yes.

9 MS. WENZLER: That we follow,
10 correct? So, I'm going to give you a
11 scenario.

12 5:30 in the morning, I'm sleeping.
13 And you saw the videos. They were dated and
14 timed. And you hear that going on. We're
15 told to call the non-emergency number. We
16 do that. The police call.

17 They go up there. What's the next
18 step that should happen? Should he be cited
19 for a violation, for working at 5:30 in the
20 morning?

21 MR. HOOVER: I think he should be,
22 yes.

23 MS. WENZLER: Not what think. What
24 do our codes say?

25 CHIEF DUBERNAS: If our guys go there

1 and he's not working --

2 MS. WENZLER: No, no, no, no. He's
3 not working. His vehicle was idling. If you
4 think that I'm going to call and get up at
5 5:30 in the morning, with a screaming
6 3-year-old, just because I hear a vehicle
7 idling, you're out of your mind. This is
8 ridiculous.

9 CHIEF DUBERNAS: I watched the video
10 after I got them to play.

11 MS. WENZLER: This is every day.
12 So, now it's in Judge Munley's hands still,
13 correct? Yes. It's still in his hands.

14 MR. NOTARI: It is not in Judge
15 Munley's hands.

16 MS. WENZLER: That's what I'm told
17 by him, that it's in Judge --

18 MR. NOTARI: Right? His Order has
19 been handed down, right, Bill?

20 ATTORNEY RINALDI: In a violation --

21 MS. WENZLER: He's violating code,
22 not even what he's doing --

23 ATTORNEY RINALDI: You need to come
24 as a witness. Because, if he doesn't see it,
25 you have to be there.

1 MS. WENZLER: Okay. I'm reporting
2 it. Nobody is coming to me. Am I supposed
3 to do my own investigative work and figure
4 all this out?

5 ATTORNEY RINALDI: What I was told
6 was, when the zoning officer went out there,
7 it was on the property next door and
8 supposedly cited. So, I don't know. I mean
9 --

10 MS. WENZLER: Because when I talked
11 to zoning, he tells me there's nothing he
12 can do. And I'm not going to stand here and
13 lie in front of you. That's not something
14 -- that's not something that I will do.

15 I'm not coming here, leaving my
16 family tonight. I am told it's in the
17 Judge's hands and there's nothing you can
18 do. If you have that much of a problem,
19 have you called the D.A.s office? Have you
20 gone to hearings?

21 I said, so, wait a second. He heard
22 me screaming at him in my back yard. And I
23 said, so you're a liar if you're telling me
24 that he can go out there at 5:30 in the
25 morning, the police can show up and see him

1 doing something. And he said, no, there's
2 nothing we can do. It's in the Judge's
3 hands. I'm sick and tired of it.

4 CHAIRMAN RINALDI: That's wrong.

5 MS. WENZLER: It is. It's all wrong.
6 The police walked up on him and they told
7 me, they stood in my yard and told me they
8 saw him burning and torching last summer. I
9 have the date written.

10 CHAIRMAN RINALDI: If the police saw
11 him --

12 MS. WENZLER: And they did nothing.

13 CHAIRMAN RINALDI: Well, then --

14 MS. WENZLER: They told him to stop,
15 is what they told me.

16 CHAIRMAN RINALDI: Well, if the
17 police see him --

18 CHIEF DUBERNAS: Last summer?

19 MS. WENZLER: Yes, last summer. A
20 male police officer, because I took pictures
21 in front of the police car, when they came,
22 because it was a male and a female.

23 And they just come and let my little
24 guy smile in front of the police car and
25 smile and everything, because he was nervous

1 when he saw us in the backyard.

2 They came to my house afterwards.

3 Because I said, when you leave there, I want
4 you to come to my house. They came to my
5 house. What was going on, we snuck up on
6 him. He was torching. We told him to stop.
7 Okay. Okay.

8 CHAIRMAN RINALDI: They should have
9 cited him.

10 MS. WENZLER: He should have been
11 cited at 5:30 in the morning, 5:45. This is
12 just happening. It's every week he's doing
13 this.

14 CHAIRMAN RINALDI: If they catch him
15 or anyone else in the Borough --

16 MS. WENZLER: So, any more, when I
17 call, they're coming to my house. We're
18 going to stand in my back yard and listen to
19 it.

20 They're not going to tell me that
21 it's Gilchrist or anybody else. It's him. I
22 hear them yelling. They're driving across
23 the property. He hears it. Are we all
24 liars? Or we going to go believe Stocki and
25 what he says?

1 This is ridiculous that we have to
2 live like this. The neighborhood is filled
3 with smoke. When I'm calling 911, taking my
4 3-year-old in the house, we don't live near
5 his property. We should not be smelling or
6 seeing this.

7 CHAIRMAN RINALDI: Chris, did you go
8 up there and see him doing anything?

9 MR. HART: Not at 5:30 in the
10 morning.

11 MS. WENZLER: You know what he told
12 me? He said, I'm not working then. Guess
13 what? I wasn't awake either.

14 MR. HART: I'm not up there at 5:30
15 in the morning. If the police go up there
16 and they say, no, there's nobody up there,
17 what am I supposed to do on that note?

18 MS. WENZLER: No. He was idling his
19 vehicle. I'm a liar. I'm making it all up.

20 MR. HOOVER: I live a block away.
21 And I hear it all the time too.

22 MR. HART: I live closer.

23 MR. HOOVER: Live closer. When the
24 cops go there, do they ever cite anybody?

25 MS. WENZLER: No.

1 CHIEF DUBERNAS: We always gave the
2 reports to zoning. Give them the reports.

3 MR. FEBBO: That's bullshit.

4 MS. WENZLER: It is bullshit.

5 MR. HOOVER: That's the problem.

6 They go up there and tell the guy --

7 MR. FEBBO: Five and a half years --

8 COURT REPORTER: One at a time.

9 MR. FEBBO: -- on this council, same
10 shit every time.

11 MS. WENZLER: I'm calling the police
12 at 5:30 in the morning. I have a screaming
13 3-year-old. Like, not a way to start my
14 Monday on June 2nd. And then I hear --

15 MR. HART: I understand. I live in
16 the neighborhood. But there's nothing we can
17 do. Our hands are tied. It's in the Judge's
18 hands.

19 MS. WENZLER: No, it's not in the
20 Judge's hands. You're an elected official.
21 Do your job.

22 MR. HART: Milly --

23 MS. WENZLER: Ridiculous. I can't
24 live like this. Nobody can.

25 MR. HART: When it comes to zoning --

1 COURT REPORTER: Hold on. One at a
2 time.

3 MR. HOOVER: All I got was noise.

4 MR. HART: They're totally separate
5 from --

6 MS. WENZLER: 5:30 in the morning.

7 MR. HART: The zoning issues with the
8 equipment and the scraps, they're totally
9 separate.

10 ATTORNEY RINALDI: This is besides

11 --

12 MS. WENZLER: Right, that's --

13 COURT REPORTER: Hold on. Wait a
14 minute. One at a time.

15 ATTORNEY RINALDI: I told you he can
16 be cited for noise.

17 MR. HART: Correct, for noise.

18 MS. WENZLER: Then why isn't he?

19 ATTORNEY RINALDI: We have a noise
20 ordinance, can't operate between certain
21 hours.

22 MS. WENZLER: 7:00 in the morning
23 until 8 at night.

24 COURT REPORTER: Hold on. One at a
25 time.

1 MS. WENZLER: Was any police reports
2 ever filed for all these?

3 COURT REPORTER: Hold on.

4 ATTORNEY RINALDI: The last two
5 incidents, I heard that it was not on his
6 property. It was on the property next door
7 and I said, cite that person. Now, you're
8 telling me something different than what I
9 was told.

10 MS. WENZLER: You hear them yelling
11 to each other. You hear them driving back
12 and forth. It is right there.

13 ATTORNEY RINALDI: Whoever is making
14 the noise, it's an easy citation. You get
15 their name and address and you have a
16 hearing.

17 MR. FEBBO: Have any citations been
18 written in the last five, six months?

19 MS. WENZLER: No.

20 MR. FEBBO: Have there been several
21 comments that --

22 MS. WENZLER: I call all the time
23 every time and I video it every time.

24 MR. FEBBO: Why are citations not
25 being written?

1 CHIEF DUBERNAS: The incident that
2 she sent me yesterday from a year ago.

3 MS. WENZLER: No, no. It was this
4 past six months and maybe one from last
5 summer, when he was torching, when he should
6 have been cited.

7 Two officers stood in the back of my
8 property, and we talked for about 45
9 minutes.

10 CHIEF DUBERNAS: Do you know the day
11 of that?

12 MS. WENZLER: Yeah. Actually --

13 CHIEF DUBERNAS: I have November
14 19th, July 7th.

15 MS. WENZLER: July 31st, last summer.

16 MR. HOOVER: 11/19/21, he was
17 burning.

18 MR. NOTARI: June --

19 MS. WENZLER: That was the one where
20 I actually spoke to you, Chief. I called
21 you on November 19th and it was in my
22 bathroom window that I see a fire burning.

23 COURT REPORTER: I can't hear, like,
24 one person at a time. I'm sorry. Mr.
25 Notari, did you want --

1 MR. NOTARI: I have two videos that
2 say June 17. Is that June 17th --

3 MS. WENZLER: 5:30 in the morning.

4 MR. NOTARI: Last week?

5 MS. WENZLER: Just this past June.

6 MR. FEBBO: Did you call the police?

7 MS. WENZLER: I called the police,
8 called non-emergency number.

9 MR. FEBBO: Did the police show up?

10 MS. WENZLER: They said -- they
11 never called me back. They don't call me
12 back. They just say, all right, I just got
13 on shift, because they don't call. You
14 know, you wait 15, 20 minutes.

15 I called 3 times, called at 5:30,
16 called at 5:48, and then nothing happened.
17 6:15, I called. And the guy is like, oh, I
18 didn't hear any of this. I just got on
19 shift. It must have been the other guy.

20 So then I called -- I texted him
21 5:48 the other morning, because he's not
22 awake and he's not working. Well, I wasn't
23 awake either, so maybe he is then. And he
24 can hear it.

25 If he walked out his door, he can

1 here it. It's ridiculous, and it's
2 frustrating because we already had Chris
3 Getz and his wife move. She's got health
4 problems.

5 They moved, because they can't
6 handle it. We're ready to put our house up
7 for sale. They're ready to move. This is
8 ridiculous that -- aren't these codes
9 supposed to be in place so that for the
10 livelihood of the community. And we have
11 these things in place so our lives aren't
12 disrupted.

13 I'm sick and tire. Why aren't more
14 people here? Because, like she said, they're
15 losing faith. Nothing is being done. And
16 we keep hearing, I don't know. Nothing I
17 can do. It's in the Judge's hands.

18 So, I said to him, so, you mean to
19 tell me, he can go out there at 5:30 in the
20 morning because you're not working, and it's
21 a non-criminal matter, you can do whatever
22 you want in your front yard. That's what
23 I'm going to do and we will see if something
24 happens and see if I get cited, because he's
25 not working and it's not criminal.

1 So I'll make sure it's within the
2 code guidelines and it's not considered a
3 criminal matter. This is ridiculous.

4 MR. HOOVER: He's not working, grant
5 it. He isn't at work at 5.

6 MS. WENZLER: I wasn't up and
7 neither was my 3-year-old.

8 MR. HOOVER: I know that. But to
9 have the police department go up and not
10 cite somebody for something at that time of
11 the day is absolutely ludicrous.

12 MS. WENZLER: Sunday morning,
13 Memorial Weekend. Just this past Memorial
14 Weekend, Sunday morning at 8:00 in the
15 morning, call the police. He was working.
16 And it's not quiet.

17 It's not like he's just back there
18 idling a vehicle. I can handle if Gilchrist
19 or somebody is idling a vehicle. You don't
20 hear it.

21 I hear the turnpike and I'm used to
22 it. That does not bother me. What bothers
23 me is the dumping. And he told me that every
24 single vehicle starts up. The Judge has
25 looked in to it. Every single vehicle

1 starts up.

2 This is coming from Chris here. I'm
3 not making any of this up. They checked in
4 to it. They all start up.

5 He's allowed to bring vehicles in
6 that he can fix. Is that true? Is he
7 allowed to bring vehicles in to fix them on
8 the property?

9 MR. FEBBO: That's bullshit.

10 CHAIRMAN RINALDI: No.

11 MS. WENZLER: Right.

12 MR. FEBBO: They have to run,
13 operate.

14 MS. WENZLER: Agree. And I have the
15 video that I sent to the police department
16 in a non-operation vehicle that was missing
17 tires. And he told me that it starts up.

18 MR. FEBBO: That's bullshit.

19 MS. WENZLER: I have the video. We
20 followed him.

21 CHAIRMAN RINALDI: One second. Did
22 you tell her it starts up?

23 MR. HART: It did.

24 MR. FEBBO: Everything --

25 COURT REPORTER: Hold on. Wait.

1 MR. FEBBO: Junk pile.

2 MS. WENZLER: Came in with no tires,
3 but it runs.

4 MR. FEBBO: Take a piece of
5 equipment with no tires on it and it could
6 start. But it has to be operating to get
7 off the loader, off the loader.

8 MS. WENZLER: Right. And he brought
9 it in on an easeway that's not even
10 permitted for him to even bring it in to the
11 property.

12 MR. FEBBO: Too much junk laying
13 there that should not there be.

14 CHAIRMAN RINALDI: There's definitely
15 not every vehicle on that property is
16 operating. It cannot be.

17 MR. HART: We went through the list
18 with Munley's rule. Billy, did we not?

19 CHAIRMAN RINALDI: Not what I'm
20 saying. This is what I'm saying. There is
21 definitely not every vehicle on that
22 property is operational. I don't care who
23 tells me this.

24 MS. WENZLER: And the scrap tires
25 hanging over the hill.

1 CHAIRMAN RINALDI: Can't tell me that
2 it is.

3 MR. HART: There's a list that he
4 had to go by, did he not, Billy? We went
5 through it.

6 MR. BUTLER: The vehicles aren't on
7 the list.

8 MR. HART: We were there.

9 MS. WENZLER: Right.

10 MR. HART: And Munley went through
11 everything right down the list. And the
12 only one that Walter Stocki is challenging
13 is the fact this his parts are running
14 machines.

15 CHAIRMAN RINALDI: Operational
16 machines.

17 MR. HART: Operational machines,
18 yes.

19 CHAIRMAN RINALDI: Means they start
20 and move.

21 MR. HART: And that's where this is
22 all left. This is where it's left hanging
23 with it.

24 MR. FEBBO: It's to be resolved.

25 Okay.

1 MR. HART: Correct, noise is
2 separate.

3 MR. HOOVER: My question is still, we
4 know he's doing something. We know he's
5 doing something wrong. Why don't we cite
6 him?

7 MS. WENZLER: Because it's in the
8 Judge's hands, is what I am told.

9 MR. HOOVER: I don't want to hear
10 that.

11 MR. NOTARI: I need a timeout here.
12 I need a timeout. Is it in the Judge's
13 hands, Bill, or is it done with?

14 ATTORNEY RINALDI: For all that
15 stuff, no. The only thing left is us going
16 back and ordering to clean up the piles.
17 That's it and get his --

18 MS. WENZLER: Which we get --

19 COURT REPORTER: Hold on.

20 MR. NOTARI: Judge Munley made his
21 decision.

22 ATTORNEY RINALDI: Nonoperational
23 equipment, every time somebody makes a phone
24 call that I get a call, I send him up to
25 make sure it's operational.

1 MR. NOTARI: No issue -- we have no
2 court case right now?

3 ATTORNEY RINALDI: I can't be the
4 one down here inspecting. So, I call the
5 zoning and say, does it run or not run?

6 He tells me they run. They start up
7 there and they run.

8 MR. FEBBO: Let me say this, you're
9 right, he gives you a list. He gave the
10 Judge a list of machinery that ran. What
11 about the stuff that doesn't run we're
12 talking about? I can give you a list.

13 MR. HART: Those are included in the
14 piles that have to be cleaned up.

15 ATTORNEY RINALDI: Those have to be
16 cleaned up.

17 MS. WENZLER: So we get to listen to
18 that at 5:30 in the morning to start. Going
19 to start at 5:30 in the morning. I'm going
20 to call the police. They're going to call
21 him. Nothing is going to happen.

22 The next day, I'm going to call at
23 5:30. We're going to listen to it all day
24 long, the crunching, the banging, windows
25 shaking. My toddler is not napping.

1 MR. FEBBO: You're right.

2 MS. WENZLER: Smelling all the smoke.
3 He's been given three and a half years to
4 clean up a 90 day --

5 MR. FEBBO: Five and a half years.

6 MS. WENZLER: Okay. Five and a half
7 to clean up in 90 days. 90 days to clean
8 up. Five and a half years later, we're
9 still cleaning up 90 days.

10 MR. FEBBO: Many 90 days. Many 60
11 days.

12 MS. WENZLER: We have to listen to
13 it.

14 MR. FEBBO: You should be on this
15 side.

16 MS. WENZLER: Why hasn't he been
17 cited, is my question.

18 CHAIRMAN RINALDI: Why hasn't he
19 been cited is my question.

20 MS. WENZLER: Two incidences, two
21 noise complaints.

22 MR. HART: Because the noise is
23 happening in the morning.

24 CHAIRMAN RINALDI: Okay. Then, Chief,
25 if the police went up there and said, he's

1 just doing --

2 CHIEF DUBERNAS: Trying to look now.
3 I can't get in to the Comm. Center or my
4 reports.

5 MS. WENZLER: Might hear me screaming
6 in Comm. Center because my 3-year-old was
7 screaming bloody murder and I was ready to
8 jump the bridge.

9 MR. FEBBO: Bottom line, guys, you
10 guys are not doing the job.

11 MS. WENZLER: I can't even sit in my
12 yard.

13 CHAIRMAN RINALDI: This goes back to
14 the other incident. More than three calls to
15 the same address is a nuisance ordinance.
16 Why hasn't that been enacted?

17 It's three. I mean, there's got to
18 be 30 calls. But after 3, it's considered a
19 nuisance property. He could just be cited
20 for that.

21 We don't have to catch him torching.
22 We don't have to catch him starting
23 equipment. We can cite him for that and we
24 could actually start a process to shut him
25 down. Why haven't we done any of that?

1 MS. WENZLER: Good question. That's
2 why I'm here asking you.

3 ATTORNEY RINALDI: He's got the
4 list.

5 MS. WENZLER: That's what I'm
6 asking. I mean, at what point do I --

7 COURT REPORTER: I can only take one
8 at a time. Wait a second, ma'am.

9 CHAIRMAN RINALDI: I'm going to ask
10 the question one more time. We don't need
11 to get the comm. center. We don't need to
12 worry about start a vehicle. We don't need
13 to worry about any of that.

14 If an address in the Borough of Old
15 Forge has three calls against it for a
16 nuisance, it's deemed a nuisance property.
17 Is that correct?

18 ATTORNEY RINALDI: I don't know if
19 that's exactly right, but.

20 CHIEF DUBERNAS: We can --

21 COURT REPORTER: Hold on. Wait a
22 second. Hold on. I'm not hearing anybody.
23 Hold on a second. Wait a minute, ma'am. I
24 have to hear what they said because it's
25 becoming impossible.

1 CHIEF DUBERNAS: I said, if we go to
2 an address -- so, if somebody calls to come
3 to your restaurant three times for loud
4 music, we go there three times and there's
5 no loud music, I send you a letter for a
6 nuisance?

7 CHAIRMAN RINALDI: No, no. But --

8 CHIEF DUBERNAS: Yeah, yes. That's
9 what you're just telling me.

10 CHAIRMAN RINALDI: No, it's not what
11 I'm telling you.

12 CHIEF DUBERNAS: Yes, you are.

13 CHAIRMAN RINALDI: There was an
14 Officer there who saw --

15 COURT REPORTER: Hold on. Hold on.

16 CHIEF DUBERNAS: That told us --

17 CHAIRMAN RINALDI: He's been there
18 multiple times that they've been running
19 equipment.

20 MS. WENZLER: Yes.

21 CHAIRMAN RINALDI: They're cutting.
22 They're torching. They're smoking. They're
23 banging. He's been there. He goes there
24 and tells her, I can't do nothing. It's in
25 the Judge's hands, but he could do

1 something.

2 MR. HART: I don't know but --

3 CHAIRMAN RINALDI: Report it to you.

4 MR. HART: Still an operating
5 business.

6 CHAIRMAN RINALDI: It doesn't matter.
7 It's still a nuisance.

8 CHIEF DUBERNAS: The time I was
9 there, he was cited. As a matter of fact,
10 the solicitor was in court with me.

11 CHAIRMAN RINALDI: Operating
12 businesses or not, it's still a nuisance.

13 MS. WENZLER: I stood there with
14 police officers and I tell them to come to
15 my house first. I tell them first. Any
16 more, that's what I'm doing.

17 I say, I call the 911, the
18 non-emergency. I say, I'm calling about a
19 non-emergency noise complaint, could you
20 please have the police department call me?

21 Because, what happens is, when they
22 say it over, they yell to each other and
23 they stop. They radio to each other. Stocki
24 hears it. They stop.

25 So, we've heard them say, stop,

1 stop, stop, call me, call me. Like, we've
2 heard them.

3 CHAIRMAN RINALDI: Yeah, they have
4 scanners.

5 MS. WENZLER: They do. So I'd say,
6 don't call it over. Could you please come
7 to my house?

8 They come to my house. We stand
9 there and we listen. Could you please smell
10 it, hear it, see it? Because, in the Order,
11 he's supposed to mitigate all sounds, smells
12 and everything coming from that property.

13 And he's also supposed to follow the
14 codes. He's not doing that. They stand there
15 and go, all right, we'll go over there. And
16 then they go.

17 So, any more, at 5:30 in the
18 morning, I'm going to call them. They're
19 going to come to my house first. They're
20 going to stand there and they're going to
21 listen.

22 He's going to get the video of the
23 text message of this happening also too. If
24 I want to walk out his door and, you know,
25 since me and my 3-year-old have to be up and

1 the rest of the neighborhood have to be up,
2 he can also hear too, if he wants, if he
3 just opens up his door and listens to it
4 because he can hear it and he's a block over
5 from us. And he can hear it.

6 This is ridiculous that this is
7 happening and we hear, he's a business.
8 He's this. He's violating codes.

9 He came in to this town without even
10 the proper permits and operated for five
11 years, without proper permits.

12 Are you kidding me? And now he's
13 continually. I stood here last time and I
14 told all of you and I looked at you and I
15 said, money talks, people walk.

16 Well, we found out what happens
17 there. It's still happening, because this is
18 BS that we have to live like this and we're
19 told, there is nothing we can do. We go
20 there and he had equipment idling.

21 Oh, that's what I'm calling on. I'm
22 calling on just little sounds that's
23 happening with the birds chipping. No, I'm
24 not. I have something else better to do with
25 my time and not even stand here. This is

1 ridiculous.

2 And I'm not just speaking for
3 myself. I'm speaking for everyone that lives
4 on that street and they're fed up.

5 MR. HOOVER: There's over 17, 18
6 different nuisance acts. And at the bottom,
7 it says C. Three or more incidences
8 required a response from the Old Forge
9 Borough Police Department or code
10 enforcement division shall be deemed a
11 nuisance property.

12 MR. NOTARI: Before you even get that
13 far, Jim, 229-4. For anybody that doesn't
14 know our code, and I don't know the code.
15 I'm reading it.

16 Definition of nuisance, unlawful
17 acts. As used in this chapter, the term
18 nuisance shall mean any use of property
19 within the Borough of Old Forge or any
20 condition upon that property within the
21 Borough of Old Forge, which causes or
22 results in, one, annoyance or discomfort the
23 persons beyond the boundaries of that
24 property. Period.

25 Don't even have to go past one.

1 Let's go past one. Two, interference with
2 the health, safety and welfare of persons
3 beyond the boundary of that property and/or,
4 three, the disturbance to or interference
5 with the peaceful use of property of others
6 within the Borough. I don't get it.

7 MS. WENZLER: No.

8 MR. NOTARI: I don't get it. Why are
9 we not --

10 MR. HOOVER: What's taking so long?

11 MR. NOTARI: Why are we not citing
12 him as a nuisance?

13 MR. FEBBO: Never get the first one
14 to be written, the first nuisance to be
15 written. If we have three written, we have
16 something.

17 MS. WENZLER: Right. Why are we
18 afraid to cite him? Like, what is the
19 issue?

20 MR. NOTARI: I don't know why there's
21 any interpreting when it's there in black
22 and white.

23 A neighbor is being put out by
24 another neighbor. It's a nuisance. I don't
25 know.

1 MS. WENZLER: The smell is so bad the
2 one day, he said to me, well, he said a
3 vehicle overheated. For three and a half
4 hours? The whole neighborhood was filled.

5 The one day the fire department was
6 called, about a year ago, because that
7 explosion in Taylor, people were outside,
8 freaking out, oh my God, what is that?
9 There's smell of gas.

10 My husband and I walk out the door
11 and we went, that's just when it rains. It
12 smells like that in this neighborhood now.

13 When it rains, when it's a hot day
14 and you get the wind coming at you, the
15 smell is so overwhelming of fumes that I
16 take my little guy inside, get him inside.
17 He can't be smelling this.

18 MR. FEBBO: That's a nuisance.

19 MS. WENZLER: No, it's not. It's in
20 the Court's hands.

21 MR. NOTARI: Not in the Court's
22 hands.

23 MS. WENZLER: I'm just saying, this
24 is what I'm hearing.

25 MR. NOTARI. On the record, on the

1 record, it is not in the Court's hands.
2 Anybody tells you that, they're lying to
3 you.

4 MS. WENZLER: Okay. Then I was lied
5 to on June 2nd and June 17th in every
6 conversations I've had with them.

7 ATTORNEY RINALDI: It's not in the
8 Court's hands. You can't --

9 MR. HART: For the noise, correct?
10 For the noise.

11 COURT REPORTER: Wait a minute.
12 Hold on. I can only take one at a time.

13 CHAIRMAN RINALDI: Hold on, hold on.

14 COURT REPORTER: Hold on. Who's
15 talking?

16 CHAIRMAN RINALDI: Bill is.

17 ATTORNEY RINALDI: Not in the
18 Court's hands. You can cite him for doing
19 anything wrong. The case is over.

20 MR. HART: Right. But Judge Munley
21 said he's allowed to operate.

22 ATTORNEY RINALDI: If I go back on
23 the piles, if I go back in the cases. But
24 anything else he does down there, we got to
25 hold the ordinance.

1 MR. HART: Right. So he's operating.
2 So every time we go up there, he's moving
3 equipment around. He's moving machines
4 around.

5 MS. WENZLER: At 5:30 in the morning.

6 MR. HART: So, you're saying we are
7 going to start this over, like we talked
8 about last time and I'm going to go back to
9 the Magistrate.

10 ATTORNEY RINALDI: Anything he does,
11 he can write a ticket. You can write a
12 ticket. There's an ordinance there.

13 You write a violation and you file
14 it in the Magistrate's.

15 MR. HART: We talked about this last
16 time, about starting it over and going to
17 the Magistrate.

18 ATTORNEY RINALDI: Anything new,
19 because I asked, what's he doing now? And
20 you hadn't seen him a couple months. If
21 he's acting up again, you go down and cite
22 him.

23 MR. HART: Noise, always noise.

24 ATTORNEY RINALDI: I don't care what
25 it is, anything under our ordinance that

1 he's doing wrong.

2 MS. WENZLER: See, this is the
3 problem.

4 MR. HART: We talked about this,
5 starting this over and going to the
6 Magistrate. But it's noise. So, every time
7 I go up there, what?

8 ATTORNEY RINALDI: That's your job
9 to go up there.

10 MR. HART: And I do. And we go up
11 there. And the fire department goes up
12 there.

13 MS. WENZLER: This is a shame. Can I

14 --

15 COURT REPORTER: Wait a minute.
16 Excuse me. Hold on second. Please help me.

17 CHAIRMAN RINALDI: One at a time.
18 One at a time. Chris, what are you saying
19 that we're starting this over? I don't
20 know.

21 MR. HART: I'll go down to the
22 Magistrate and start this over to get rid of
23 Stocki and this all.

24 CHAIRMAN RINALDI: Wait, wait, wait,
25 stop, stop.

1 ATTORNEY RINALDI: You're not getting
2 rid of him. You're just citing him for
3 violations.

4 CHAIRMAN RINALDI: I don't know
5 talking about starting over.

6 MR. HART: Every time I go up there,
7 there's no activity taking place.

8 MR. FEBBO: You know what, Chris?
9 Go to her house and listen to the noise. Go
10 smell the smells.

11 COURT REPORTER: Hold on. I can't
12 hear. I can't take everybody.

13 MR. FEBBO: Document that there is a
14 violation.

15 MS. WENZLER: Already done that
16 before. We've been up this road. We've
17 been down this road before.

18 We stood here last year in April,
19 and we didn't have anybody in code
20 enforcement at that time. Correct? And the
21 Chief said, if we have to go up there and
22 sit there every day and cite him, we're
23 going to do that. We're gonna make sure that
24 he's following the codes and ordinances
25 here, because he hasn't been. Crickets.

1 I call every time and nothing. You
2 know what they say? All right. I guess, all
3 right, I guess we have to go check it out.
4 Sorry to wake you up.

5 CHIEF DUBERNAS: Who do you talk to?
6 Please tell me because I'll address it.

7 MS. WENZLER: I don't know because
8 one guy --

9 COURT REPORTER: Hold on. Excuse me.
10 I have to understand everybody. I can only
11 take one person at a time.

12 ATTORNEY RINALDI: I know I said to
13 Chris but not to you. If you don't see it,
14 get the witness, file a complaint and go to
15 the Magistrate. He makes the decision.

16 MS. WENZLER: Every video that I've
17 sent --

18 COURT REPORTER: Is there five
19 conversations that I'm not going to get? I
20 don't know. I'm trying. I'm sorry.

21 ATTORNEY RINALDI: If there's a
22 complaint and you don't witness it, just get
23 the person's name and address and subpoena
24 them for the hearing and bring them down.

25 You're going to say, I didn't see

1 it, but there's a witness who saw it. Then
2 it's up to the Judge what he wants to do.

3 But, you know, I also hear
4 sometimes, well, they don't want to get
5 involved. They don't want to go to the
6 magistrate. So, I don't know. I'm only
7 telling you what I hear, when I say this.

8 So, if you want to go to the
9 Magistrate, you're going to have to.
10 Because, if he doesn't witness it, you have
11 to go. There has to be a witness.

12 MS. WENZLER: Nobody -- the problem
13 is, hasn't gotten even to that point where
14 he was cited.

15 ATTORNEY RINALDI: Okay. I thought
16 there was a citation going out.

17 CHIEF DUBERNAS: The last citations I
18 filed, he was there with me.

19 MS. WENZLER: Never asked me to do
20 anything because I have videos of him
21 burning the stuff. I have the police
22 officers. I wrote their names down at home
23 who told me that. But it's continuing
24 though. And that's the problem. Continuing.
25 It's a nuisance.

1 At what point are we going to stop
2 it? We allowed him to come in to the
3 Borough and operate for five and a half
4 years a non-permitted business. And then we
5 allowed him five and a half years to make
6 himself compliant.

7 ATTORNEY RINALDI: Didn't allow him
8 five and half years. We are on top of him in
9 2016 or '17, sending him notices of
10 violation. Okay. And it took 20 hearings
11 to get the ruling that we got because of the
12 court's schedule. Okay?

13 And he has appellate rights that he
14 is afforded. Anybody in this community has
15 appellate rights.

16 We say you're violating the zoning
17 ordinance. You get 30 days to appeal the
18 zoning hearing board. After the zoning
19 hearing board, if you don't appeal, then we
20 take you to magistrate.

21 After we take you to magistrate and
22 fine you, you get to appeal to Common Pleas.
23 Common Pleas, that starts the ball rolling
24 again. That takes six months, a year to
25 even get on the trial list.

1 On the trial list with them. We
2 asked for an injunction from the get-go so
3 we got on quicker with them.

4 So we've been going to Court with
5 him from day one. You know, then we got an
6 order that says what he can and can't do.

7 MS. WENZLER: Right. But my question
8 is, why are we still allowing him to just do
9 what he has -- like, why aren't we citing
10 him? That's why I'm here to ask. Why aren't
11 we citing him for continuing violations?

12 CHAIRMAN RINALDI: That's what we
13 have to do. After this meeting is over,
14 we're going to meet with the Chief and Chris
15 and we're going to find out why it's not
16 being done.

17 Because we expected it being done
18 months ago, and it's not. So, that's what we
19 have to find out.

20 As a council, we have to find out
21 why it's not -- why a phone call isn't
22 making them go cite this person for
23 something.

24 MS. WENZLER: Listen, I'm not
25 calling at 5:30 in the morning just because

1 I hear something. Like, really.

2 If you think that it's just because
3 of little things, I call, all right, I can't
4 handle this any more.

5 Or my 3 and a half year old is
6 screaming at 5:15 in the morning. That's
7 not right.

8 MR. HOOVER: I get up at 6, 6:30 and
9 here we go again. I can just imagine what
10 you guys are going through.

11 MR. WENZLER: Right outside my
12 bedroom window.

13 MR. HOOVER: We have to find out why
14 things are not being done.

15 MR. FEBBO: Russ said, three
16 violations. Right? Nothing happens unless
17 they write citations. Nuisance properties,
18 3.

19 MR. HOOVER: You can get three
20 nuisances in a week up there.

21 MS. WENZLER: Easily.

22 MR. NOTARI: In a day.

23 CHAIRMAN RINALDI: In a day. Get
24 them in a day. Let me ask you a question.
25 Bill, once it's three nuisances, what's the

1 procedure for closing him down?

2 ATTORNEY RINALDI: It's not a close
3 him down. It's a violation. It's a
4 violation.

5 CHAIRMAN RINALDI: He can get just
6 nuisance after nuisance after nuisance,
7 fine, after fine, after fine?

8 ATTORNEY RINALDI: Fine away, yes.

9 CHAIRMAN RINALDI: He can get one
10 forever and just keep doing it?

11 ATTORNEY RINALDI: Yes, he's not a
12 -- you're confusing it with a rental
13 property portion.

14 CHAIRMAN RINALDI: No. I'm not
15 confusing it at all. It's a business.

16 MS. WENZLER: So you have nothing
17 that states --

18 ATTORNEY RINALDI: It's a thousand
19 dollar. It's a summary offense.

20 CHAIRMAN RINALDI: So if it's a
21 continued nuisance, over and over and over,
22 he can just keep going and going and going?
23 Pay the fine and keep going?

24 MS. WENZLER: Can that be changed?
25 Do you want people to --

1 CHAIRMAN RINALDI: That can't be
2 right.

3 MR. FEBBO: He'll just pay the fines.

4 CHAIRMAN RINALDI: Yeah. I mean.

5 MS. WENZLER: Right.

6 MR. FEBBO: That's a consequence
7 after that.

8 MS. WENZLER: If that's not -- do
9 you want businesses in your Borough that the
10 -- if you have a bar that's loud music and
11 people fighting daily, outside of the bar
12 and they're just paying fine after fine,
13 it's allowed and it's okay. We're just
14 going to pay the fines and keep on moving
15 forward? As a Borough, we're not going to
16 do anything?

17 CHAIRMAN RINALDI: I don't agree with
18 that.

19 MS. WENZLER: I mean, that sounds a
20 little --

21 ATTORNEY RINALDI: There's no
22 ordinance that gives us the ability to take
23 somebody's property. That's condemnation.

24 CHAIRMAN RINALDI: To shut it down,
25 not take it. They can keep their property.

1 I want it shut down.

2 CHAIRMAN RINALDI: Nothing in
3 condemnation.

4 MS. WENZLER: Remove their permit.

5 ATTORNEY RINALDI: It's another type
6 of case. And that's nothing under our
7 ordinances that says we can take your
8 property.

9 MR. NOTARI: How about 2910-A?

10 CHAIRMAN RINALDI: 2910-A?

11 MR. NOTARI: I'm sorry. 22910-A. My
12 apologies. Code enforcement officer --

13 CHAIRMAN RINALDI: Revoking of
14 license renewal?

15 ATTORNEY RINALDI: That's landlord
16 tenants. We can say you're done. That's it.
17 You can't rent your house out any more.

18 MR. NOTARI: That's for a
19 business?

20 ATTORNEY RINALDI: No.

21 CHAIRMAN RINALDI: Okay, Bill, what's
22 the procedure for us to make an ordinance
23 that says we can do that?

24 ATTORNEY RINALDI: Take somebody's
25 property?

1 CHAIRMAN RINALDI: No, no. Shut them
2 down.

3 ATTORNEY RINALDI: It's a zoning
4 violation.

5 MR. NOTARI: Remove their operating
6 permit.

7 ATTORNEY RINALDI: Which only
8 allowed to do certain things. If it's
9 noise, we have an ordinance for noise. Okay?

10 You can't shut somebody down for
11 noise. We don't have an ordinance that says
12 you can shut a business down for noise.

13 CHAIRMAN RINALDI: So, how do we get
14 an ordinance for that? That's what I'm
15 saying.

16 ATTORNEY RINALDI: You bring the
17 courts in and let them appeal it and bring
18 the courts in and says what happens.

19 They're not going put him out of
20 business. They're going to stop him from
21 doing what he has been doing or, you know,
22 can come up with some other idea. They're
23 not going to take his property.

24 MS. WENZLER: Nobody is asking to
25 take it. Take the permit.

1 CHAIRMAN RINALDI: Not asking --

2 ATTORNEY RINALDI: Not going to
3 kill his business. They're going to make
4 his business conform to the law, not say,
5 you're closed.

6 CHAIRMAN RINALDI: If he continues --

7 MR. HOOVER: Shut down Bracci's down.

8 ATTORNEY RINALDI: Bracci's is under
9 LCB statute. That's nuisance statute.
10 That's PA LCB and Liquor Control Board.
11 That's a whole different. He's not a bar.
12 They can stop him from operating a bar
13 because they control who serves alcohol.

14 MS. WENZLER: So I can have a
15 business at my house in Old Forge, and I can
16 get noise complaint, after noise complaint,
17 after noise complaint and pay the thousand
18 dollar fine, pay a thousand dollar fine, and
19 nuisance property, nuisance property and I
20 can continue to operate as a dysfunctional
21 business in the Borough and violate all your
22 codes for noise and nuisance and nothing can
23 ever be done about it, except you guys get
24 cash in your pocket for the complaint?

25 CHAIRMAN RINALDI: If that's the

1 case, I don't agree with that.

2 MS. WENZLER: Sounds like a really
3 nice business.

4 MR. NOTARI: That seems to be what
5 I'm hearing.

6 MS. WENZLER: Right. That's a nice
7 business, actually.

8 CHAIRMAN RINALDI: Bill, if
9 currently, we can't do that with our current
10 ordinance --

11 ATTORNEY RINALDI: Listen, he's a
12 polluter. DEP fined him.

13 MS. WENZLER: I get that. I know
14 that. We walked down there.

15 ATTORNEY RINALDI: They can't shut
16 him down. Okay? They have a fine and a
17 lien on his property for the 65 or
18 \$68,000.00. That's the State of
19 Pennsylvania.

20 MS. WENZLER: What can we do as a
21 borough? What can we do?

22 ATTORNEY RINALDI: We're doing
23 everything we can and we're going to
24 continue to do everything.

25 MR. NOTARI: That's not true.

1 MS. WENZLER: Shouldn't you have
2 something in there that can shut down --
3 take permits away from businesses that
4 aren't following your codes in your Borough?
5 Why don't you? Why wouldn't you have that?
6 Who would want to have a business in their
7 Borough that --

8 ATTORNEY RINALDI: State law
9 doesn't give you -- they only give you, the
10 Borough, so much -- the Borough can't make
11 up laws.

12 MS. WENZLER: Take the permit away.

13 ATTORNEY RINALDI: They can only
14 enact laws that the State allows you to
15 enact. So we have enacted zoning laws,
16 nuisance laws, et cetera. They give you the
17 power to fine by ordinance, up to a maximum
18 penalty or 90 days in jail.

19 All right. File those. You go down
20 to the magistrate and enforce them. The
21 penalty isn't shut a business down. It's
22 fine or incarceration.

23 MS. WENZLER: I didn't say shut down.
24 I'm saying taking the permits away to allow
25 to operate. They can take their business

1 elsewhere.

2 MR. FEBBO: Does he have a permit?

3 MS. WENZLER: Permit to operate --

4 COURT REPORTER: I didn't hear what
5 you said, Mr. Febbo. What did you say?

6 MR. FEBBO: Does he have a permit?

7 ATTORNEY RINALDI: He met all the
8 requirements but for the H.O.P., highway
9 occupancy permit.

10 MR. NOTARI: So he's operating
11 illegally.

12 MS. WENZLER: Right. So, that's
13 what I'm saying.

14 ATTORNEY RINALDI: He's put up
15 fencing. Everything on the ordinance. He
16 had to put up a fence to separate him from
17 the residential neighbors.

18 Had to put in screening. He put
19 that in. Okay. I mean, everything we
20 kicked off on the ordinance he did, with the
21 exception of clean up the piles, which the
22 Judge gave him more time on. And we
23 complained about it.

24 MR. NOTARI: I don't know.

25 ATTORNEY RINALDI: It doesn't mean

1 that it stops there. I mean, it keeps
2 going.

3 MS. WENZLER: It has though.

4 ATTORNEY RINALDI: Got to remember,
5 you're in a residential neighborhood and
6 you're backed up right against a C-2
7 neighborhood. That can never change.

8 MS. WENZLER: Listen, I'm not saying
9 anything about that.

10 ATTORNEY RINALDI: There's always
11 gonna be -- so the noise, yes, that's an
12 issue. That can be fined and taken care of
13 by the police.

14 If the zoning officer is not on
15 duty, the police officers have the ability
16 to write out tickets for any ordinance, not
17 zoning, but ordinance violations. That's an
18 ordinance.

19 MS. WENZLER: The police can do
20 that?

21 ATTORNEY RINALDI: They have the
22 authority to enforce our Borough code.

23 MS. WENZLER: I was told they cannot
24 on the phone. Every time I call, they say,
25 there's nothing we can do. It's not

1 criminal. There's nothing we can do but
2 maybe call the code enforcement. I was just
3 told that last week.

4 MR. NOTARI: Untrue.

5 CHIEF DUBERNAS: That's very untrue,
6 because I cited for the ordinance.

7 MS. WENZLER: That's funny because I

8 --

9 COURT REPORTER: That's untrue
10 because --

11 MR. NOTARI: That's not funny. Not
12 funny at all.

13 MS. WENZLER: That's what I'm told.

14 MR. NOTARI: And I believe you. Not
15 funny at all.

16 MS. WENZLER: On June 2nd, I called

17 --

18 MR. NOTARI: Our own police force do
19 not know what they can and cannot do in our
20 borough.

21 MS. WENZLER: He said, if it's not
22 criminal, nothing we can do. On June 2nd,
23 the Officer that took my call, said there's
24 nothing we can do. It's not criminal. We can
25 go up there and tell him to stop. But, at

1 this point, I mean, I can get in touch with
2 code enforcement. I mean, he's probably not
3 even up right now.

4 MS. AVVISATO: That was early in the
5 morning?

6 MS. WENZLER: I was told --

7 COURT REPORTER: I didn't hear.

8 MR. FEBBO: In violation. The police
9 are supposed to be a backup for the zoning.
10 Am I correct in that? Was I not told that a
11 couple weeks ago? The police are the backup
12 for coding?

13 MR. NOTARI: That's my understanding.

14 CHAIRMAN RINALDI: I believe so.

15 MS. WENZLER: Called three times and

16 --

17 CHAIRMAN RINALDI: Bill, what are
18 you looking for?

19 ATTORNEY RINALDI: Looking for an
20 answer to your question.

21 CHAIRMAN RINALDI: Which one?

22 ATTORNEY RINALDI: What the penalty
23 is.

24 MR. HOOVER: Nothing under permits.

25 CHAIRMAN RINALDI: So, again, if we

1 don't have one, why can't we enact one?

2 ATTORNEY RINALDI: We can enact up
3 to a thousand dollars fine and summary
4 offense, which is 90 days in jail. That we
5 can do. Should be in there. And that's it.

6 So, put the guy in jail. If you get
7 a magistrate that wants to put him in jail,
8 can put him in jail for 90 days.

9 CHAIRMAN RINALDI: My question again
10 is --

11 ATTORNEY RINALDI: Nine times out
12 of ten, then fine them, court costs. And if
13 they appeal it, sometimes the County Judge
14 gets ticked off and we had one situation
15 where they did put a guy in jail.

16 CHAIRMAN RINALDI: But why can't we
17 stop him after a certain number of
18 nuisances?

19 MS. WENZLER: Or any of the property
20 owners?

21 ATTORNEY RINALDI: You can, but you
22 can't shut down a business. You can just
23 take him to Court and fine him.

24 MR. FEBBO: Here's what will happen.
25 You cite him, right, and fine him. He'll

1 gladly go before the Magistrate and pay the
2 thousand dollar fine, and sells a piece of
3 machinery for \$10,000.00. Money is no
4 object to him.

5 MS. WENZLER: I know. No object.

6 CHAIRMAN RINALDI: So, why can't we
7 put an ordinance in place, not for him, just
8 for the Borough of Old Forge, for anybody,
9 after a certain number of nuisances, we shut
10 you down? We don't take your property. We
11 just shut you down and you cannot operate no
12 more. Or there's steps where they have to go
13 through to --

14 ATTORNEY RINALDI: I'll try to find
15 out if it's doable.

16 MR. HOOVER: To get the permit back.

17 CHAIRMAN RINALDI: Right. They have
18 to go through the process to get their
19 permit back.

20 MS. WILK: Mr. Rinaldi, do you have
21 that in your ordinance?

22 CHAIRMAN RINALDI: I cannot find it,
23 Joan.

24 MS. WILK: Sit down and start
25 putting your ordinance up to date.

1 CHAIRMAN RINALDI: I agree. I agree.
2 I would like to put one in there that states
3 that. Not just for this incident, for the
4 whole Borough.

5 MS. WILK: Absolutely. What I'm
6 saying is that, unless you have it in
7 writing in your ordinance, you hands are
8 tied. You can't do shit.

9 CHAIRMAN RINALDI: I agree. I've
10 been looking, trying to answer her
11 questions, ask other questions. And I can't
12 seem to find it, unless I'm looking in the
13 wrong spot. I can't seem to find it. If
14 it's not in there, I would agree that we put
15 it in there.

16 MS. WILK: Absolutely.

17 MS. WENZLER: Need to start him
18 getting cited.

19 CHAIRMAN RINALDI: Oh, absolutely.

20 MS. WENZLER: We need to start there
21 and make sure that it's getting cited. Like,
22 we're following through. The ball can't
23 roll if it's flat.

24 CHAIRMAN RINALDI: Absolutely.

25 MR. HOOVER: That's where we have to

1 start. Talk about it tonight.

2 ATTORNEY RINALDI: Penalty is under
3 229. It's \$300.00 fine, 30 days in jail.

4 MR. HOOVER: 229 what?

5 ATTORNEY RINALDI: 229.21-D.

6 CHAIRMAN RINALDI: 229.21-D.

7 ATTORNEY RINALDI: 229.21-D. Any
8 person violates any of the provisions of
9 this chapter shall be guilty of summary
10 offense. For every such offense, shall,
11 upon conviction, be sentenced to pay a
12 minimum fine of \$300.00, maximum fine as
13 allowed by law, along with all costs of
14 prosecution. Payment of fine, costs,
15 imprisonment for not more than 30 days prior
16 to each day, which the violation shall exist
17 or continue to exist, after certified
18 warning certified warning was issued --

19 COURT REPORTER: Can you, Bill?

20 ATTORNEY RINALDI: Don't worry. I'll
21 give it to you.

22 COURT REPORTER: Thank you.

23 ATTORNEY RINALDI: Shall continue as
24 a separate offense.

25 MS. WENZLER: Repeat offenses.

1 ATTORNEY RINALDI: That's the
2 landlord.

3 MS. WENZLER: So you have something
4 for landlords but don't have something for
5 businesses?

6 ATTORNEY RINALDI: It is. I just
7 read it to you.

8 MS. WENZLER: I'm saying. Maybe
9 reflect the same thing. If landlords have a
10 property or there's people that live in a
11 house and are causing nuisance and noise,
12 they are allowed -- they can have their
13 rental unit or whatever, their --

14 MR. NOTARI: Correct.

15 MS. WENZLER: -- revoked, but a
16 business owner can't.

17 CHAIRMAN RINALDI: That's already in
18 there.

19 MS. WENZLER: That's what I'm
20 saying. So, I think there should be
21 something reflective that, if you own a
22 business, you also have to comply with the
23 codes and there is a higher than here, just
24 take a thousand dollars or 300, I'll spend
25 some time in jail. Here's money. It's a

1 money machine then. Jeepers, can make a lot
2 of money off of him, actually.

3 CHAIRMAN RINALDI: Certain number
4 for businesses as well.

5 ATTORNEY RINALDI: The landlord one
6 just says, you lose it until you get
7 reinspected and put the proper things in
8 that you're supposed to have, like a fire
9 extinguisher or wiring fixed.

10 It's not that you're never going to
11 be able to use that property again as a
12 rental property.

13 CHAIRMAN RINALDI: No. But the
14 landlord one also states that that person,
15 after the third time, the landlord will be
16 fined if they don't remove that person.

17 So they remove that person, go
18 through the process and put somebody new
19 in.

20 ATTORNEY RINALDI: No, no. They're
21 fined. They can't have a tenant until they
22 correct the problem.

23 CHAIRMAN RINALDI: Exactly. But that
24 tenant has to leave.

25 ATTORNEY RINALDI: Oh yeah.

1 CHAIRMAN RINALDI: Right. That's --

2 ATTORNEY RINALDI: But you're not
3 doing a business that has to leave. It's
4 not same thing.

5 CHAIRMAN RINALDI: No. It's just a
6 business that we could shut down until they
7 go through the process of getting themselves
8 reinstated, reopened.

9 But then, even after that, they can
10 just continue to do that. I want to put
11 something the book that says --

12 MR. FEBBO: Closure.

13 CHAIRMAN RINALDI: Right. After a
14 certain amount of time, you can't.

15 MR. NOTARI: Let me throw this out
16 there. Should we have a requirement of
17 businesses for an occupancy permit?

18 If we have that, why can't we revoke
19 his occupancy permit?

20 ATTORNEY RINALDI: Because an
21 occupancy permit is given to meet the zoning
22 and planning ordinance.

23 MR. NOTARI: Which he doesn't meet.

24 ATTORNEY RINALDI: Not the nuisance
25 ordinance. Nuisance ordinance is something

1 different than zoning and planning.

2 MR. NOTARI: Okay.

3 ATTORNEY RINALDI: Okay.

4 MR. NOTARI: Can we make that part of
5 the penalty? You lose your permit to
6 work?

7 ATTORNEY RINALDI: Haven't seen it
8 anywhere. But we can try to see what we can
9 do.

10 MR. NOTARI: There has to be some
11 kind of recourse, as Chairman Rinaldi
12 states.

13 ATTORNEY RINALDI: Can try to come
14 up with some recourse. But it's not in
15 there now. Not in your code. But you can't
16 just take a business from a citizen. It's
17 not that easy.

18 MR. NOTARI: I understand that.

19 CHAIRMAN RINALDI: We don't want to
20 take his business. I don't want to take his
21 or anyone's business.

22 MR. NOTARI: However, if he's not
23 following the rules of our Borough, why
24 should he be allowed to operate in the
25 Borough?

1 ATTORNEY RINALDI: That's what the
2 citations, that's what the ordinance is
3 there for.

4 Like I said, he's not operating the
5 property under the standards of the State
6 law and DEP. They shut him down? No, they
7 can't shut him down. They can only fine
8 him, which they did. And the fine sits
9 there as a lien on the property because he
10 hasn't paid it.

11 MR. NOTARI: DEP doesn't live on
12 Amity Avenue. Doesn't have to live in Old
13 Forge like the seven of us that sit up here
14 or the people in the audience.

15 That's the other thing. He doesn't
16 have an H.O.P. Who is supposed to enforce
17 that, PennDOT?

18 ATTORNEY RINALDI: We got to go
19 after him for that. PennDOT won't enforce
20 it. I was on the phone with them Monday,
21 actually.

22 MR. NOTARI: To me, I don't know,
23 there's a reason right there he shouldn't be
24 operating. He doesn't have an H.O.P.

25 ATTORNEY RINALDI: Beyond that,

1 we've been working on that.

2 MR. NOTARI: Okay.

3 MR. FEBBO: He does not have a right
4 to access to his property.

5 ATTORNEY RINALDI: State will not --
6 let's put it this way. They have never done
7 it. They won't shut a business down for not
8 having an H.O.P.

9 MR. HOOVER: No. But when you build
10 a new building on Route 6 in Mayfield and
11 you don't follow the rules of PennDOT, they
12 give you a permit to get in the building.

13 ATTORNEY RINALDI: Right. Well, no,
14 no. Right. But they don't shut the business
15 down, which is amazing, which is the
16 conversation I had.

17 So, they said, it's up to you guys
18 to do something.

19 CHAIRMAN RINALDI: Of course.

20 ATTORNEY RINALDI: Right. And I had
21 to go all the way to Harrisburg to get that
22 answer.

23 COURT REPORTER: Your name.

24 MR. STALL: Bill Stall. What's the
25 operating for a business hours in the

1 Borough? What time do they start and what
2 time do they have to close?

3 MR. HOOVER: 7 to 8.

4 CHAIRMAN RINALDI: 7 to 8.

5 MS. WENZLER: 7 to 6.

6 COURT REPORTER: What is it? Wait a
7 second. I can't hear anybody.

8 CHAIRMAN RINALDI: If everybody would
9 be quiet one second and one person talk. I
10 don't know if I have the right answer. But
11 I'm going to talk first, and I'm going to
12 let Bill answer.

13 There's not hours of operation
14 within the Borough. But there's codes and
15 ordinances as far as noise.

16 MR. STALL: What are the hours?

17 CHAIRMAN RINALDI: During the week,
18 Bill, 7 a.m. until -- 7 to 11 or 7 to 10.

19 ATTORNEY RINALDI: 7 to 8, 7 to 8.

20 CHAIRMAN RINALDI: 7 to 8.

21 ATTORNEY RINALDI: Some business
22 that have specific hours, carnivals, things like that.

23 MS. WENZLER: On Sundays, it's 10 to
24 6.

25 ATTORNEY RINALDI: No general, if

1 you're a business, you have to close your
2 doors. There's no specific hours of general
3 business that you can be open.

4 MR. STALL: I'm assuming, right off
5 the get-go, he's in violation as of --

6 MS. WENZLER: 5:30.

7 MR. STALL: As of 5:30. So he should
8 be able to get fined all the way to 7:00, if
9 he's there on site.

10 ATTORNEY RINALDI: 5:30, yes,
11 that's construction, moving construction
12 equipment around, yeah.

13 MS. WENZLER: When I spoke to the
14 police officer, I said -- I said, so, you're
15 going to go there now. It's now 6:15 on
16 June 2nd, because he called me back because
17 I actually have to call them, because they
18 never even went there at that point.

19 So, 6:15, I said, you need to tell
20 me that you're going to stop him and he'll
21 start up in 45 minutes? He said probably.
22 So, that's all they did.

23 We'll go talk to him. And they just
24 go up there and tell him stop doing what
25 you're doing.

1 CHAIRMAN RINALDI: But they could
2 you have cited him.

3 MR. NOTARI: Should have cited him.

4 MS. WENZLER: Right. Sundays, 10 a.m.
5 to 6 p.m. And I thought there was something
6 on there holidays and holiday weekends.

7 And it was Memorial Weekend,
8 Saturday morning, I called, because it was
9 like 8:15 in the morning and it was loud.
10 And it started at 7:15, actually.

11 CHAIRMAN RINALDI: What one are you
12 looking at?

13 ATTORNEY RINALDI: Looking for the
14 noise one, daytime exceptions. Any noise --

15 COURT REPORTER: I can't hear.

16 ATTORNEY RINALDI: Between the hours
17 of 7 and 8 daily, construction. Sundays and
18 holidays. Daytime exceptions are between
19 the hours of 7 a.m. and 8 p.m. Sunday and
20 holidays, when the exemption shall apply
21 between 10 a.m. and 6 p.m.

22 MR. STALL: Just for construction
23 or?

24 ATTORNEY RINALDI: That's for
25 noise, above certain levels.

1 CHAIRMAN RINALDI: So, getting back
2 to my question. I think everybody else's as
3 well.

4 Could we put something in our code
5 book to help us better protect the Borough
6 with businesses like this, as far as a
7 three-citation violation, you're shut down
8 for a certain amount of time?

9 After that, you're shut down again.
10 After that, I mean, you just shut down, pay,
11 shut down, pay, shut down, pay and keep
12 reopening; correct?

13 ATTORNEY RINALDI: I guess,
14 technically, yeah.

15 CHAIRMAN RINALDI: How do we stop
16 that? We have to put something on the
17 books?

18 ATTORNEY RINALDI: Well, whatever
19 we can legally pass as a Borough.

20 CHAIRMAN RINALDI: Let's look in to
21 it so we can find something the most
22 strictest manner possible.

23 MR. STALL: Is there a limitation on
24 fines, on how high you can go?

25 ATTORNEY RINALDI: Yes, a thousand

1 dollars.

2 CHAIRMAN RINALDI: According to
3 State, there is.

4 MR. STALL: Doesn't matter how many
5 offenses he has. Just the top is a thousand
6 dollars. So we can't do it in increments,
7 first offense is 500, second is --

8 ATTORNEY RINALDI: If you want to
9 make it below a thousand, you can say 200;
10 500 and a thousand dollars. You can't go
11 thousand to 2000. Thousand is the tops.

12 CHAIRMAN RINALDI: Bill, let's look
13 in to that as soon as possible, please.

14 MR. FEBBO: Could he be cited more
15 than once in a day?

16 ATTORNEY RINALDI: Sure.

17 MR. HOOVER: Sure. If it's different
18 time and different -- it should be, because
19 you go over and cite him, you leave, crank
20 it up again. Again, we fine him 500. Pay
21 the 500. Back to business. We have to get
22 the first one.

23 MS. WENZLER: Right.

24 MR. HOOVER: Danielle, thank you.

25 CHAIRMAN RINALDI: Anything else?

1 MS. WENZLER: Nope.

2 CHAIRMAN RINALDI: Thank you. Jeff
3 Beelman.

4 MR. FEBBO: All I can say is, we feel
5 your pain.

6 MS. WENZLER: Thank you. I
7 appreciate it.

8 MR. FEBBO: We have no teeth with
9 that man.

10 CHAIRMAN RINALDI: Jeff Beelman.

11 MR. BEELMAN: I'm here for the same
12 topic. I'm going to defer any statements.
13 She spoke on my behalf.

14 MR. HOOVER: Thanks, Jeff.

15 CHAIRMAN RINALDI: Thanks, Jeff.
16 Pamela Evans.

17 MS. EVANS: I live on West Morton
18 Street, I am the one who initiated the paper
19 alley issue that we have. And I'm working on
20 that with a surveyor.

21 But there are other issues that I
22 have. The ordinance violations, which I did
23 e-mail Chris Hart and the surrounding
24 neighbors, e-mailed him as well. I don't
25 see any changes made since we made the --

1 okay. I only have one of these. If you'll
2 look through them.

3 These are the photos of the
4 deplorable condition that this property is
5 in. Okay.

6 So, this gentleman, Thomas Chickey,
7 purchased this property, the first property
8 that is on West Morton Street, he purchased
9 in 2016. Okay.

10 He started parking tractor and
11 trailers and trailers with debris on them in
12 this -- in the alley, well, a private drive.

13 So, my uncle went to the Borough
14 building back in 2016, when it was a
15 different zoning officer. And the zoning
16 officer said, oh, that's Thomas Chickey, he
17 does that.

18 So, my uncle, of course, just let it
19 go. So, letting it go, years later, come to
20 find out, he purchases the old Preate
21 Winery.

22 So, if you look through these
23 photos, you will see some of the pictures,
24 which initiated this whole mess.

25 He started dumping huge mounds of

1 concrete in which is a paper alley, an
2 easement, whatever it may, it's a civil suit
3 now. We're waiting on the surveyors. Okay.

4 So, when he's doing this, it's a
5 safety issue on my end. So, behind my
6 fence, it's not a flat piece of property.

7 It's a sloped hill. So he goes back
8 there, over his wall, which is the remaining
9 structure of the old Preate Winery. And he
10 just dumps them over top of the wall, going
11 down, some of them, in to my fence but it's
12 a civil suit, so I have to take care of
13 that.

14 So, when I call the police, they
15 said it wasn't their issue. Chris Hart was
16 informed of it. He saw the mounds of
17 concrete. You can't dump mounds of concrete
18 like that on a hill and think they're going
19 to stay there and then throw dirt on top of
20 it and throw seed and straw.

21 So I'm waiting for the water to wash
22 away and go through the fence. And we have
23 a gazebo directly behind the fence. So, in
24 the event that something happens, the safety
25 issue is my utmost important thing with

1 that.

2 The debris, tractor-trailers, he has
3 many old empty trailers storage or whatever
4 he does with them. Debris, if you look
5 there, there's mounds, I don't even know
6 what it is.

7 MR. HOOVER: I don't have any
8 pictures.

9 MS. EVANS: Only one set of photos.
10 But when you look through those, so.

11 MR. HOOVER: What's your address?

12 MS. EVANS: 132 West Morton Street.

13 MR. NOTARI: I have the map up. I
14 just wanted it.

15 MS. EVANS: I live on the rear of
16 what used to be the old Preate Winery.
17 Scrinato's old homestead.

18 So, I lived there since 1995 and
19 have never had an issue until this gentleman
20 moved in.

21 When you speak to this gentleman, he
22 will go tell Chris that it's okay, he told
23 my uncle what he was doing and my uncle was
24 okay with it.

25 And went and told Chris that he

1 talked to me. He never spoke to me. The
2 only time I spoke to him is when the police
3 officer was standing there and I told them
4 it was a safety issue and I was concerned
5 about those huge mounds of concrete, you
6 know, sliding and going through my property
7 and ending up in my yard, on my dog, my
8 children, myself and whomever it may be.

9 So, the safety issue, no one can do
10 anything about. But the zoning issues can
11 be enforced.

12 Now, I sent an e-mail on the 22nd.
13 My uncle sent one on the 26th and the
14 Santioni's also sent one on the 31st. And
15 everything is still the same.

16 So, when he's informed, which you
17 notified me two weeks ago tomorrow, I spoke
18 to you two weeks ago, tomorrow it will be
19 two weeks. It was a Wednesday the 8th.

20 And you told me that he was
21 informed. So, when you're informed, you
22 have ten days. Am I correct with that?

23 MR. HART: Correct.

24 MS. EVANS: So, nothing has changed.

25 So this is why I'm here. I want to know what

1 is happening and why I feel like -- and I
2 know there are other issues in the Borough.

3 I know that my issue is not the only
4 issue. But the 22nd, we're going on a
5 month. It's well over 10 days. So, and now
6 we have three families, and other families
7 who also would want to be involved in it,
8 but don't feel like it's worth their time to
9 come here because they don't feel they're
10 going to get anywhere with it.

11 And I'm like, really? Put your name
12 out there. But maybe they've had issues.
13 However, whatever it may be, I want to know
14 what's happening with it and what will be
15 happening.

16 Like, you see the photos. Would you
17 want that in your back yard?

18 MS. AVVISATO: No, not at all. Are
19 they tires as well?

20 MS. EVANS: Tires. There's big
21 50-gallon jugs. I don't know what's in them.
22 But, really, this is what we -- what I live
23 behind now.

24 CHAIRMAN RINALDI: Where we at,
25 Chris?

1 MR. HART: He's been cited under the
2 Property Maintenance Code.

3 CHAIRMAN RINALDI: He's been cited?

4 MR. HART: Oh, yeah.

5 CHAIRMAN RINALDI: How many times?

6 MR. HART: Absolutely. Three letters
7 and it's going to the Magistrate now. On his
8 final notice.

9 I followed exactly the way it's
10 supposed to be by the book. He's on his
11 final notice right now and it has been a
12 month. He's on the final notice and will go
13 to the Magistrate.

14 MS. EVANS: Then what happens?

15 MR. HART: Up to the Magistrate.
16 Like we said before --

17 MS. EVANS: When they go to the
18 Magistrate, do we go to the Magistrate as
19 well or is --

20 MR. HART: I told you I would notify
21 you. Absolutely, if you want to go, I told
22 you I would let you know.

23 MS. EVANS: I would absolutely like
24 to go.

25 MR. HART: As soon as it gets to

1 that point and I get something back on it,
2 I'll let you know.

3 MS. EVANS: When you served him, he
4 said nothing back. Just didn't act on
5 anything?

6 MR. HART: No. The Magistrate will
7 send it out. I file the citation with the
8 Magistrate's office. The Magistrate's
9 office will.

10 MS. EVANS: He was never informed
11 yet? Is that what you're telling me?

12 MR. HART: No. He's had a final
13 notice.

14 MS. EVANS: So he received
15 notification by mail?

16 MR. HART: Yes.

17 CHAIRMAN RINALDI: He received three
18 notices in the past 20 days?

19 MR. HART: He received the warning.
20 He received the final notice. Yes.

21 CHAIRMAN RINALDI: But he received
22 three notices in the past 20 days?

23 MR. HART: Yes, In the past month.
24 Yes.

25 CHAIRMAN RINALDI: Can only be 20

1 days. It's 10 days after.

2 MR. HART: Whatever. This started
3 back in May.

4 MS. EVANS: May 22nd was the first.
5 May 22nd is when I sent you -- you said you
6 needed it emailed. You need it in writing. I
7 put it in writing.

8 MR. HART: When I spoke to you that
9 day, it was already done.

10 MS. EVANS: We're waiting on the
11 Magistrate.

12 MR. HART: That's it.

13 MS. EVANS: When the Magistrate is
14 going to have a hearing, you'll be informed
15 of it?

16 MR. HART: I will let you know.

17 MS. EVANS: Okay. In, like, in a
18 timely manner so I can adjust my schedule.

19 MR. HART: Absolutely, yeah. It
20 won't be -- I mean, once I get the notice,
21 we're usually a couple weeks.

22 MS. EVANS: So, now, generally, when
23 you do this with the Magistrate, do we have
24 like a protocol of what normally happens?

25 MR. HART: I've only had a few on

1 the county level.

2 MS. EVANS: Because I know that he --

3 COURT REPORTER: One at a time.

4 MS. EVANS: Like, I know that this
5 isn't his first rodeo. I know he has many
6 properties of people who live up here who
7 have been complaining with the properties he
8 owns.

9 MR. HART: I agree with you. He's
10 been there for 15 years and nothing has been
11 done about it.

12 MS. EVANS: Correct. Because people
13 would go and complain and nothing would
14 happen, so then they just lay down. And I'm
15 not going to lay down.

16 I've lived there since '95. I've
17 raised my children there, and I retired and
18 I'm going to stay there.

19 I'm not going to let this guy come
20 in and throw his shit all over, and I'm
21 going to have to deal with it. That's not
22 going to happen.

23 MR. HART: The day you came in to my
24 office, when you informed me about the
25 situation, that is the day I started with

1 it.

2 And I've gone through every single
3 step, the way it states. And it will now go
4 to the Magistrate.

5 So, I mean, there's not much more I
6 can do. There's not much I can do about what
7 happened in the past.

8 MS. AVVISATO: Chris, if she goes to
9 the Magistrate --

10 MR. HART. She can go and kind of
11 persuade. I've had people down there, you
12 know, with one or two.

13 CHAIRMAN RINALDI: Go and be a
14 witness.

15 MR. HART: Yeah, absolutely. You
16 know, the other ones that I dealt with
17 currently were all ones from the past that
18 stretched on for year after year after year
19 that were on the county level.

20 If you look at those properties now,
21 those properties that went on, they're
22 spotless right now. Take you to every
23 single one of them that I finished off.

24 MS. EVANS: In Old Forge?

25 MR. HART: Yes.

1 MS. EVANS: Okay.

2 MR. HART: But Tommy Chickey was
3 never -- nobody ever took him anywhere.
4 Nobody did a single thing.

5 MS. EVANS: For whatever reason, he
6 always was let go. Always. And most of the
7 people told me that.

8 They have homes that they live near
9 him up here in whatever they call this off
10 of Austin Heights. But how does he get away
11 with this?

12 MS. AVVISATO: It's been like that a
13 long time.

14 MS. EVANS: That's sad. But you come
15 here. You pay your taxes. You don't bother
16 anyone. You raise your children and you
17 have someone like that, a slumlord come in
18 and just throw shit all over.

19 Like, I've had it. I'm not going to
20 tolerate it. And I'm going to do whatever I
21 have to do.

22 CHAIRMAN RINALDI: This is the old
23 Preate Winery property?

24 MS. EVANS: Correct. And the other
25 issue, so, the wall, the base of the old

1 property is deplorable and it's falling,
2 which is also a hazard.

3 So, when he dumped the dirt and the
4 fill, he did that because the wall was
5 falling. That's not a way that you hold up
6 a wall.

7 So he put those big pieces of
8 concrete and dirt, like, he probably went,
9 like, 10 feet in height to fill this, so
10 that wall doesn't fall.

11 And he has things laying against on
12 the other side. So, when it does collapse,
13 if someone is around there, someone could be
14 hurt or killed. So, that is a hazard.

15 CHAIRMAN RINALDI: This is your
16 property, your gazebo?

17 MS. EVANS: Correct.

18 CHAIRMAN RINALDI: That's the hill
19 you're talking about?

20 MS. EVANS: Yes. So he filled in
21 the first layer was wood, put wood and then
22 he put concrete. Then he put dirt. So what
23 happens to wood after several years? It
24 rots and then gonna shift and all going to
25 come through my fence. And hopefully no one

1 is out there.

2 MR. NOTARI: Does he own the entire
3 property?

4 MS. EVANS: Yes. He owns the
5 property on 100 West Morton Street.

6 MR. NOTARI: If I'm going up
7 Milwaukee Avenue from Main Street.

8 MS. EVANS: Correct. When you go up
9 to Milwaukee Avenue on that right, he owns.

10 CHAIRMAN RINALDI: Has he been cited
11 for high grass?

12 MR. HART: On the wall? It's
13 property maintenance? It's all in there.
14 Covers everything. Just be the maximum. I
15 think the maximum is a thousand dollars and
16 30 days incarceration.

17 MR. NOTARI: See cars with no license
18 plates.

19 MS. EVANS: There's more.

20 MR. NOTARI: Has the registration
21 officer been up to check out if these cars
22 were registered and insured?

23 MR. HART: It's not private
24 property. It's commercial.

25 MR. NOTARI: It's residential

1 property, isn't it?

2 MS. EVANS: Yes.

3 MR. HART: Part of it is commercial.

4 MS. EVANS: Where that vehicle is,
5 it's residential. So, there's three plots.
6 The initial one on 100 West Morton Street,
7 that is a private drive. That is
8 residential.

9 The home where he lives, that is
10 residential. And then the Preate Winery is
11 on a separate deed because I went to the
12 courthouse and did all this.

13 MR. HOOVER: Lives in one of the
14 three houses?

15 MS. EVANS: Correct. When you're
16 looking up from Main Street, he lives in the
17 one to the left.

18 MR. NOTARI: Basically a junkyard.

19 MR. HOOVER: Yeah, basically, it is.

20 MR. HART: Pretty much.

21 MS. WILK: Mr. Notari, go to 532
22 Winter Street.

23 COURT REPORTER: I'm sorry. I didn't
24 hear that. I can't --

25 MR. NOTARI: I think Mr. Stocki owns

1 that.

2 MS. WILK: No, he doesn't.

3 MR. HART: That's the Lamp Shade
4 Factory you're thinking of.

5 MS. WILK: Mini junkyard.

6 CHAIRMAN RINALDI: Who owns that
7 property?

8 MR. HART: I don't have his name.

9 MS. WILK: 536.

10 MR. NOTARI: I'll look it up.

11 MS. WILK: Right next door to Chris
12 Balanovich.

13 MR. NOTARI: Chief, would you send up
14 Officer Kimble tomorrow to check out these
15 cars on this property to make sure they're
16 in compliance with the Borough laws?

17 CHIEF DUBERNAS: On the property or
18 on the road?

19 MR. NOTARI: They're on the property.

20 CHIEF DUBERNAS: I'll have Dave run
21 the registrations.

22 MS. HART: That would all be covered
23 under property maintenance.

24 MR. HOOVER: Tractor-trailers up
25 there too?

1 MS. EVANS: Lots of them.

2 MS. AVVISATO: Unbelievable.

3 MS. EVANS: That aren't used, that
4 are not licensed. There's no tags on them.
5 They're not legal. He uses them for
6 storage.

7 MS. WENZLER: That is what happens
8 when you let people get away with things.
9 You let one little thing go.

10 MS. EVANS: He's been doing this for
11 a long time.

12 MS. AVVISATO: He's been doing this
13 since I've involved in politics over ten
14 years. He's been doing this stuff back then.

15 MS. EVANS: Bad for the people who
16 don't want to live next to him like that.
17 No one wants a junkyard next to them.

18 You're worried about smaller kids
19 climbing up there. The wall collapsing,
20 like.

21 MS. AVVISATO: Getting killed.

22 MS. EVANS: They can go up there.
23 Now it's more inviting because he has the
24 dirt going to the top of the wall, which is
25 deplorable and falling apart.

1 So, if someone does get killed
2 there, doesn't matter how much you fine him.
3 Someone's life is priceless.

4 CHAIRMAN RINALDI: Chris, the status
5 is, cited three times?

6 MR. HART: He has a final notice.
7 And the citations will be -- it's filed.
8 Already written up down there. Filed with
9 the Magistrate, correct.

10 CHAIRMAN RINALDI: So waiting for a
11 hearing date?

12 MR. HART: That's it.

13 MS. EVANS: Do you know how long that
14 normally takes?

15 MR. HOOVER: Week or two.

16 MS. EVANS: Not like September.

17 MR. HART: Shouldn't be. I'll be
18 honest, some of them that I've dealt with
19 when I came in to this job, they were going
20 on for 3 to 4 years.

21 MS. EVANS: Yeah. But I want to be
22 persistent.

23 MR. HART: Tell you right now, I
24 mean -- trust me. I appreciate that. And
25 it will speed the process up if you come.

1 MS. EVANS: If I call the Magistrate,
2 do whatever, I will do that.

3 MR. HART: That will be great. I
4 told you, come down with me, when I have the
5 hearing, because it might help. And it
6 might, you know, persuade to go a certain
7 direction. Like I said --

8 MS. EVANS: I'm gonna go.

9 MR. NOTARI: I'm not going to lie to
10 you. Nothing is done quickly.

11 MS. EVANS: No, no. At least make it
12 look like you're starting something.

13 MR. NOTARI: We are starting
14 something.

15 MS. EVANS: No, not you. I mean him,
16 he gets a violation. So at least pretend
17 that you care about your neighbor.

18 MR. NOTARI: Can't give you a date
19 where anything will happen.

20 MS. EVANS: Right. I understand
21 that.

22 MR. NOTARI: I wasn't on council.
23 But we had Rosemont issue for about 10
24 years. We've had the Stocki issue now for
25 five and a half years.

1 MS. EVANS: I'm hoping this is not
2 one of those issues.

3 MR. NOTARI: Hoping so too.

4 MS. EVANS: I just want him to clean
5 it up. That's it. No one wants to live next
6 to that. If I wanted to live next to a
7 junkyard, I would have moved next to a
8 junkyard.

9 CHAIRMAN RINALDI: Chris, as of
10 right now, nothing on that property he could
11 be cited and fined for?

12 MR. HART: He is. That's what I just
13 said.

14 MS. EVANS: No. But he means, can
15 you break it down and do like the cars? Go
16 down and do those little things one at a
17 time.

18 MR. HART: This is my whole point
19 behind the ticketing system, which I'm
20 waiting for tonight.

21 MR. HOOVER: It will be approved
22 tonight and we can use that.

23 MR. HART: Otherwise no. All falls
24 under that one thousand dollar fine.

25 CHAIRMAN RINALDI: They'll be a lot

1 more things throughout the Borough to do.

2 That's on the agenda tonight.

3 MS. EVANS: Okay. Thank you.

4 CHAIRMAN RINALDI: Anything else?

5 MS. EVANS: Nope. Thank you
6 kindly.

7 CHAIRMAN RINALDI: Thanks, Dear.
8 Appreciate it. Before we go down the table,
9 anyone else from the audience like to speak
10 before we go in to new business?

11 Before we go down the table, go to
12 new business. First item under new business
13 is a resolution for pave cut fees and fines.

14 At this time, the Chair will
15 entertain a motion to adopt the resolution
16 of the Borough of Old Forge, Lackawanna
17 County, Pennsylvania, establishing fees and
18 fines under Section 299, Article 4, entitled
19 pave cut ordinance, Sections 229-26 and
20 229-66 of the Old Forge Borough Code.

21 MR. HOOVER: I'd like to make that
22 motion.

23 CHAIRMAN RINALDI: Motion on the
24 floor by Councilman Hoover.

25 MR. BUTLER: I'll second.

1 CHAIRMAN RINALDI: Second by
2 Councilman Butler, on the question. Public
3 input. Roll call, please.

4 MS. BARTOLETTI: Councilman
5 Avvisato.

6 MS. AVVISATO: Yes.

7 MS. BARTOLETTI: Councilman Butler.

8 MR. BUTLER: Yes.

9 MS. BARTOLETTI: Councilman Febbo.

10 MR. FEBBO: I didn't get the
11 message, so I'll abstain tonight.

12 MS. BARTOLETTI: Councilman Hoover.

13 MR. HOOVER: Yes.

14 MS. BARTOLETTI: Councilman Notari.

15 MR. NOTARI: Yes.

16 MS. BARTOLETTI: Councilman Rinaldi.

17 CHAIRMAN RINALDI: Yes. New business.
18 Second item under new business is a
19 resolution, landlord license, administrative
20 fee.

21 At this time, Chair would entertain
22 a motion to adopt the resolution of the
23 Borough of Old Forge, Lackawanna County,
24 Pennsylvania, for establishing fees under
25 Chapter 229, entitled Old Forge Borough

1 neighbor reservations and nuisance abatement
2 ordinance of the Borough of Old Forge Code.

3 MR. NOTARI: Make that motion, Mr.
4 Chairman.

5 CHAIRMAN RINALDI: Motion on the
6 floor by Councilman Notari.

7 MS. AVVISATO: Second that motion.

8 CHAIRMAN RINALDI: Second by
9 Councilwoman Avvisato, on the question.
10 Public input. Roll call, please.

11 MS. BARTOLETTI: Councilman
12 Avvisato.

13 MS. AVVISATO: Yes.

14 MS. BARTOLETTI: Councilman Butler.

15 MR. BUTLER: Yes.

16 MS. BARTOLETTI: Councilman Febbo.

17 MR. FEBBO: Yes.

18 MS. BARTOLETTI: Councilman Hoover.

19 MR. HOOVER: Yes.

20 MS. BARTOLETTI: Councilman Notari.

21 MR. NOTARI: Yes.

22 MS. BARTOLETTI: Councilman Rinaldi.

23 CHAIRMAN RINALDI: Yes.

24 Third item under new business is an
25 ordinance amending Chapter 328, vehicles in

1 traffic.

2 At this time, the Chair will
3 entertain a motion to adopt an ordinance of
4 the Borough of Old Forge, Lackawanna County,
5 Pennsylvania, amending Chapter 328, vehicles
6 and traffic, article 3 parking regulations
7 328-25 violations and penalties within the
8 Borough of Old Forge.

9 MR. HOOVER: Make that motion.

10 CHAIRMAN RINALDI: Motion on the
11 floor by Councilman Hoover.

12 MS. AVVISATO: I'll second that
13 motion.

14 CHAIRMAN RINALDI: Second by
15 Councilwoman Avvisato, on the question.
16 Public input. Roll call, please.

17 MS. BARTOLETTI: Councilman
18 Avvisato.

19 MS. AVVISATO: Yes.

20 MS. BARTOLETTI: Councilman
21 Butler.

22 MR. BUTLER: Yes.

23 MS. BARTOLETTI: Councilman Febbo.

24 MR. FEBBO: Yes.

25 MS. BARTOLETTI: Councilman Hoover.

1 MR. HOOVER: Yes.

2 MS. BARTOLETTI: Councilman Notari.

3 MR. NOTARI: Yes.

4 MS. BARTOLETTI: Councilman
5 Rinaldi.

6 CHAIRMAN RINALDI: Yes.

7 Fourth item is an ordinance adopting
8 the quality of life and violations ticketing
9 process. At this time, the Chair would
10 entertain a motion to adopt an ordinance.

11 MS. AVVISATO: I'll make that motion.

12 CHAIRMAN RINALDI: I have to read it
13 first. At this time, the Chairman would
14 entertain a motion to adopt an ordinance,
15 adopting the quality of life in violations
16 ticketing process in the Borough of Old
17 Forge, in order to prohibit and remove
18 nuisances, to regulate as may be necessary
19 for the health and safety, general welfare
20 and cleanliness and beauty, convenience,
21 comfort and the safety for the residents of
22 the Borough of Old Forge.

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

24 CHAIRMAN RINALDI: Motion on the
25 floor by Councilman Febbo. Second by

1 Councilman Avvisato, on the question. Public
2 comment. Roll call, please.

3 MS. BARTOLETTI: Councilman
4 Avvisato.

5 MS. AVVISATO: Yes.

6 MS. BARTOLETTI: Councilman
7 Butler.

8 MR. BUTLER: Yes.

9 MS. BARTOLETTI: Councilman Febbo.

10 MR. FEBBO: Yes.

11 MS. BARTOLETTI: Councilman Hoover.

12 MR. HOOVER: Yes.

13 MS. BARTOLETTI: Councilman Notari.

14 MR. NOTARI: Yes.

15 MS. BARTOLETTI: Councilman Rinaldi.

16 CHAIRMAN RINALDI: Yes.

17 The fifth item under new business is
18 a motion to advertise for the position
19 within the Borough of Old Forge an
20 additional part-time zoning code enforcement
21 officer.

22 MR. BUTLER: Make the motion.

23 CHAIRMAN RINALDI: Motion on the
24 floor by Councilman Butler.

25 MR. FEBBO: Second the motion.

1 CHAIRMAN RINALDI: Second by
2 Councilman Febbo, on the question. Public
3 input. Roll call, please.

4 MS. BARTOLETTI: Councilwoman
5 Avvisato.

6 MS. AVVISATO: Yes.

7 MS. BARTOLETTI: Councilman
8 Butler.

9 MR. BUTLER: Yes.

10 MS. BARTOLETTI: Councilman Febbo.

11 MR. FEBBO: Yes.

12 MS. BARTOLETTI: Councilman Hoover.

13 MR. HOOVER: Yes.

14 MS. BARTOLETTI: Councilman Notari.

15 MR. NOTARI: Yes.

16 MS. BARTOLETTI: Councilman Rinaldi.

17 CHAIRMAN RINALDI: Yes.

18 Item number 6 is a motion to hire a
19 cleaning company for the municipal building.

20 MR. NOTARI: Mr. Chairman, I'll make
21 a motion to hire Janpro.

22 CHAIRMAN RINALDI: Motion on the
23 floor by Councilman Notari.

24 MR. BUTLER: I'll second.

25 CHAIRMAN RINALDI: Seconded by

1 Councilman Butler, on the question. Mary,
2 the price is?

3 MS. BARTOLETTI: 925.

4 CHAIRMAN RINALDI: 925 per month.

5 MS. BARTOLETTI: Per month.

6 CHAIRMAN RINALDI: 6-month contract?

7 MS. BARTOLETTI: 6 months.

8 CHAIRMAN RINALDI: Thank you. On the
9 question. Public input. Roll call, please.

10 MS. BARTOLETTI: Councilwoman
11 Avvisato.

12 MS. AVVISATO: Yes.

13 MS. BARTOLETTI: Councilman Butler.

14 MR. BUTLER: Yes.

15 MS. BARTOLETTI: Councilman Febbo.

16 MR. FEBBO: Yes.

17 MS. BARTOLETTI: Councilman Hoover.

18 MR. HOOVER: Yes.

19 MS. BARTOLETTI: Councilman Notari.

20 MR. NOTARI: Yes.

21 MS. BARTOLETTI: Councilman Rinaldi.

22 CHAIRMAN RINALDI: Yes.

23 Next item, this is just a motion to
24 add to the agenda. This is a motion to add
25 item number 8 to the agenda to appoint one

1 alternate person to the planning commission.

2 This is just to add this to the agenda.

3 MR. HOOVER: Make a motion to add
4 Dave Fife.

5 CHAIRMAN RINALDI: Just to add to
6 agenda. Motion on the floor by Councilman
7 Hoover.

8 MR. NOTARI: Second.

9 CHAIRMAN RINALDI: Second by
10 Councilman Notari, on the question. Public
11 input. Roll call, please.

12 MS. BARTOLETTI: Councilwoman
13 Avvisato.

14 MS. AVVISATO: Yes.

15 MS. BARTOLETTI: Councilman
16 Butler.

17 MR. BUTLER: Yes.

18 MS. BARTOLETTI: Councilman Febbo.

19 MR. FEBBO: Yes.

20 MS. BARTOLETTI: Councilman Hoover.

21 MR. HOOVER: Yes.

22 MS. BARTOLETTI: Councilman Notari.

23 MR. NOTARI: Yes.

24 MS. BARTOLETTI: Councilman Rinaldi.

25 CHAIRMAN RINALDI: Yes.

1 Next item under new business is a
2 motion to appoint one member as the
3 alternate to the Planning Commission.

4 MR. HOOVER: Make a motion to add
5 Dave Fife.

6 MR. NOTARI: Second.

7 CHAIRMAN RINALDI: Motion on the
8 floor to add Dave Fife as one alternate
9 Planning Commission member by Councilman
10 Hoover, seconded by Councilman Notari, on
11 the question. Public input. Roll call,
12 please.

13 MS. BARTOLETTI: Councilwoman
14 Avvisato.

15 MS. AVVISATO: Yes.

16 MS. BARTOLETTI: Councilman
17 Butler.

18 MR. BUTLER: Yes.

19 MS. BARTOLETTI: Councilman Febbo.

20 MR. FEBBO: Yes.

21 MS. BARTOLETTI: Councilman Hoover.

22 MR. HOOVER: Yes.

23 MS. BARTOLETTI: Councilman Notari.

24 MR. NOTARI: Yes.

25 MS. BARTOLETTI: Councilman Rinaldi.

1 CHAIRMAN RINALDI: Yes.

2 Next item this is again just to add
3 this to the agenda. Motion to add Mr.
4 Kania's appeal at 540 West Grace Street on
5 the corner of Grace and Melmore, Chief,
6 correct?

7 CHIEF DUBERNAS: Yes.

8 CHAIRMAN RINALDI: For a handicapped
9 parking sign. This is just to add it to the
10 agenda.

11 MR. NOTARI: Make a motion to add it
12 to the agenda.

13 MR. HOOVER: Wants to put it on what
14 street?

15 CHAIRMAN RINALDI: Melmore. Melmore
16 goes left.

17 MR. HOOVER: I'm good. I'm good. I
18 know where it's at.

19 CHAIRMAN RINALDI: Motion on the
20 floor by Councilman Notari to add it to the
21 agenda.

22 MS. AVVISATO: Second that motion

23 CHAIRMAN RINALDI: Second by
24 Councilwoman Avvisato, on the question.
25 Public input. Roll call, please.

1 MS. BARTOLETTI: Councilwoman

2 Avvisato.

3 MS. AVVISATO: Yes.

4 MS. BARTOLETTI: Councilman Butler.

5 MR. BUTLER: Yes.

6 MS. BARTOLETTI: Councilman Febbo.

7 MR. FEBBO: Yes.

8 MS. BARTOLETTI: Councilman Hoover.

9 MR. HOOVER: Yes.

10 MS. BARTOLETTI: Councilman Notari.

11 MR. NOTARI: Yes.

12 MS. BARTOLETTI: Councilman Rinaldi.

13 CHAIRMAN RINALDI: Yes.

14 Next item is a motion to approve a
15 handicapped sign at the address of Robert
16 Kania, 540, on the corner of West Grace and
17 Melmore Street.

18 MS. AVVISATO: Make that motion, Mr.
19 Chairman.

20 CHAIRMAN RINALDI: Motion on the
21 floor by Councilwoman Avvisato.

22 MR. BUTLER: Second.

23 CHAIRMAN RINALDI: Second by
24 Councilman Butler, on the question. Public
25 input. Roll call, please.

1 MS. BARTOLETTI: Councilwoman

2 Avvisato.

3 MS. AVVISATO: Yes.

4 MS. BARTOLETTI: Councilman Butler.

5 MR. BUTLER: Yes.

6 MS. BARTOLETTI: Councilman Febbo.

7 MR. FEBBO: Yes.

8 MS. BARTOLETTI: Councilman Hoover.

9 MR. HOOVER: Yes.

10 MS. BARTOLETTI: Councilman Notari.

11 MR. NOTARI: Yes.

12 MS. BARTOLETTI: Councilman Rinaldi.

13 CHAIRMAN RINALDI: Yes.

14 No more items under new business,
15 unless anyone has any. Go down the table,
16 see if anybody has anything, before we
17 adjourn. Mayor Legg.

18 MAYOR LEGG: Thank you, Mr.

19 Chairman. I have nothing.

20 CHAIRMAN RINALDI: You're welcome.

21 Councilman Febbo.

22 MR. FEBBO: Nope. I'm out of gas.

23 CHAIRMAN RINALDI: Councilman

24 Notari.

25 MR. NOTARI: Nothing.

1 CHAIRMAN RINALDI: Councilman Butler.

2 MR. BUTLER: Nothing.

3 CHAIRMAN RINALDI: Councilwoman

4 Avvisato.

5 MS. AVVISATO: I'm good, Mr.

6 Chairman. Thank you.

7 CHAIRMAN RINALDI: Councilman

8 Hoover.

9 MR. HOOVER: I'm good. Thank you for
10 the pave cut ordinance.

11 CHAIRMAN RINALDI: The only thing
12 that I have is to address the public.
13 Council had an executive session last
14 Tuesday regarding a personnel and litigation
15 matter.

16 We also had an executive session
17 this evening, before our meeting, for
18 another personnel litigation matter. And
19 we're going to adjourn in to one right now.

20 With that said, the Chair would make
21 a motion to adjourn the meeting.

22 MR. NOTARI: Make that motion.

23 CHAIRMAN RINALDI: Motion on the
24 floor motion for Councilman Notari. All in
25 favor.

(Chorus of ayes.)

CHAIRMAN RINALDI: Good night,
everybody.

(Whereupon, at 9:19 p.m, the hearing
was concluded.)

C E R T I F I C A T E

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

7/18/22


JANET E. SMITH
Court Reporter

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