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OLD FORGE BOROUGH COUNCIL  
OLD FORGE, PENNSYLVANIA

IN RE: COUNCIL WORK SESSION

JUNE 6, 2023

7:10 P.M.

OLD FORGE MUNICIPAL BUILDING  
314 SOUTH MAIN STREET  
OLD FORGE, PENNSYLVANIA

COUNCIL MEMBERS:

- RUSSELL RINALDI, PRESIDENT
- LOUIS FEBBO
- JAMES HOOVER
- ANDREW BUTLER
- MARYLYNN BARTOLETTI, BOROUGH MANAGER
- ROBERT LEGG, MAYOR

Mark Wozniak  
Official Court Reporter

1 MR. RUSSELL RINALDI: We're going to  
2 move into our work session. The purpose of  
3 tonight's meeting will be to set the agenda  
4 for our regular borough meeting, which will  
5 be Tuesday, June 20, 2023. We'll go down  
6 the table, hear from our mayor and our  
7 council members and our borough manager if  
8 they have anything for the meeting. We'll  
9 hear from our department heads, see if they  
10 have anything for the agenda or for their  
11 reports. There's a public sign-in sheet the  
12 chief has. If anyone from the public would  
13 like to address us at the end of the meeting  
14 we'll give you a few moments.

15 We'll move into our first department  
16 head, DPW Manager Joe Lenceski. Joe,  
17 anything for the upcoming meeting?

18 MR. LENCESKI: Nothing for the  
19 agenda.

20 MR. RUSSELL RINALDI: Does anybody  
21 have any questions for Joe?

22 MR. BUTLER: Joe, that lady I was  
23 telling you about with the bamboo thing.  
24 There's two trees there that are, like,  
25 leaning on her fence that she wants cut

1 down. Can we cut them down?

2 MR. LENCESKI: Depends if it's her  
3 property.

4 MR. BUTLER: Where they're at it  
5 looks like our property with the guy's fence  
6 next to her. It's a little farther this way  
7 from the trees. But that whole strip there  
8 by my house that goes down, where Joe  
9 McAndrew used to live, that's where the  
10 trees are.

11 MR. LENCESKI: Can you meet me  
12 tomorrow and show me?

13 MR. BUTLER: Yeah, come down  
14 tomorrow morning.

15 MR. LENCESKI: Okay.

16 MR. BUTLER: I know two of them fell  
17 from the big storm we had. We probably got  
18 rid of most of it.

19 MR. RUSSELL RINALDI: Anybody else  
20 have any questions for Joe? Thank you, Joe.

21 Mike Sokolowski, code enforcement/  
22 zoning officer, anything for the upcoming  
23 meeting?

24 MR. SOKOLOWSKI: I have nothing, no.

25 MR. RUSSELL RINALDI: Anybody have

1 any questions for Mike?

2 MR. FEBBO: Where are we at with  
3 Moosic Road, with the fencing down there?  
4 It's my understanding we got a letter from  
5 conservation, Jerry Styles, saying that he's  
6 still not in compliance. Is it true or not  
7 that those barriers he has outside are  
8 illegal?

9 MR. SOKOLOWSKI: They're six foot  
10 in. From what I understand they're past the  
11 safety -- they're far enough in.

12 MR. HOOVER: State right-of-way.

13 MR. SOKOLOWSKI: They are off the  
14 right-of-way, so I'm not sure that --

15 MR. LOPATKA: They're not in the  
16 right-of-way. If they were in the  
17 right-of-way PennDOT will get involved.

18 MR. SOKOLOWSKI: They're in far  
19 enough.

20 MR. FEBBO: Are they legal? What  
21 about the water runoff situation back there?  
22 I was talking to Vince Piccolini today. The  
23 conservation and waterways is supposed to  
24 get back to us. I don't know if they did.

25 MR. LOPATKA: They did another

1 inspection report. Again, they're take on  
2 it was very similar to what mine was. They  
3 need to get it stabilized. The work that  
4 they did, they need to topsoil and seed it  
5 so that all the areas around the outside of  
6 the property are stabilized. Currently  
7 they're not. They didn't really do anything  
8 that I saw even just driving by, so I'm not  
9 sure where it's at.

10 Now, the last time I talked to the  
11 guy, which is about two weeks ago, again,  
12 they were supposed to be putting together a  
13 land development plan and come to the  
14 planning commission but they haven't done  
15 that.

16 MR. SOKOLOWSKI: We're still waiting  
17 on that.

18 MR. FEBBO: He's opened up. He did  
19 have a permit for occupancy for the building  
20 but nothing else. Again, he's not in  
21 compliance with the land management, he has  
22 no permits. He's doing nothing in terms of  
23 getting you what you need. It's almost like  
24 he's saying don't bother me. I'm not going  
25 to do it. I'm going to do it my way.

1 MR. LOPATKA: They should be coming  
2 with a land development.

3 MR. RUSSELL RINALDI: My question is  
4 if he opened up without a permit, without an  
5 occupancy permit, he didn't come to any  
6 meetings like we asked him, he didn't bring  
7 no --

8 MR. LOPATKA: They did come to one  
9 meeting.

10 MR. RUSSELL RINALDI: He didn't come  
11 to the last meeting.

12 MR. LOPATKA: They didn't come to a  
13 meeting with any plans.

14 MR. RUSSELL RINALDI: He still  
15 didn't bring any plans. So there's five  
16 things he still didn't do. Why aren't we  
17 down there, give a cease and desist order?  
18 That's it. Tell him you can't go any  
19 further. You're closed.

20 MR. HOOVER: They get rain in back  
21 of that property and it goes in that pool  
22 they're going to sue the borough.

23 MR. RUSSELL RINALDI: Mike or  
24 Marylynn, contact Bill tomorrow. If we can  
25 take -- I don't want to say legal action,

1 but if we can take the action of sending our  
2 zoning officer down there to cease and  
3 desist, shut him down, I'd say send him  
4 right down.

5 My other question is did he ever  
6 file for a change of use?

7 MR. LOPATKA: I have no idea.

8 MR. RUSSELL RINALDI: Now, I know  
9 you weren't here when he opened. Joe  
10 Supulski is handling it. Correct? Because  
11 we were in the transition of zoning  
12 officers. But it went from a car lot to a  
13 fence company. That's a complete change of  
14 use. Can we contact Joe and see if he -- I  
15 don't know if he filed a change of use.

16 MS. BARTOLETTI: Tomorrow with Joe  
17 Supulski and Jerry Styles.

18 MR. LOPATKA: I talked to him. He  
19 won't issue a letter of adequacy for the  
20 plan because they never submitted a plan.  
21 So he can't approve something that was never  
22 submitted. So all he can do is do an  
23 inspection report.

24 MR. RUSSELL RINALDI: Well, then, on  
25 those grounds right there he should have a

1                   cease and desist order.

2                   MR. FEBBO: This has the same  
3                   indications as the Stocky deal. This is why  
4                   we had troubled with Stocky.

5                   MR. RUSSELL RINALDI: This is how it  
6                   starts out, small.

7                   MR. LOPATKA: I spoke to their  
8                   engineer when I met with them.

9                   MR. HOOVER: Who told him he can  
10                  open?

11                  MR. LOPATKA: I have no idea.  
12                  That's not me.

13                  MR. RUSSELL RINALDI: Let's contact  
14                  Joe Supulski tomorrow, let's get in touch  
15                  with Jerry Styles, and let's also get in  
16                  touch with Bill, see if we can take action  
17                  to send you down there, which I would like  
18                  to do.

19                  MR. SOKOLOWSKI: That would be up to  
20                  Bill to tell me how to do this.

21                  MR. RUSSELL RINALDI: Have a cease  
22                  and desist until he gets us the right  
23                  paperwork and the right permit.

24                  MR. HOOVER: That shed over on Dunn  
25                  Avenue?

1 MR. SOKOLOWSKI: I was there. I  
2 gave him a written warning. I didn't hear  
3 back from him yet. It's right on the road.

4 MR. BUTLER: Like three feet, maybe.  
5 But according to Chris, that he was waiting  
6 until the weather broke to move the shed.  
7 He was going to move the shed. He was in  
8 agreement of moving the shed but he never --  
9 and the weather broke 150 times already.

10 MR. FEBBO: And he didn't get no  
11 permits. Now, what about your situation?

12 MR. BUTLER: We were talking about  
13 it yesterday. They contacted me again  
14 today. They know the guy's name, they know  
15 his address, they know everything. How he  
16 got it I don't know. Now, they told me  
17 today they gave it to -- they said to  
18 Rinaldi. I don't know if it was Russell or  
19 Bill. But they have the guy's name,  
20 address, everything.

21 MR. SOKOLOWSKI: I have his name.  
22 Steve Miller.

23 MR. BUTLER: I don't know if their  
24 attorney got information for them or where  
25 they got it. They contacted me today. They

1 were supposed to be here tonight, they're  
2 not here. I don't know what happened to  
3 them.

4 MR. RUSSELL RINALDI: I think he's  
5 speaking about Bill, because I remember a  
6 year or two back Bill was in contact with  
7 one of the attorneys for that property.

8 MS. BARTOLETTI: I spoke to Bill  
9 about it again today and asked him to --  
10 well, yesterday. But I asked him to please  
11 try and figure out where the contact is  
12 because Mike has been struggling trying to  
13 find --

14 MR. BUTLER: It must have been Bill.

15 MR. FEBBO: Didn't we know the  
16 owner?

17 MR. SOKOLOWSKI: We knew the owner,  
18 yes, but we didn't have an address, no phone  
19 number. All the taxes, everything goes to  
20 that property. He lives in Jersey or  
21 wherever he lives.

22 MR. FEBBO: So we have a contact  
23 address in Jersey?

24 MR. BUTLER: That's what they said.

25 MR. SOKOLOWSKI: Even Gary with the

1 taxes here has no record of anything.

2 MR. FEBBO: That's good. Bring it  
3 to a head.

4 MR. BUTLER: It shouldn't even be a  
5 warning now. That's been like that for a  
6 million years.

7 MR. FEBBO: The second week I was on  
8 council I was down there with Steve Bieryla  
9 doing the same exact thing we're doing right  
10 now. Seven years ago. Cadillac sitting in  
11 the back yard, high grass. Thank you.

12 MS. BARTOLETTI: The problem is once  
13 they do get the letters someone comes and  
14 miraculously cleans it all up, the taxes are  
15 paid on it. It's not in a position to be  
16 taken over.

17 MR. BUTLER: They might be cutting  
18 the grass but you still have two cars and  
19 three RVs sitting in the back yard. You got  
20 a tree, one of the branches is broke off.  
21 The guy that lives next door is worried  
22 about it falling on his house. I'll see if  
23 he still has all the information and I'll  
24 give it to you.

25 MR. RUSSELL RINALDI: Anything else?

1 Thanks, Mike.

2 Engineer, Dave Lopatka, anything for  
3 the upcoming meeting.

4 MR. LOPATKA: I'll have a bid  
5 package together for the Casper Street  
6 culvert replacement project. You guys will  
7 have to approve it and go out to bid. Other  
8 than that, I don't have anything.

9 MR. FEBBO: I'll give you a little  
10 reprieve. Last couple weeks we're still  
11 working on something for the river down  
12 there. We got sidetracked with a couple  
13 other projects.

14 MR. RUSSELL RINALDI: Dave, anything  
15 else?

16 MR. LOPATKA: That's it.

17 MR. RUSSELL RINALDI: Anybody have  
18 any questions for Dave?

19 MR. HOOVER: You said they gave the  
20 conservation district inspection report for  
21 Moosic Road?

22 MR. LOPATKA: Yeah.

23 MR. HOOVER: I have it here. Okay.

24 MR. RUSSELL RINALDI: Anyone else?

25 Thank you, Dave.

1 Chief of police, Jason Dubernas,  
2 anything for the meeting?

3 CHIEF DUBERNAS: The only thing --  
4 and I'm not sure if it's for the meeting or  
5 not, but in the future two traffic studies  
6 to make the 100 block of Apache Drive, from  
7 West Grace Street to McGuire's house, the  
8 right shoulder, no parking. It's getting  
9 worse and worse there with the school.

10 Then the 600 block of Hickory. I  
11 spoke to Dave last meeting, he said they're  
12 all finished there. So they have a lot of  
13 issues on Hickory Street not only with the  
14 borough trucks but with Mascaro and  
15 everything. So we've got to try to push  
16 them to one side or the other.

17 MR. RUSSELL RINALDI: You know where  
18 else I was going to mention? They just put  
19 the new apartment building on Stewart and  
20 Oak. I think there might be a sign there on  
21 Stewart as you make the right but I'm not  
22 sure. It seems like when you make the right  
23 onto that street it's always -- well,  
24 because now there's tenants there when there  
25 wasn't any. Now there's cars on the other

1 side, there's cars on both sides. When you  
2 make that turn you can barely get onto  
3 Steward from Oak Street because a lot of  
4 cars are sitting back now.

5 CHIEF DUBERNAS: I'll check it.

6 MR. RUSSELL RINALDI: There's a sign  
7 there and I didn't notice what it says.  
8 I'll look at it tonight. But if it is a no  
9 parking sign already, then it's either  
10 they're parking too close --

11 CHIEF DUBERNAS: I don't think there  
12 is no parking. They just poured the  
13 sidewalks.

14 MR. RUSSELL RINALDI: There's one on  
15 Oak.

16 CHIEF DUBERNAS: That's been there a  
17 long time. But where they just poured the  
18 sidewalks, I don't think there's anything  
19 there.

20 MR. RUSSELL RINALDI: I'll look at  
21 it tonight. If you can go over there  
22 tomorrow and take a look at it because  
23 that's a bus stop right there, too, across  
24 the street. It gets tight there at times.

25 CHIEF DUBERNAS: I'll check it out.

1 MS. BARTOLETTI: Since we're talking  
2 about it, is there anything that we can do  
3 with the intersection of Oak Street and  
4 Marion Street?

5 CHIEF DUBERNAS: I never heard back  
6 from PennDOT. We asked about putting a  
7 light there or at least a flashing light. I  
8 will call PennDOT for that information.

9 MR. RUSSELL RINALDI: A light there  
10 would be a savior.

11 MR. BUTLER: There is a no parking  
12 here to corner sign coming up Oak. Even  
13 when cars are parked behind that sign you  
14 still can't see.

15 MR. RUSSELL RINALDI: Chief,  
16 anything else?

17 CHIEF DUBERNAS: Just one other  
18 thing. Nothing to do with the agenda. We  
19 did have a surprise audit by the  
20 Pennsylvania State Police regarding our JNET  
21 use, and they were very thrilled about how  
22 our department turned out and the way we  
23 move forward with stuff. We got a letter  
24 that we passed everything and they are very  
25 pleased with us.

1 MR. RUSSELL RINALDI: Good. Nice  
2 job.

3 MR. HOOVER: Chief, Apache Drive,  
4 towards the school.

5 CHIEF DUBERNAS: I spoke with Joe.  
6 I don't know who he was. He called me. He  
7 couldn't make the turn. I said we sit there  
8 every day when school's getting out.

9 MR. HOOVER: He said he lives on  
10 Apache Drive and he was coming down Grace, a  
11 guy wouldn't move. He said I'm waiting for  
12 my kid. There's no parking.

13 CHIEF DUBERNAS: They don't care.

14 MR. RUSSELL RINALDI: So when you're  
15 talking about the no parking you're speaking  
16 of the house, if you make the left on  
17 Apache, on the right with the three garages?

18 CHIEF DUBERNAS: Yeah, from her  
19 house all the way to the next house,  
20 McGuire. Nobody should park on Melbourne.

21 MR. RUSSELL RINALDI: Anything else?  
22 Thank you. Anybody have any questions for  
23 the chief? Thanks, Chief.

24 Assistant Fire Chief Bill Stull is  
25 absent, solicitor Rinaldi is absent.

1 Marylynn, borough manager, anything for the  
2 upcoming meeting?

3 MS. BARTOLETTI: I don't have  
4 anything for the agenda, but the meeting in  
5 July, the work session, falls on the 4th.  
6 So we need to change that. So maybe we can  
7 do that tonight. I didn't know if you  
8 wanted to make it the 11th, following week.

9 MR. RUSSELL RINALDI: I'm good with  
10 that.

11 MR. HOOVER: I'm good.

12 MR. BUTLER: I'm good.

13 MR. FEBBO: So that's official, we  
14 changed it to the 11th?

15 MS. BARTOLETTI: We'll change it to  
16 the 11th. As for the agenda, I really don't  
17 have anything to add.

18 MR. RUSSELL RINALDI: Anybody have  
19 any questions for Marylynn? Thanks,  
20 Marylynn.

21 Before we go down the table we'll go  
22 to public comment. Mr. Zukauskas?

23 MR. ZUKAUSKAS: I'm here to talk  
24 about a potential fire hazard across the  
25 street from my house here. I'll give this

1 here. Back in February we had a safety  
2 inspection on the property across the street  
3 from my house. I have the thing here. That  
4 says "no electrical hazards." It failed for  
5 that.

6 "Appliance, fixtures in good  
7 condition." It failed for that.

8 It says "extension cords not  
9 substituted for fixed wire." It failed for  
10 that. There were three fails there.

11 The fire inspectors recommended  
12 adding a ten pound fire extinguisher. I  
13 don't know if that was done. And there was  
14 supposed to be a follow-up to this  
15 inspection in 30 days. This was in  
16 February. I would like to know if there was  
17 a follow-up inspection on this.

18 MR. RUSSELL RINALDI: We would have  
19 to contact either the fire chief or the  
20 assistant fire chief and he's absent this  
21 evening, but we can contact him tomorrow and  
22 we can find out.

23 MR. ZUKAUSKAS: Now, if I may show  
24 you some pictures here. Talking about the  
25 ten pound fire extinguisher, it seems that

1 they had one there. This is where the fire  
2 extinguisher is outside the front door,  
3 laying on the ground. That's the fire  
4 extinguisher that's there.

5 In back of the garage you have two  
6 empty gas containers here. That's what it  
7 looks like in back of the garage. This  
8 is -- these -- all these pictures were taken  
9 yesterday. This is what this property  
10 looked like in the back of the garage after  
11 the judge ordered this guy to clean this  
12 place up. Are you telling me -- you  
13 mentioned a change in use when you were  
14 discussing something just a little while  
15 ago. What about this guy here? This used  
16 to be an auto repair shop. It is now a  
17 storage area for a junk dealer. Has there  
18 ever been a change of use for this property?

19 MR. RUSSELL RINALDI: It's a storage  
20 unit for a junk area?

21 MR. ZUKAUSKAS: I don't know.  
22 That's what I'm told, he's storing his junk  
23 in there.

24 MR. RUSSELL RINALDI: Are you  
25 talking about the Junken Monkey property?

1 MR. ZUKAUSKAS: Yes.

2 MR. RUSSELL RINALDI: The zoning  
3 officer -- not Mike, Chris Hart -- kicked  
4 him out months back.

5 MR. ZUKAUSKAS: Kicked who out?

6 MR. RUSSELL RINALDI: The Junken  
7 Monkey. There's no junk business there.

8 MR. ZUKAUSKAS: Well, there  
9 certainly is junk there. You can see the  
10 pictures, Mr. Rinaldi. That's yesterday in  
11 back of that property.

12 MR. RUSSELL RINALDI: Mr. Zukauskas,  
13 the pictures I'm looking -- tell me if I'm  
14 wrong -- there's three garbage cans, two  
15 garbage can lids, a wooden table and two  
16 tarps.

17 MR. ZUKAUSKAS: Okay.

18 MR. RUSSELL RINALDI: Are you  
19 considering that junk?

20 MR. ZUKAUSKAS: When we brought this  
21 gentleman to court -- yes, I do. The judge  
22 said all that stuff goes inside that garage.

23 MR. RUSSELL RINALDI: Mr. Zukauskas,  
24 everybody in the borough of Old Forge has  
25 plastic garbage cans, plastic garbage can

1 lids and wooden tables in their back yards.  
2 I'm assuming. Now, the stuff that was on  
3 that trailer that was gone the next day, I  
4 would consider that to possibly be some type  
5 of junk he was moving out of there.

6 MR. SOKOLOWSKI: He cleaned up a  
7 loaded trailer. He took it to the landfill.  
8 That's what the landlord told me.

9 MR. RUSSELL RINALDI: I personally  
10 can't consider this junk, but if the borough  
11 code book says it's junk, then we would have  
12 to ask him and everybody in the borough of  
13 Old Forge to remove their plastic garbage  
14 cans from their back yard.

15 MR. FEBBO: This is like the  
16 basketball hoop.

17 MR. ZUKAUSKAS: This is what the  
18 property looked like before the court order.  
19 Now, these are the cars, this is the junk.  
20 Now, the judge says clean this property up,  
21 so he drove those cars out. The cars are  
22 gone. This junk that you see there he put  
23 in the back and covered it with a tarp.

24 MR. RUSSELL RINALDI: Mr. Zukauskas,  
25 this junk that's here, the only thing that

1 looks like in these pictures is the blue  
2 tarp and the garbage can. The couch is  
3 gone, all this garbage, which I could barely  
4 see but it does look like garbage, that  
5 don't look to be in these photos in back.  
6 The only thing I see in the back is the blue  
7 tarp and three garbage bins.

8 MR. ZUKAUSKAS: That should not be  
9 there. The judge ordered that all --

10 MR. RUSSELL RINALDI: Garbage cans  
11 shouldn't be there?

12 MR. ZUKAUSKAS: The judge ordered  
13 everything to go inside that garage. Now,  
14 he drove those cars off -- this is what --  
15 after Friday this is what that property  
16 looked like. That basketball hoop isn't  
17 there. So he drove those cars off, he put  
18 the junk --

19 MR. RUSSELL RINALDI: Is the  
20 basketball hoop there now?

21 MR. ZUKAUSKAS: No. This is what  
22 I'm getting at, Mr. Rinaldi. So this is 36  
23 days after the judge said you get rid of  
24 that he decides to take that. So here's the  
25 thing, he moves that basketball hoop. So

1 when we brought this guy to court it was  
2 \$100 per day if he did not comply. So that  
3 thing was there for 36 days, that basketball  
4 hoop. Then after 36 days he decided to move  
5 it. So now it is gone. So 36 days times  
6 \$100, why is that guy not being fined  
7 \$3,600?

8 MR. RUSSELL RINALDI: I'll give you  
9 the same answer I gave you last meeting,  
10 same answer I gave you the meeting before  
11 that, and the same answer I gave you the  
12 meetings prior to that. That is up to the  
13 judge. The judge sets the fine, the judge  
14 sets the amount, the judge sets how much  
15 time he has to move. What takes place in  
16 the judge's courtroom we have no control  
17 over.

18 MR. ZUKAUSKAS: Okay, Mr. Rinaldi, I  
19 understand what you said, but he did not  
20 comply with that. He said okay, I did not  
21 comply with this four or five day thing.  
22 That stuff was left there. So who was  
23 enforcing that? Because that was still --  
24 that was not being moved when the judge said  
25 you get rid of that --

1 MR. FEBBO: Who said it's junk? Who  
2 said it's junk under the tarp? Did you say  
3 it's junk, Mike?

4 MR. SOKOLOWSKI: No.

5 MR. FEBBO: How can you say that's  
6 junk?

7 MR. ZUKAUSKAS: Because he's a junk  
8 dealer.

9 MR. FEBBO: How do you know what's  
10 under that tarp? We all have tarps.

11 MR. ZUKAUSKAS: The judge ordered  
12 stuff --

13 MR. FEBBO: You come here month  
14 after month, we try to appease you. For  
15 some reason you and this guy don't get  
16 along. You're going to leave yourself open  
17 to a lawsuit with him. We've done  
18 everything we can possibly do.

19 MR. ZUKAUSKAS: Who was enforcing  
20 it, Mr. Febbo? Who was enforcing that  
21 hundred dollars per day?

22 MR. RUSSELL RINALDI: What do you  
23 want to be enforced? The garbage pails in  
24 the back yard?

25 MR. ZUKAUSKAS: The basketball hoop

1 that was left there. It wasn't gone until  
2 36 days after the judge said to remove it,  
3 so that's \$3,600.

4 CHIEF DUBERNAS: If the judge tells  
5 him the fine is a hundred dollars, that's  
6 all it is, is a hundred dollars. I can't go  
7 back and say I want to charge him a fine  
8 again because now you're starting to get  
9 into a double jeopardy case.

10 MR. ZUKAUSKAS: January 10th,  
11 hundred dollar fine, case closed. He didn't  
12 remove that for 36 days. Who enforces that?

13 CHIEF DUBERNAS: That's in your eyes  
14 the basketball court is junk.

15 MR. ZUKAUSKAS: It's not --

16 CHIEF DUBERNAS: You need to talk to  
17 Magistrate Seig and you have to agree with  
18 him what is junk and what is not junk. In  
19 Mike's eyes, council's eyes, my eyes a  
20 basketball hoop is not junk because every  
21 resident in Old Forge practically has  
22 basketball hoops. In your eyes it's junk  
23 because you're not happy with it. That's  
24 all there is to it. Until you're happy it  
25 will be junk and you'll be here every month

1                   bitching because a basketball hoop is junk.  
2                   You're trying to tell us it's junk and it's  
3                   not junk. To you it's junk.

4                   MR. ZUKAUSKAS: What I don't  
5                   understand is you bring this guy to court  
6                   and he doesn't comply. Who enforces it?

7                   CHIEF DUBERNAS: That's the  
8                   magistrate. You even told the Court that he  
9                   paid a hundred dollars, so it's enforced.  
10                  He paid the fine. It's over and done with.  
11                  You go back to the judge and tell him he  
12                  didn't comply. Zoning Officer Hart had him  
13                  removed. He's no longer there. Now it's  
14                  just a landlord or the property owner that  
15                  owns that garage, so now you're going to go  
16                  after him. The way you keep coming here  
17                  every month, every month, every month you're  
18                  harassing the guy. For what? A basketball  
19                  hoop.

20                  MR. ZUKAUSKAS: I just want him to  
21                  comply with the judge's order.

22                  CHIEF DUBERNAS: He did.

23                  MR. FEBBO: He did.

24                  MR. ZUKAUSKAS: We're in  
25                  disagreement there.

1 MR. HOOVER: How did you get a copy  
2 of this fire department report?

3 MR. ZUKAUSKAS: I was given it.  
4 Somebody gave it to me at one of the  
5 meetings. The fire chief or somebody gave  
6 it to me. I have it. Somebody gave it to  
7 me. That's in my possession.

8 MR. RUSSELL RINALDI: The assistant  
9 fire chief gave you his report?

10 MR. ZUKAUSKAS: Somebody gave it to  
11 me.

12 MR. FEBBO: Who is somebody? Who  
13 gave you that report?

14 MR. ZUKAUSKAS: Assistant Chief Bill  
15 Stull. Would that be him? Or was it  
16 Christopher Shaffer? One of the two  
17 inspectors.

18 MR. BUTLER: What's wrong with the  
19 garbage cans?

20 MR. ZUKAUSKAS: The judge ordered  
21 things that are around that garage inside  
22 that garage.

23 MR. BUTLER: Let me ask you a  
24 question. Do you keep your garbage can in  
25 your house?

1 MR. ZUKAUSKAS: No.

2 MR. BUTLER: Then why can't he have  
3 his outside?

4 MR. ZUKAUSKAS: Because the judge  
5 ordered --

6 MR. BUTLER: I don't think the judge  
7 ordered him to take the garbage cans out of  
8 there. I really don't.

9 MR. ZUKAUSKAS: This is the  
10 apartment building next to the garage. Is  
11 that legal? Where does that -- open that  
12 door you go to the ground level. Is that up  
13 to code, something like that?

14 MR. RUSSELL RINALDI: I'm going to  
15 say no. Go give this right now to  
16 Mr. Sokolowski. Did you notice this before?  
17 Is this the first time -- did you bring this  
18 to their attention?

19 MR. ZUKAUSKAS: No, this is the  
20 first time I brought that to your attention.

21 MR. RUSSELL RINALDI: There's a  
22 door, looks like there should be a porch or  
23 deck or some type of steps that were  
24 removed. We'll send Mike down there to  
25 check that out. That does not look safe.

1 MR. ZUKAUSKAS: It's 1248 South Main  
2 Street. So just one last thing. In order  
3 for the things, the stuff behind the garage  
4 to be clean -- because I went down to the  
5 court and they're telling me I had to come  
6 back. I feel like a ping pong ball. But  
7 you're telling me right now if I want  
8 something done with the stuff that is behind  
9 that garage I have to go back to Judge Seig?

10 MR. RUSSELL RINALDI: I'm going to  
11 tell you this, according to the borough code  
12 book that we follow plastic garbage cans in  
13 the back of your property, whether it's your  
14 house, an apartment building, garage, yard,  
15 whatever, a wooden table and two plastic  
16 tarps is not considered junk according to  
17 our code book.

18 If you would like to personally  
19 bring a lawsuit against Mr. -- I don't know  
20 his name -- through the magistrate's office  
21 through a civil action that's your choice.  
22 You do what you would like to do. Whatever  
23 you'd like to do. I'm not advising you what  
24 you should do. I'm just saying that's the  
25 opinion, take it from there.

1 MR. ZUKAUSKAS: Now, are you telling  
2 me that this Junk Monkey is no longer there  
3 and he doesn't have no business there now?  
4 He's vacated? Is that what you're telling  
5 me, he's no longer there?

6 MR. RUSSELL RINALDI: I know that  
7 back in February our solicitor instructed  
8 our zoning officer at the time, Mr. Hart, to  
9 go down there and tell him that junk  
10 businesses are not permitted in that area.  
11 There's only a few areas in the borough of  
12 Old Forge where they're zoned and that is  
13 not one of them. That is why the judge  
14 ordered him to remove the junk. That was  
15 what I would consider junk, and the stuff  
16 that's still there now might just be his  
17 personal garbage cans, his personal tarps.  
18 But he was told by our zoning officer you  
19 cannot run a junk business there.

20 MR. FEBBO: He may still be renting  
21 the place but he's not running a junk yard  
22 there.

23 MR. RUSSELL RINALDI: If he is  
24 running a junk business there and we find  
25 out he is we're going to go back down there

1 and cite him again.

2 MR. ZUKAUSKAS: He's bringing stuff  
3 out of the garage, displaying it, and people  
4 are coming and buying it. You asked if I  
5 saw an exchange of money, I said no.

6 MR. SOKOLOWSKI: Excuse me. I spoke  
7 to the landlord, the owner of the property.  
8 She said that's why the trailer was there.  
9 He's cleaning up, he's moving out -- he  
10 moved out. He's suppose to be out of there.  
11 So they may have been her garbage cans  
12 because she owns the building next door.  
13 Maybe they're her garbage cans. But he's  
14 moved out.

15 MR. ZUKAUSKAS: Now, the stuff  
16 that's inside that garage that belongs to  
17 this Junken Monkey, he's storing stuff but  
18 he's not running a business there?

19 MR. SOKOLOWSKI: What she told me  
20 he's moving out.

21 MR. RUSSELL RINALDI: To our  
22 knowledge he's not running a business there.  
23 If we know he's running one there we'll send  
24 the zoning officer down to handle it  
25 accordingly like any other business that's

1 being run illegally in the borough.

2 MR. ZUKAUSKAS: Thank you.

3 MR. RUSSELL RINALDI: Mr. Mazaleski?

4 MR. MAZALESKI: I have a sewer hole  
5 in the back of my yard. It was involved  
6 with sewer backups back in February. It was  
7 inspected, it's still not really covered.  
8 It was opened up, left it with a board over  
9 it, and kind of the change in the weather  
10 make it very --

11 MR. RUSSELL RINALDI: Is there a  
12 manhole on it or a grate on it?

13 MR. LENCESKI: On his property the  
14 sewer line runs through the property.

15 MR. FEBBO: On his property?

16 MR. LENCESKI: Yes. So that means  
17 there's a 15 foot easement off center line  
18 in both directions. The manhole was buried  
19 in the yard. So we can't get to the yard.  
20 Now, we have the right to go onto your  
21 property because I know personally I have an  
22 easement through my property with an Old  
23 Forge Borough line that goes to the  
24 interceptor. Not supposed to do anything 15  
25 foot off the center line in both directions.

1 The only way to get into his property would  
2 be to rip all the bushes down and do the  
3 excavation to fix that manhole. We can't  
4 get in there.

5 So I had Earthworks come, I had Mike  
6 Ford come, marked up the road, and we have  
7 to change everything because I don't know if  
8 Hatala shifted the road way back when in  
9 order to sell lots. Usually manholes are in  
10 roads. It's close to his house.  
11 Mr. Mazaleski's sewer line goes in front of  
12 his house. So it comes off of Mary, cuts  
13 through his yard and comes back into  
14 Josephine.

15 So I had Earthworks down there, I  
16 had Mike Ford lay everything out. I asked  
17 Earthworks to give us a price on changing  
18 it. He never did. I forgot about it. I  
19 did. I went back, met him again with Mike,  
20 called him to try to put a price so we can  
21 get it out of his yard instead of going into  
22 his yard, ripping the bushes out. It's  
23 shallow and it's in a weird spot.

24 MR. MAZALESKI: We don't have it for  
25 our house. It just goes down to Josephine

1 Street.

2 MR. SOKOLOWSKI: It cuts through his  
3 yard but there's nothing that ties in on  
4 that side.

5 MR. FEBBO: Is it a dead system?

6 MR. LENCESKI: No, it's not.

7 MR. RUSSELL RINALDI: Why don't we  
8 have Joe contact them again, find out what's  
9 the price, find out what the fix is, then we  
10 can have Joe contact you, let you know how  
11 we're going to move forward with it.

12 MR. FEBBO: Bill, an oversight,  
13 mixup here. He's back on it.

14 MR. MAZALESKI: It was inspected by  
15 the two -- they were checking --

16 MR. LENCESKI: I had Mike Ford come  
17 and lay it all out.

18 MR. FEBBO: The bottom line is  
19 there's a fix for it. Correct?

20 MR. LENCESKI: Yes. Like I said, I  
21 forgot about it.

22 MR. FEBBO: Are you okay with what  
23 he's saying?

24 MR. RUSSELL RINALDI: We'll let Joe  
25 contact him.

1 MR. LENCESKI: I did.

2 MR. RUSSEL RINALDI: We will get a  
3 price and have Joe contact you, let him tell  
4 you how we're going to move forward with it.

5 MR. MAZALESKI: Sounds good.

6 MR. RUSSELL RINALDI: Anybody else  
7 from the public before we go down the table?

8 MR. ZUKAUSKAS: One last thing. Do  
9 I have to contact somebody to find out about  
10 the follow? What do I do with this again,  
11 the follow inspection, see if this has been  
12 done?

13 MR. RUSSELL RINALDI: You want to  
14 fine out if --

15 MR. LENCESKI: I remember being at a  
16 meeting and they said they followed up.

17 MR. RUSSELL RINALDI: I'm pretty  
18 sure there was a follow up, but I'll contact  
19 Bill Stull for you and make sure, see if  
20 there was. I'll ask him if he can bring a  
21 report of the follow up to the next meeting,  
22 or if you want to contact him again.

23 Anyone else from the public? We'll  
24 go down the table, see if anyone has  
25 anything to add before we adjourn. Mayor

1 Legg?

2 MAYOR LEGG: Thursday at ten. It's  
3 probably going to be outside. Not supposed  
4 to get rain later on in the afternoon.

5 MR. RUSSELL RINALDI: June 8th.

6 MAYOR LEGG: It grew a life of its  
7 own. Family coming from Ohio, Texas. So  
8 all the newspapers are going to be there, TV  
9 stations. They interviewed Rusty Fender  
10 today. He's going to be on the news  
11 tomorrow at 3:00, 28. That's all.

12 MR. FEBBO: I'm good.

13 MR. BUTLER: I'm good.

14 MR. HOOVER: I'm good. Just want to  
15 get the paving program started as soon as we  
16 can.

17 MR. RUSSELL RINALDI: I have no  
18 items as well. With that, the chair would  
19 entertain a motion to adjourn the work  
20 session.

21 MR. FEBBO: Make that motion.

22 MR. RUSSELL RINALDI: By Councilman  
23 Febbo. All in favor?

24 (Unanimous. Meeting adjourned.)

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C E R T I F I C A T E

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 36 pages, is a true and correct copy, done to the best of my ability, of same and the whole thereof.

  
Mark Wozniak  
Official Court Reporter

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