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OLD FORGE BOROUGH COUNCIL
OLD FORGE, PENNSYLVANIA

IN RE: REGULAR MEETING OF COUNCIL

MAY 24, 2022
7:00 P.M.
EAGLE-MCCLURE HOSE COMPANY
MILWAUKEE AVENUE
OLD FORGE, PENNSYLVANIA

COUNCIL MEMBERS:

RUSSELL RINALDI, PRESIDENT
RICK NOTARI, VICE-PRESIDENT
LOUIS FEBBO
JAMES HOOVER
MICHAEL LETTIERI
MICHELLE AVVISATO
ANDREW BUTLER
WILLIAM RINALDI, ESQUIRE, SOLICITOR
MARYLYNN BARTOLETTI, BOROUGH MANAGER
ROBERT LEGG, MAYOR

Mark Wozniak
Official Court Reporter

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

5 (The Pledge of Allegiance was
6 recited.)

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

9 MS. BARTOLETTI: Councilwoman
10 Avvisato?

11 MS. AVVISATO: Here.

12 MS. BARTOLETTI: Councilman Butler?

13 MR. BUTLER: Here.

14 MS. BARTOLETTI: Councilman Febbo?

15 MR. FEBBO: Here.

16 MS. BARTOLETTI: Councilman Hoover?

17 MR. HOOVER: Here.

18 MS. BARTOLETTI: Councilman
19 Lettieri?

20 MR. LETTIERI: Present.

21 MS. BARTOLETTI: Councilman Notari?

22 MR. NOTARI: Present.

23 MS. BARTOLETTI: Councilman Rinaldi?

24 MR. RUSSELL RINALDI: Here. Once
25 again, ladies and gentlemen, welcome to the

1 regular meeting of the Old Forge Borough.
2 Tonight is Tuesday, May 24, 2022. The
3 purpose of our meeting is to go through some
4 of our department heads and we'll hear what
5 they have for the meeting. We'll go down
6 the table, hear from our borough manager,
7 solicitor, our council and mayor.

8 We have a public sign-in sheet that
9 the chief of police has. If anybody would
10 like to address us at the end of the meeting
11 we'll give you a few moments. Then, after
12 that we'll go into our new business.

13 To begin the meeting we'll go to our
14 housekeeping motions. We have a few. Our
15 first is motion to approve the minutes from
16 the prior meeting.

17 MS. AVVISATO: I'll make that
18 motion.

19 MR. RUSSELL RINALDI: By
20 Councilwoman Avvisato.

21 MR. BUTLER: I'll second it.

22 MR. RUSSELL RINALDI: Seconded by
23 Councilman Butler. On the question? Public
24 input? Roll call, please.

25 MS. BARTOLETTI: Councilwoman

1 Avvisato?

2 MS. AVVISATO: Yes.

3 MS. BARTOLETTI: Councilman Febbo?

4 MR. FEBBO: Yes.

5 MS. BARTOLETTI: Councilman Butler?

6 MR. BUTLER: Yes.

7 MS. BARTOLETTI: Councilman Hoover?

8 MR. HOOVER: Yes.

9 MS. BARTOLETTI: Councilman

10 Lettieri?

11 MR. LETTIERI: Yes.

12 MS. BARTOLETTI: Councilman Notari?

13 MR. NOTARI: Yes.

14 MS. BARTOLETTI: Councilman Rinaldi?

15 MR. RUSSELL RINALDI: Yes. Second

16 item is motion to approve the treasurer's

17 report. Please note this does not include

18 the sewer account.

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

20 MR. RUSSELL RINALDI: By Councilman

21 Notari.

22 MR. LETTIERI: Second.

23 MR. RUSSELL RINALDI: Seconded by

24 Councilman Lettieri. On the question?

25 Public input? Roll call, please.

1 MS. BARTOLETTI: Councilwoman

2 Avvisato?

3 MS. AVVISATO: Yes.

4 MS. BARTOLETTI: Councilman Febbo?

5 MR. FEBBO: Yes.

6 MS. BARTOLETTI: Councilman Butler?

7 MR. BUTLER: Yes.

8 MS. BARTOLETTI: Councilman Hoover?

9 MR. HOOVER: Yes.

10 MS. BARTOLETTI: Councilman

11 Lettieri?

12 MR. LETTIERI: Yes.

13 MS. BARTOLETTI: Councilman Notari?

14 MR. NOTARI: Yes.

15 MS. BARTOLETTI: Councilman Rinaldi?

16 MR. RUSSELL RINALDI: Yes. The
17 third item is motion to approve invoices for
18 payment. Once again, please note this does
19 not include the sewer account.

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

21 MR. RUSSELL RINALDI: By Councilman
22 Notari.

23 MR. HOOVER: I'll second it.

24 MR. RUSSELL RINALDI: Seconded by
25 Councilman Hoover. On the question? Public

1 input? Roll call, please.

2 MS. BARTOLETTI: Councilwoman

3 Avvisato?

4 MS. AVVISATO: Yes.

5 MS. BARTOLETTI: Councilman Febbo?

6 MR. FEBBO: Yes.

7 MS. BARTOLETTI: Councilman Butler?

8 MR. BUTLER: Yes.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Yes.

11 MS. BARTOLETTI: Councilman

12 Lettieri?

13 MR. LETTIERI: Yes.

14 MS. BARTOLETTI: Councilman Notari?

15 MR. NOTARI: Yes.

16 MS. BARTOLETTI: Councilman Rinaldi?

17 MR. RUSSELL RINALDI: Yes. Fourth

18 item is motion to approve sewer department
19 financial report.

20 MR. RUSSELL RINALDI: I'll make that
21 motion.

22 MR. RUSSELL RINALDI: By Councilman
23 Notari.

24 MS. AVVISATO: I'll second that
25 motion.

1 MR. RUSSELL RINALDI: Seconded by
2 Councilwoman Avvisato. On the question?
3 Public input? Roll call, please.

4 MS. BARTOLETTI: Councilwoman
5 Avvisato?

6 MS. AVVISATO: Yes.

7 MS. BARTOLETTI: Councilman Febbo?

8 MR. FEBBO: Yes.

9 MS. BARTOLETTI: Councilman Butler?

10 MR. BUTLER: Yes.

11 MS. BARTOLETTI: Councilman Hoover?

12 MR. HOOVER: Yes.

13 MS. BARTOLETTI: Councilman

14 Lettieri?

15 MR. LETTIERI: Yes.

16 MS. BARTOLETTI: Councilman Notari?

17 MR. NOTARI: Yes.

18 MS. BARTOLETTI: Councilman Rinaldi?

19 MR. RUSSELL RINALDI: Yes. Last
20 item under housekeeping is motion to approve
21 sewer department invoices for payment.

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

23 MR. RUSSELL RINALDI: By Councilman
24 Notari.

25 MR. HOOVER: I'll second it.

1 MR. RUSSELL RINALDI: Seconded by
2 Councilman Hoover. On the question? Public
3 input? Roll call, please.

4 MS. BARTOLETTI: Councilwoman
5 Avvisato?

6 MS. AVVISATO: Yes.

7 MS. BARTOLETTI: Councilman Febbo?

8 MR. FEBBO: Yes.

9 MS. BARTOLETTI: Councilman Butler?

10 MR. BUTLER: Yes.

11 MS. BARTOLETTI: Councilman Hoover?

12 MR. HOOVER: Yes.

13 MS. BARTOLETTI: Councilman
14 Lettieri?

15 MR. LETTIERI: Yes.

16 MS. BARTOLETTI: Councilman Notari?

17 MR. NOTARI: Yes.

18 MS. BARTOLETTI: Councilman Rinaldi?

19 MR. RUSSELL RINALDI: Yes. We're
20 going to go to our department heads. Joe
21 Lenceski, DPW manager. Anything for the
22 meeting, Joe?

23 MR. LENCESKI: I did get a couple --
24 three prices on hauling for yard waste, a 40
25 yard canister. Prior to Covid we used to

1 have a 40 yard dumpster at the DPW grounds
2 which the guys would fill and the
3 third-party hauler, through our recycler,
4 would get rid of that. The third party shut
5 down. We started taking the yard waste to
6 Dupont.

7 I have three prices, and the price
8 would be for the dumpster and to have it
9 hauled to Dupont. One was a verbal price
10 from GFL, who does our recycling. That was
11 \$350. I received a price from ABC hauling
12 for \$225 per pull, and one from CCI at \$465
13 a pull.

14 MR. NOTARI: How many pulls per
15 month?

16 MR. LENCESKI: Four.

17 MR. NOTARI: So one a week?

18 MR. LENCESKI: It could vary
19 depending on the weather. If it rains a lot
20 we'll have more yard waste, if it doesn't
21 rain we'll have less.

22 MR. NOTARI: So what would be the
23 most for a month? Six? Eight?

24 MR. LENCESKI: Six at the most, and
25 lately we were using it because of the

1 weather.

2 MR. FEBBO: How does that stack up
3 against the truck up there?

4 MR. LENCESKI: Well, it takes two
5 guys one day to load the packer with yard
6 waste. When the packer's running it's about
7 three miles per gallon to do it.

8 MR. NOTARI: So you feel it would be
9 cost effective?

10 MR. LENCESKI: We're handling it
11 twice, yes, because in turn not having to
12 unload the packer, not to mention putting
13 yard waste in the packer, the grease, the
14 actual stress on it. I think the men could
15 serve us in better ways by being on the
16 streets. Potholes, signage, doing other
17 things for us.

18 MR. FEBBO: What's the low bid?

19 MR. LENCESKI: The low bid is 225.

20 MR. HOOVER: So they fill that and
21 then they take that to Dupont. Dupont
22 doesn't have a problem with that?

23 MR. LENCESKI: I don't know yet. I
24 didn't check. I don't see why they would.

25 MR. RUSSELL RINALDI: So my

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question --

MR. LENCESKI: We definitely have to double check.

MR. HOOVER: I know they're having a problem with people going in there. People leaving the gate open. But I think it would be easier because you're only going in with one shot, they know it's us, dump it, get out.

MR. FEBBO: And the cost of fuel right now.

MR. LENCESKI: Then talking to the DPW crew, they're just loading it when they have time. At the end of the day somebody's out there with the backhoe. So it's not like we're designated or set up to start doing it at 1:45, when they leave at 2:30, have them try to load it for a half-hour.

MR. RUSSELL RINALDI: Are we contracted to them? Is it just done on a weekly basis? Do we have to sign anything?

MR. LENCESKI: It says ABC is low bidder. "Service charge is 225 per pull from the Old Forge location to the Dupont location. No landfill service was requested

1 of us. We ask at least one to two day
2 notice or a scheduled day for pull. Same
3 day service can be provided if needed?

4 MR. FEBBO: What's your opinion?

5 MR. LENCESKI: I think it's a good
6 idea.

7 MR. RUSSELL RINALDI: If we did it
8 for a few weeks, few months and you came to
9 us and said listen, it's costing us more,
10 then we can just shut it down, stop it. Or
11 if you come to us a few months and say this
12 is really working out great, we're actually
13 saving money.

14 MR. FEBBO: There's a contract
15 required?

16 MR. LENCESKI: I haven't spoken with
17 them. I just receive the three bids.

18 MS. BARTOLETTI: It's preliminary.

19 MR. NOTARI: I think we should move
20 forward.

21 MR. HOOVER: Check with them, make
22 sure they'd take it.

23 MR. FEBBO: The packmaster gets four
24 miles on a gallon. Ten gallons?

25 MR. LENCESKI: About 16 miles one

1 way.

2 MR. HOOVER: The man hours. You
3 could be doing something else. I'm good
4 with it.

5 MS. BARTOLETTI: At times we will
6 put the packer out and pick up yard waste
7 that way. So it's not just dumping the yard
8 waste and handling it twice. But it's nice
9 to have the option of just loading the yard
10 waste also.

11 MR. RINALDI: Good idea.

12 MR. LETTIERI: More capacity for
13 your guys, too.

14 MR. LENCESKI: A lot of them have
15 allergies. You can see their faces are
16 swollen.

17 MR. NOTARI: Is this something we
18 need to approve or if he finds out all the
19 details, Mare, and you feel everything is
20 fine we can go ahead and do it so we don't
21 have to wait until the next month?

22 MS. BARTOLETTI: We can sign it. We
23 just have a couple little things to look
24 into. The one that I'm more interested
25 about or concerned about is the actual

1 The main hub is around Maxson Drive.

2 MR. LOPATKA: The only thing you can
3 really do is divert it, put a bigger pipe
4 in, discharge it to wherever it can end up
5 grade wise. I'm not sure exactly where it's
6 at.

7 MR. LENCESKI: I think it's kind of
8 by, I guess, the Jeffers homestead.

9 MR. NOTARI: There's always been a
10 problem there. I kind of reiterated that to
11 the cemetery association. I've lived there
12 45 years. There's always been a problem
13 with water at that section of the cemetery.
14 They just decided to start selling plots
15 there, so now they've been having problems
16 with the water and the graves that are
17 there.

18 MR. LENCESKI: I think the solution
19 would be to get with the engineer, Dave's
20 firm, find out the impervious surface, the
21 blacktop, the water on the road, and then go
22 from the river, start bringing whatever
23 diameter pipe we need to do that whole area.

24 MR. LOPATKA: Where's the issue in
25 the cemetery?

1 MR. NOTARI: It's right in the
2 middle. Right where the inlet is. Right in
3 the middle of Smith Street between Smull and
4 Hoover. There's always been a water problem
5 there.

6 MR. LOPATKA: The river's not all
7 that far, but it depends on grade. It's
8 lower than Moosic Road.

9 MR. NOTARI: It's lower than Hoover,
10 too. That's why the drain is there.
11 There's a drain across the street, too.
12 Think about it, if you can come up with a
13 solution other than digging up from Taroli
14 Street to the cemetery to Smith Street. I'm
15 sure that is quite a costly project.

16 MR. LENCESKI: A long term plan is
17 start every year a couple hundred feet, just
18 try to get there.

19 MR. NOTARI: My other thing is less
20 concerning. Golf nets, can we get them up
21 this week or next week?

22 MR. LENCESKI: Definitely.

23 MR. RUSSELL RINALDI: Anyone else?
24 Thanks, Joe. Chris Hart, zone and code
25 enforcement officer, anything for the

1 meeting?

2 MR. HART: Just that now, with the
3 weather breaking and everything, that
4 ticketing and citation system that I wanted
5 to implement. I don't know what we have to
6 do.

7 MR. HOOVER: We discussed that
8 already, and we can use it as long as you --
9 you have to reference the code on there in
10 writing.

11 MR. HART: That's what I wanted to
12 avoid, because then, like I said, this is a
13 system all in itself. It's just a citation
14 program. So it's got its own section in the
15 ordinance that's referenced by a number on
16 the citation to that section in the
17 ordinance under quality of life and that's
18 it. So if I reference a code and I fine
19 somebody a hundred dollars is it going to
20 hold up when I go to the magistrate. That's
21 my question.

22 ATTY. RINALDI: Well, if you're
23 giving out a citation and cite our code
24 section where the citation is, yeah, but you
25 have to spell out on the complaint this is

1 know, here's the fine for this instead of
2 the whole 15 days notice and all that.

3 MR. RINALDI: No, you don't have to
4 do any of that.

5 ATTY. RINALDI: That's only for
6 zoning, that you have to give them notice.
7 Any of your other violations like building
8 code or any of that you just have to put in
9 name of property owner, the section he's
10 violating and specifically how he's
11 violating.

12 MR. RUSSELL RINALDI: Just the
13 section and the definition of what he or she
14 is violating.

15 MR. HART: I get that. Like I said,
16 this way, I mean, it just simplifies
17 everything. There's many, many other
18 counties --

19 MR. FEBBO: You're not in compliance
20 with what the code says.

21 THE COURT: You have to cite our
22 code. You have to. It says you have to
23 reference to tell the guy what he's doing
24 wrong.

25 MR. HART: I gave you guys a copy of

1 the ordinance along with a ticketing book.
2 I wanted to adopt that. It just simplifies
3 everything. If you looked at it you'd see
4 that --

5 MR. NOTARI: You want us to adopt a
6 new ordinance, quality of life ordinance --

7 MR. HART: Correct.

8 MR. NOTARI: -- that everything on
9 this sheet would fall under in the
10 ordinance.

11 MR. HART: Correct. Then this
12 way -- because people out there reading our
13 ordinance, especially older people, they
14 don't understand a lot of it and a lot of
15 the wording.

16 ATTY. RINALDI: You're still going
17 to have to say what section of our
18 ordinance --

19 MR. HART: It does.

20 MR. NOTARI: He wants us to create a
21 quality of life ordinance.

22 MR. HART: I will give it to you.

23 ATTY. RINALDI: That incorporates
24 our other ordinances? Quality of life, we
25 have all those ordinances. You want another

1 one that says here's another ordinance --

2 MR. HART: Simplifies everything for
3 the people. It's black and white. There's
4 no gray area of wording.

5 MR. NOTARI: I understand what
6 Bill's saying. If we have everything
7 already in there, then I don't understand
8 why we just can't do what he's asking, use
9 your check list sheet, and then just write
10 in the notes what the ordinance is.

11 MR. HART: I'll show you guys what I
12 mean. I'll send it out to everybody.

13 MR. NOTARI: I know what you mean,
14 but what Bill's --

15 ATTY. RINALDI: You're not going to
16 be able to just give them something that
17 says check box violation 315. That's not
18 going to work.

19 MR. HART: No, it's written out on
20 the citation.

21 ATTY. RINALDI: Well, you're going
22 to have to write out on the citation what
23 they're doing wrong.

24 MR. HART: It is. That's already on
25 there.

1 ATTY. RINALDI: I don't think that's
2 all going to fit on one page.

3 MR. HART: That's why I'm saying if
4 we simplify our ordinance, then just adopt
5 it for this quality of life ordinance, the
6 chief -- it's been working in Taylor for
7 years now. I mean, he's the one that
8 presented it to me, Taylor's chief, and it
9 simplifies everything for the residents, for
10 us.

11 ATTY. RINALDI: If you want to pass
12 a new ordinance, we can do a new ordinance.

13 MR. RUSSELL RINALDI: According to
14 you, Chris, that guy right there at that
15 house has high grass. With your ticket
16 system how would you present it to him?

17 MR. HART: On a citation. The box
18 would be checked, then there's signatures
19 and everything, it would show the fine.

20 MR. RUSSELL RINALDI: You'd have a
21 high grass box?

22 MR. HART: Yes, and it gives the
23 number to reference back right to that.
24 Everybody in the township would have it.
25 It's a simple 15 page quality of life

1 ordinance. That's a citation system that I
2 can use. Even the police on the weekends,
3 if there's something there's stuff on there.
4 I gave it to you guys multiple times.

5 MR. HOOVER: Did you send an e-mail?

6 MR. HART: No, I gave it to you back
7 in January. It would simplify everything.

8 MR. RUSSEL RINALDI: Bill, do we
9 have to get a resolution for a new
10 ordinance?

11 ATTY. RINALDI: Yeah, you have to
12 pass a new ordinance. You're still going to
13 have -- well --

14 MR. HOOVER: Ordinance violation?

15 MR. HART: That's it.

16 ATTY. RINALDI: New ordinance,
17 right.

18 MR. HOOVER: So if you go to a house
19 and there's a problem with snow and ice
20 removal on the sidewalks we just check that
21 box --

22 MR. HART: With the fine price in
23 there.

24 MR. HOOVER: There's no fine price
25 here.

1 MR. HART: I don't have it. It's
2 not on there because we have to adopt it.

3 MR. HOOVER: Then they have 48 hours
4 to fix it. The fine would be in the remarks
5 column.

6 MR. HART: Correct, and you do it
7 right there on the spot instead of having to
8 go back, write them a letter, send them a
9 letter.

10 ATTY. RINALDI: You don't have to
11 send letters for ordinances. That's only
12 for zoning violations. You can write them
13 up right on the spot.

14 MR. HART: I don't have anything
15 like this.

16 ATTY. RINALDI: You never did. You
17 go down the magistrate and you file it, one
18 stop and it's done. If you want to give
19 them a warning, just give them a letter.

20 MR. HART: But then that consists of
21 me going down to the magistrate on every one
22 instead of just writing a ticket.

23 ATTY. RINALDI: Well, you're going
24 to have to go to the magistrate.

25 MR. HART: If they admit their guilt

1 and pay the fine.

2 CHIEF DUBERNAS: Attorney Rinaldi,
3 what he's saying, how Taylor works, say Mr.
4 Febbo has high grass. He goes there, he
5 issues Mr. Febbo the citation. Mr. Febbo
6 comes back to the borough to pay it. And on
7 that sheet it has three different copies.
8 The borough gets copies, zoning gets a copy
9 and the property owner, and they write right
10 on it paid. If it's not paid in 48 hours
11 the fine goes up. I think they give them
12 ten days to pay it.

13 If it's not paid in ten days the
14 zoning officer or a police officer pulls the
15 initial fine and actually fills out a
16 regular citation that goes to the
17 magistrate, and I think the fine goes to
18 \$500. That's how the quality of life
19 ordinance is that multiple jurisdictions
20 have. That one I got came from Taylor.

21 So it starts off at a hundred
22 dollars. If it's not paid in 48 hours I
23 think it goes to \$500. If it's not paid in
24 ten days it goes to a thousand dollars, but
25 then it goes in front of the magistrate. It

1 explains all that right on the bottom of
2 that form and everything.

3 MR. NOTARI: It's a parking ticket.

4 CHIEF DUBERNAS: It almost looks
5 like a parking ticket.

6 MR. HOOVER: It says here violation
7 QOL-001, operating a food cart illegally.
8 The fine is \$150 and it's 48 hours. They
9 have 48 hours to remove that, but they have
10 to pay a fine of \$150.

11 MR. HART: Correct.

12 MR. HOOVER: So you're fining them
13 \$150 and 48 hours to remove it. Who's going
14 to go there after 48 hours and make sure
15 it's moved?

16 MR. HART: Myself.

17 MR. HOOVER: What happens then?

18 MR. HART: Then the fine goes up if
19 it's not removed.

20 MR. HOOVER: It doesn't say that.
21 "Failure to remit the payment within the
22 time frame listed above shall result in a
23 late fee being imposed in the amount of ten
24 percent of the ticket in the amount for up
25 to ten days." So it's ten percent every day

1 up to ten days.

2 MR. HART: Correct, and after ten
3 days, then I take it to the magistrate.

4 MR. HOOVER: "Failure for a person
5 to make a payment within ten days of the
6 date of the violation of ticket will result
7 in filing a citation for future failure to
8 pay within the district magistrate judge."

9 MR. RUSSELL RINALDI: Regardless of
10 the outcome at the magistrate, they still
11 have to pay the fine.

12 MR. HART: Correct.

13 ATTY. RINALDI: No, they don't have
14 to pay the fine if the magistrate --

15 MR. HART: Well, not when it gets to
16 the magistrate. Then the magistrate takes
17 over.

18 MR. HOOVER: They have to pay the
19 fine because it's violating it. They get to
20 pay \$150.

21 MR. RUSSELL RINALDI: That's what I
22 mean. They have to pay the initial fine of
23 \$150.

24 MR. HART: It's simple, it's easy.
25 I mean, it's working all over the place.

1 ATTY. RINALDI: We'll come up with a
2 new ordinance.

3 MR. HOOVER: Well, let's just put it
4 on our letterhead and change --

5 MR. RUSSELL RINALDI: So for next
6 meeting let's have an ordinance with the
7 charge and have it ready to go before the
8 board.

9 MR. HART: That will eliminate a lot
10 of wasted time.

11 MR. HOOVER: Put your fees in, then
12 send it to us.

13 MR. RUSSELL RINALDI: Chris,
14 anything else for the meeting?

15 MR. HART: No.

16 MR. RUSSELL RINALDI: Anybody have
17 any questions for Chris?

18 MR. NOTARI: I got a call before I
19 got here. There is a tree in an open area
20 behind a property on Mine Street. So I was
21 told this open area used to be or still is a
22 sewer system or a waterway that takes the
23 drainage from the top of the mountain,
24 brings it down to over the rocks on
25 Milwaukee Avenue. The tree is imposing on a

1 garage. Who is responsible for the tree?
2 Is the borough responsible for the tree? Is
3 the property owner who abuts this area
4 that's not his property responsible for the
5 tree?

6 ATTY. RINALDI: Whose property is
7 the tree on?

8 MR. NOTARI: He had his property
9 surveyed, it's not on his property. It's on
10 property which he assumes is borough
11 property behind him because he doesn't
12 believe the home behind him, it's on their
13 property either. I guess it's kind of the
14 same problem we had on --

15 MS. AVVISATO: The tree is on the
16 borough property?

17 MR. LETTIERI: That's what he's
18 thinking.

19 MR. HART: Anything overhanging into
20 a neighboring property, I mean, it's a
21 straight line up and down. Cut it.

22 MR. NOTARI: He's had somebody look
23 at it, and he said it's -- they told him
24 it's a leaning or a heavy leaning tree that
25 eventually is going to come down. So do we

1 have to take care of that?

2 MR. HART: If it's ours.

3 MS. AVVISATO: Borough.

4 MR. NOTARI: It's 1165 Mine Street.

5 ATTY. RINALDI: It may be just a
6 paper street that all the neighbors own. It
7 probably is.

8 MR. NOTARI: He just wants to know
9 whose responsibility it is.

10 ATTY. RINALDI: Looks like everybody
11 on that block. It's their paper street,
12 anybody who bought a lot back there.

13 MR. NOTARI: But if the tree falls
14 is it his responsibility? It's not on his
15 property.

16 ATTY. RINALDI: The tree company
17 should have insurance.

18 MR. NOTARI: If the tree falls.

19 ATTY. RINALDI: If the tree falls
20 they all have an undivided interest.

21 MR. NOTARI: If it falls onto a
22 property, falls onto a garage is he
23 responsible? Who's responsible now for
24 replacing the garage?

25 MS. AVVISATO: The borough.

1 ATTY. RINALDI: The borough doesn't
2 own it. It looks like a laid-out alley.
3 Now, it could be an easement on all their
4 properties, so they all have an equal
5 interest in it. But the borough doesn't
6 have it. It's not paved. It's just a strip
7 of land behind everybody. So probably when
8 it was laid out they left a strip there for
9 alley purposes that nobody ever used.
10 That's just looking on the tax map.

11 MR. NOTARI: So he just assumes
12 responsibility, then?

13 ATTY. RINALDI: Well, if he's the
14 guy taking the tree down --

15 MR. NOTARI: Let's back up. He's
16 not taking the tree down unless he has to.

17 ATTY. RINALDI: If it's a paper
18 street and they all bought a lot there they
19 all have an interest in it. They can all
20 use it, they can't block it on one another.

21 MR. FEBBO: But if it falls on his
22 property who's responsible for removing it
23 from his property?

24 ATTY. RINALDI: Well, if you want to
25 track down whoever the guy is who laid out

1 the development. I don't know who that is.
2 It could be an easement behind everybody's
3 house. I see it goes all the way up the
4 hill. Is it all just forest land?

5 MR. NOTARI: It's not even an alley.
6 It's grass and rock and it's a gully. It's
7 like the problem at the top of Mine Street
8 that's running behind Pettinato's house.

9 ATTY. RINALDI: It's probably on a
10 plan from the guy who laid it out and it was
11 never dedicated to the borough. So they all
12 have the rights. They all own it. Whoever
13 bought in that development owns it. This
14 may be just a drainage swale.

15 MR. NOTARI: That's what it is. So
16 who's responsible for it?

17 ATTY. RINALDI: They are. Everybody
18 in the community. Everybody who bought a
19 lot in that development. We don't own it.

20 MR. NOTARI: So I've got to call him
21 and tell him he's responsible if a tree
22 falls on his neighbor's garage because it's
23 within his -- it's not within his property
24 line but it's behind his property line and
25 that he's responsible.

1 ATTY. RINALDI: Well, I don't know
2 that. That could be an easement on his
3 property line. You really have to pull each
4 deed to look.

5 MR. LOPATKA: Who's paying taxes on
6 that strip of land?

7 MR. NOTARI: Nobody is.

8 MR. BUTLER: Like dead space.

9 MR. ZUPON: Back in the late '90s I
10 worked for the borough. We ran a 955 loader
11 down all those alleyways, cleared them and
12 maintained them all through those years.
13 Those ditches. The borough used to bring in
14 prisoners from Dallas and Chase to cut the
15 brush, the trees, everything. It was all
16 during my dad's term. We did bring heavy
17 equipment to go down all those alleyways and
18 cut the ditches wider. For years that was
19 considered a borough open sewer.

20 ATTY. RINALDI: That's got to be 50
21 years ago.

22 MR. ZUPON: They put the sewers in
23 in the '80s. The open sewers were there
24 until the early '80s. Sewer lines went in
25 the main roads from the back alleyways.

1 MR. NOTARI: I'll tell him to hold
2 off for a couple weeks. I'll ask him what's
3 on the deed when you bought the property.
4 Just because it's an alley doesn't mean we
5 would have paved it. We paved things that
6 shouldn't have been paved.

7 MR. LENCESKI: This is a huge
8 problem in this town, these paper alleys. I
9 get sent there, who owns the property, I
10 want these trees cut down, there's garbage
11 in there. Over by your house there's a
12 paper alley, the neighbor wants me to trim
13 the tree. It's crazy. I think we have to
14 start at one part of town and figure out who
15 owns what. I know we collect liquid fuel of
16 some streets that we don't own. I think we
17 have to start somewhere and have Bill go to
18 the courthouse and figure out what is what
19 because this has been going on for years and
20 years and years.

21 ATTY. RINALDI: There's pretty much
22 laws written about it. Anything that hasn't
23 been opened up in 21 years is not the
24 borough's problem anymore. It's the people
25 who live around there.

1 MR. LENCESKI: It's tough explaining
2 that to a homeowner that's upset.

3 ATTY. RINALDI: If it's on paper
4 here and there's no pavement there it's a
5 paper street. It never was dedicated, the
6 development never finished, and people just
7 started buying lots on it.

8 MR. RUSSELL RINALDI: I understand
9 what you're saying. You're talking about if
10 we had some type of ledger of --

11 MR. LENCESKI: We look at any of
12 these maps you see that property line of
13 this person on this side and the other. You
14 have that red line that's not an alley
15 anymore. It's overgrown. Some people put
16 sheds, some people claim it's theirs now.
17 When a tree grows and it's ready to fall
18 it's the borough's.

19 MR. RUSSELL RINALDI: You mean just
20 to have it laid out already so we know.

21 MR. LENCESKI: Yes.

22 MR. BUTLER: Some of them are there
23 and some are not there anymore.

24 ATTY. RINALDI: It's not just here,
25 it's everywhere across the state of

1 Pennsylvania. I send maps when I get them.
2 Some are laid out in the '20s. The one by
3 the school was laid out in 1905.

4 MR. RUSSELL RINALDI: Joe, do you
5 want to start it and get a couple streets at
6 one section of town and then give those
7 five --

8 MR. LENCESKI: I would love to.

9 ATTY. RINALDI: Then I can track
10 them down.

11 MR. RUSSELL RINALDI: Then as he
12 gives it back to you, you can keep a log
13 book.

14 MR. NOTARI: Let me ask a
15 hypothetical question. We check these areas
16 and we find the alley that is part of a
17 plan, development plan, we find the owner
18 and the owner says I still own that property
19 because I haven't sold it. It was a street.
20 It wasn't dedicated. I still own that
21 property.

22 ATTY. RINALDI: Because people
23 bought lots in that subdivision they all
24 have an interest in it. So if you were
25 trying to buy that piece of property you

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would have to get everybody -- if it's a small subdivision with ten lots get everybody to sign a deed and say I own it, I'm giving up my rights in that alley. If they're on the same subdivision map they have a right to use all the roads, paper, non-paper.

A lot of times you'll see people buy two lots and there will be a road in between. Well, I want to build there. You won't get title insurance, you won't get a mortgage because anybody else in that subdivision has a right to use that 50 foot right-of-way. The neighbor comes and says I want to be able to drive through there. I bought a house in this development, I have a right to use this paper street. The only way you get that is you get everybody in the development to sign over the deed and they all give up their rights.

MR. NOTARI: So as the developer, then, am I allowed to sell that property?

ATTY. RINALDI: No, not after you sell the first lot.

MR. NOTARI: Didn't we just have

1 that case off of Lincoln Street where they
2 sold a paper road to a gentleman so he can
3 access his property as a driveway and the
4 neighbors around it -- one neighbor
5 complained?

6 ATTY. RINALDI: I wasn't involved.

7 MR. NOTARI: Sure you were.

8 ATTY. RINALDI: It's up to those
9 neighbors to enforce their rights. It's
10 their rights, not the borough's rights.
11 Their rights. And all that developer can
12 give them is whatever he had. So it was
13 probably a quitclaim deed, but that doesn't
14 mean the other neighbors can't say I don't
15 care what you have, this is still in my
16 subdivision plan. I bought a lot here.

17 MR. RUSSELL RINALDI: Unless they
18 signed off on it.

19 MR. NOTARI: I mean, I'm not against
20 what happened there, but I'm just thinking
21 the property owners took care of this paper
22 alley, paper street for 30, 40 years, then
23 the developer went and sold that piece of
24 property without even discussing anything
25 with the neighborhood. It was supposed to

1 be a road at one time and nothing was ever
2 developed for 40 years until recently.

3 ATTY. RINALDI: If it's in a
4 subdivision plan and it wasn't just off the
5 plan --

6 MR. NOTARI: But if this is in the
7 subdivision plan you're saying the owners
8 can't sell this without approval from the
9 property owners around them. Again, who
10 wants to buy an alley, I don't know.

11 ATTY. RINALDI: They can sell the
12 ground underneath it, but for the right for
13 people to travel across it, no, they can't
14 sell that because they all own that. I own
15 the dirt, but guess what, everybody in the
16 subdivision can drive across that piece of
17 dirt.

18 MR. NOTARI: I'm satisfied with
19 that. Joe's going to get a list together.

20 MR. RUSSELL RINALDI: Anything else?

21 MR. NOTARI: Yeah. We discussed
22 rain gutters going into streets in
23 Rosemount. For whatever reason, I was in
24 the Shawnee Hills section, which is where my
25 brother lives, over on Tioga Court, Shawnee

1 Drive, Seneca, and they have drains going
2 out into the road as well. I'm just saying.
3 Do we need to send letters to them as well?

4 ATTY. RINALDI: I would recommend
5 it.

6 MR. NOTARI: When I mentioned it to
7 my brother, he told me that's interesting
8 because it was in the covenant that when we
9 built here the drain had to go into the
10 street.

11 ATTY. RINALDI: Maybe because the
12 way they built their subdivision, swales on
13 either side.

14 MR. LENCESKI: No, a retention pond.

15 MR. NOTARI: Would that make a
16 difference?

17 MR. LOPATKA: It could if they
18 designed for it.

19 MR. NOTARI: I think everything
20 seems to run down there. I'm like wait a
21 minute, we're going to have this problem
22 here, too. Okay, thank you.

23 MR. RUSSELL RINALDI: Anyone else?

24 MR. BUTLER: Kate Miller. Ring a
25 bell? Building something in her back yard,

1 needs a permit. She said she called you a
2 few times.

3 MR. HART: Well, if she called
4 recently, we just discovered today I'm not
5 getting any voice mail on my phone. It's
6 going to different phones.

7 MR. BUTLER: Can you call her
8 tomorrow?

9 MR. HART: Yes. I'm tracking down
10 messages.

11 MR. RUSSELL RINALDI: Any other
12 council members have anything for Chris?
13 Mrs. Wilk?

14 MS. WILK: Chris, I reported a car
15 by my house, a GMC.

16 MR. HART: George Street.

17 MS. WILK: Why is it still sitting
18 out there with four flat tires? It's not
19 registered and the last time it was
20 inspected was 2021.

21 MR. HART: He's going to look into
22 it tomorrow.

23 CHIEF DUBERNAS: This is the first
24 I'm hearing about it.

25 MS. WILK: I was told you knew about

1 it.

2 CHIEF DUBERNAS: I didn't know about
3 this. The only one I knew about was on
4 Winter Street that they said you complained
5 about.

6 MS. WILK: No, the car's been
7 sitting there with four flat tires and your
8 police car goes up and down out of Ray's
9 parking lot, they see it themselves, and I
10 know somebody was there.

11 MR. HART: There was. An officer
12 was there.

13 MS. WILK: So I'm not going crazy.
14 Why is that car still there and you have an
15 ordinance?

16 CHIEF DUBERNAS: No inspection on
17 it?

18 MS. WILK: No.

19 CHIEF DUBERNAS: I'll look into it
20 tomorrow. This is the first I'm hearing
21 about this. I'll look and see who the
22 officer was that was there.

23 MR. RUSSELL RINALDI: Who did you
24 report it to?

25 MS. WILK: I was talking to Chris

1 about it.

2 MR. RUSSELL RINALDI: Did you
3 instruct her to call the police?

4 MR. HART: I said it's a police
5 issue. Right. An officer was there. My
6 understanding was that it was insurance and
7 registration. After that it's -- and it's
8 really not my issue to begin with.

9 MR. RUSSELL RINALDI: Police issue.

10 MS. WILK: You have an ordinance.
11 It's 328-17, unlicensed and uninspected
12 vehicles, 72 hours violation. It's been
13 there over a year. The street is narrow,
14 cars are parked on both sides, and you still
15 have this car. It has to be somebody that
16 has a brand name getting away with it.

17 CHIEF DUBERNAS: I don't know
18 anything about it.

19 MR. HART: It's Office Kimbal.

20 CHIEF DUBERNAS: I'll look into it
21 tomorrow.

22 MR. HART: He said it's registered,
23 it's insured, it's on a public street.

24 CHIEF DUBERNAS: I'll check it on my
25 way home.

1 MR. NOTARI: We have this problem
2 all the time, and I'm going to ask why do we
3 have an ordinance that is different than
4 what the state regulations are that the
5 police department is following? And tell me
6 if I'm wrong. Why are the police not
7 following our ordinances? Why are they
8 following the state?

9 CHIEF DUBERNAS: Because we impound
10 their vehicles. We take their cars to a
11 salver. If Kimbal sends the letter, so
12 say --

13 MR. NOTARI: And you told me. The
14 process is usually a three week process.
15 Right?

16 CHIEF DUBERNAS: If I send a letter
17 to you and you get your car registered and
18 inspected and everything it's done.

19 MR. NOTARI: Is he going to send a
20 letter?

21 CHIEF DUBERNAS: I don't know
22 anything about it. I'll look into it
23 tomorrow. He just told me when she cut
24 somebody off about the white GMC.

25 MR. NOTARI: So let's go back to my

1 question. Why are we not following the
2 ordinance? So if a car's there for 72 hours
3 and it's disabled why isn't it towed?
4 Regardless of if it's insured, it's
5 registered. If it's in violation of our
6 ordinance --

7 ATTY. RINALDI: Towing is different
8 from ticketing.

9 MR. NOTARI: Why isn't it ticketed,
10 then?

11 CHIEF DUBERNAS: Again, I can't
12 answer. I don't know anything about this
13 car they're talking about.

14 MR. NOTARI: I'm not talking about
15 this car, I'm talking in general.

16 CHIEF DUBERNAS: We tickets cars.

17 MR. NOTARI: To me it's something
18 that we need to figure out because we have
19 an ordinance that says one thing, yet I
20 believe our officers -- Officer Kimbal in
21 particular because he's the one that handles
22 this -- follows a different set of
23 guidelines.

24 CHIEF DUBERNAS: Through the state,
25 because if somebody wants a hearing the

1 state is represented. We're actually taking
2 somebody's property. I explained this to
3 you in the past. We're physically taking
4 somebody's property. We're taking their car
5 if they don't --

6 MR. NOTARI: You can't do that under
7 our ordinance?

8 CHIEF DUBERNAS: No, because the
9 borough don't represent that.

10 ATTY. RINALDI: You can ticket.

11 CHIEF DUBERNAS: We can ticket them,
12 but again -- and here's a perfect example.
13 Butler Street. We ticket them cars, they
14 pay them. Maybe move the car. Give them
15 another ticket, they come down and pay the
16 ticket.

17 MR. NOTARI: So do we need to change
18 our ordinance, then? Because obviously it
19 doesn't rectify the problem.

20 ATTY. RINALDI: What's the ticket?
21 Maybe we can increase the ticket. He's
22 still going to have to deal with the state
23 law and tow it. Ticketing, it's still a
24 fine after 72 hours.

25 MR. NOTARI: We need to figure out

1 a way to improve the quality of life in this
2 town, and having a car on the street with
3 four flat tires and not inspected does not
4 improve the quality of life. So whether we
5 improve our ordinances or we figure out a
6 way to do it through the state ordinances we
7 have to figure it out, and I don't have the
8 capabilities to do that. Our solicitor
9 should, our chief of police should or our
10 zoning officer should.

11 We need to figure our -- we need the
12 three of you to get together and figure this
13 out, because I'm tired of looking at some of
14 the properties in our town. I'm tired of
15 looking at the streets that I grew up on as
16 family-safe places that have turned into
17 disasters. Disasters. I'm tired of it.
18 I'll tired of it. And if we don't start
19 doing our jobs -- if you need help we're
20 going to give you help, but if we don't
21 start doing our jobs -- we better start
22 doing our jobs.

23 ATTY. RINALDI: We can't tow, but we
24 can increase the fine from \$15 or \$25. We
25 can raise it up.

1 CHIEF DUBERNAS: They're \$15 parking
2 tickets right now.

3 MR. RUSSELL RINALDI: So like
4 Councilman Notari asked, could we change our
5 ordinance so that we can tow?

6 ATTY. RINALDI: You can't take
7 somebody's property.

8 CHIEF DUBERNAS: That's why we do it
9 through the abandoned vehicles, PennDOT and
10 everything, because we sign off on it, the
11 salver signs off on it. If somebody wants
12 their property back, then they have a right
13 to a hearing.

14 MR. NOTARI: So you're saying an
15 abandoned vehicle. However, if a vehicle is
16 registered and has insurance, even if it's a
17 piece of junk it's not abandoned.

18 CHIEF DUBERNAS: Not abandoned.

19 ATTY. RINALDI: If it's got
20 insurance on it and it's not inspected it's
21 a vehicle. I don't care what it looks like.

22 MR. NOTARI: No, not inspected,
23 insurance and registration.

24 ATTY. RINALDI: To be registered you
25 have to show insurance. You can't register

1 a vehicle without insurance.

2 MR. NOTARI: Again, it doesn't have
3 to be inspected, though.

4 CHIEF DUBERNAS: No, it does not
5 have to be inspected.

6 MR. NOTARI: So is it possible to
7 change our ordinance that a vehicle has to
8 be inspected to be parked on a borough
9 street?

10 CHIEF DUBERNAS: That's the borough
11 ordinance. We're talking about what the
12 state says. The borough ordinance says it
13 has to be inspected, the state says it
14 doesn't have to be inspected. As long as
15 there's insurance on it and it's registered
16 it can be on the street.

17 MR. NOTARI: And the only thing we
18 can do is ticket it.

19 CHIEF DUBERNAS: Which we have
20 multiple times and people pay the tickets.

21 MR. NOTARI: Make it a hundred
22 dollars.

23 CHIEF DUBERNAS: He said we can
24 raise it to 25.

25 MR. LETTIERI: Raise it to the max.

1 MR. LESHINSKI: What you're saying
2 about -- I forgot what I was going to say.
3 It does say about inspection in our
4 ordinance. Chief, I'm not arguing with you
5 on that. This has been given packets out.
6 I can't believe we're still looking it up on
7 our phones. This is silly, but I'm not
8 going to get into that stuff.

9 But I had something to tell you
10 about -- I can't remember.

11 MR. NOTARI: I'm done for now.

12 MR. LESHINSKI: Our police officers
13 don't know that they can parking ticket a
14 car. Every officer thinks that only Officer
15 Kimbal can write parking tickets.

16 CHIEF DUBERNAS: That's not true.

17 MR. LESHINSKI: I'll call Officer
18 Williams right now.

19 CHIEF DUBERNAS: It's the discretion
20 of an officer. They don't have to write a
21 parking ticket.

22 MR. LESHINSKI: He thinks he cannot
23 write a parking ticket to a car on a street
24 in our borough. He thinks he's not allowed
25 to.

1 MR. RUSSELL RINALDI: Wait, Keith,
2 Officer who?

3 MR. LESHINSKI: Officer Eric
4 Williams told me in my kitchen that he is
5 not allowed. He went looking for his code
6 book to write a ticket. He said only
7 Officer Kimbal is allowed.

8 I said no, he does abandoned cars.

9 Yeah, but I can't write parking
10 tickets.

11 What do you mean you can't write a
12 parking ticket?

13 So that's what I wanted to ask
14 your -- that's what I was told by a police
15 officer in Old Forge.

16 MR. LETTIERI: Check into that.

17 CHIEF DUBERNAS: Every one of my
18 cars have parking ticket books in it. I
19 know that's not true.

20 MR. LESHINSKI: Chief, are you going
21 to say that he didn't say it to me?

22 MR. NOTARI: Do us a favor. Remind
23 your staff they're allowed to write parking
24 tickets.

25 CHIEF DUBERNAS: They do.

1 MR. LESHINSKI: He doesn't know. He
2 said it.

3 ATTY. RINALDI: He can give a ticket
4 for inspection. Towing is --

5 MR. RUSSELL RINALDI: Well, let's
6 find out what the maximum that we can --

7 ATTY. RINALDI: Raise it.

8 MR. RUSSELL RINALDI: The max. If
9 we can make it as high as we want as far as
10 the max is all I want. Anyone else have
11 anything for Chris? Anything else, Chris?

12 MR. HART: Nothing.

13 MR. RUSSELL RINALDI: Engineer's
14 report, Dave Lopatka. Dave, anything for
15 the meeting?

16 MR. LOPATKA: I guess to be
17 discussed probably Hickory Street, that
18 sewer issue going on.

19 MR. RUSSELL RINALDI: That just
20 opened up this morning?

21 MR. LOPATKA: Thursday. Joe called
22 me last week and then he called me this
23 morning of.

24 MR. RUSSELL RINALDI: This morning
25 when they got inside.

1 MR. LOPATKA: It looks like
2 it's corrugated pipe, which I'm not sure why
3 a sewer pipe is corrugated metal pipe. It's
4 basically eroded. There's not much left to
5 it from what they dug up.

6 MR. HOOVER: We just put a water
7 main in there.

8 MR. LOPATKA: The whole block.
9 It's, like, 560 feet and there's no manhole
10 between -- corner to corner, in the middle.
11 Usually the number's usually around 400,
12 max.

13 MR. NOTARI: Where is the exact
14 problem, the whole thing?

15 MR. LOPATKA: Yeah, I guess it's the
16 whole pipe. Just looking at the photos it
17 shows ten feet of pipe and the pipe is
18 disintegrating because it's a corrugated
19 metal carrying sewage. It's a 16 inch pipe.
20 You probably should have a manhole somewhere
21 in the middle so you can clean it.

22 We did put a quick plan together,
23 ran some numbers, put a cost estimate. It's
24 on that paper that you guys have.

25 MR. NOTARI: Do we need to put a

1 storm water pipe in there at this time?

2 MR. LOPATKA: There's a couple
3 inlets in there, but again, you're going to
4 run into the same problem. From what I
5 understand it's a combined system, but I
6 don't think you should be putting an inlet
7 there if you can tie into a sanitary pipe.
8 There's already three inlets in the road and
9 they are in a low spot almost right in the
10 middle of the street. I don't know if you
11 can tie a new storm pipe into a sanitary
12 line.

13 MR. LENCESKI: I spoke with Frankie
14 Pero at LLVSA this afternoon, and he told me
15 when we receive the plan that he would give
16 it to his engineer to see -- he couldn't
17 promise anything, but they could justify
18 helping us with getting a storm water line
19 in there to prevent that storm water from
20 going to LLVSA. Add something, maybe, to
21 Saint John's Creek.

22 MR. LOPATKA: It's a pretty good
23 shot to get there.

24 MR. LENCESKI: But he said if it's
25 worth us doing maybe he can help us out.

1 I'll give it to him tomorrow.

2 MR. NOTARI: Do we have to approve
3 this plan tonight?

4 MR. LOPATKA: If this is a sewer
5 line kind of emergency does that need to go
6 out to bid or just get prices?

7 ATTY. RINALDI: If it's an
8 emergency, that would be the sewer, yeah.

9 MR. LOPATKA: Just get pricing. Get
10 three prices.

11 MR. HOOVER: Get the three prices,
12 Dave. In the meantime Joe can find out,
13 maybe get something back from Frankie and
14 we'll see where we're at.

15 MR. LENCESKI: It's one of those
16 areas where we don't have storm water.

17 MR. NOTARI: If we're going to dig
18 it up, we might as well start the process.

19 MR. LOPATKA: As part of this, being
20 they'll trench this anyway, the road isn't
21 that wide. They have to do base replacement
22 in the trench and I was going to just have
23 them overlay the whole street. You're going
24 to destroy the whole street. It's not that
25 wide of a street.

1 MR. HOOVER: Call the gas company.
2 Maybe they'll want to put a gas main in
3 there.

4 MR. LENCESKI: I called the water
5 company. He's going to reach out to someone
6 else.

7 MR. HOOVER: I think there's a new
8 one in there.

9 MR. LENCESKI: But any kind of work
10 they might have to do they would try to
11 expedite quicker so they don't have to put
12 any new cuts in a new road.

13 MR. LOPATKA: I'll call the gas
14 company.

15 MR. RUSSELL RINALDI: What's next?

16 MR. LOPATKA: I gave you a couple
17 plans. One, I guess, from our discussion
18 the other day I gave you basically the same
19 type of map with a cost estimate for Dunn
20 Avenue. That section that we met out there
21 on.

22 MR. HOOVER: I met Dave out there.
23 Phillips Street is going towards the left.
24 That's about where the road is about the
25 worst. As you keep going down towards

1 Church there's a trench on the left-hand
2 side that's falling apart. New pave was
3 laid years ago on Baker Street. Just do
4 that portion.

5 MR. LOPATKA: There looks like
6 there's newer pave from Baker Street out
7 towards Main. If you're going to come down
8 here and do the rest of it, overlay it down
9 to beyond VonBergen, Church. It would make
10 sense to do that whole thing.

11 Then the area, just standing out
12 there, looked like Phillips Street dumps an
13 awful lot of water across Dunn Avenue.
14 That's where most of the road is broken up
15 in that area. You can basically see where
16 the water goes right across Dunn Avenue. It
17 bypasses the inlet right across the street,
18 and it doesn't make it to the other one
19 because there's a low spot in the center.
20 So we're going to have them grade to the
21 inlet on that section so the water continues
22 to run along the curb line.

23 We were going to dig out -- you can
24 see the little heavier shaded dig out and do
25 base replacement on that whole intersection

1 on Phillips and actually add an inlet at the
2 bottom of Phillips and tie it into the inlet
3 that's on the opposite side of Dunn.

4 MR. HOOVER: That one portion where
5 it's darkened, that base repair, you can
6 actually see the bottom of curb. If we do
7 that and get that catch basin across the
8 street that should take care of the water
9 problem there.

10 MR. NOTARI: We're going to pave
11 from Church to Baker?

12 MR. HOOVER: Yeah. You'll see the
13 new pave at Baker.

14 MR. LOPATKA: Put an inlet on the
15 end of Phillips. There's actually a pave
16 cut basically where we have our line shown
17 on Phillips. If you were driving by you
18 could see where it was paved up to that
19 point, and then about 15, 20 feet from that
20 intersection, that whole section of the end
21 of Phillips is starting to disintegrate,
22 too. That's why we're going to go up
23 Phillips just to that paving cut, which
24 would allow us to add that inlet in there
25 without cutting something else, being we're

1 already doing Dunn.

2 MR. NOTARI: Isn't the intersection
3 of Reilly and Dunn really bad?

4 MR. HOOVER: It's not that bad. We
5 can take a look at Reilly again.

6 MR. NOTARI: Baker Street itself is
7 a mess.

8 MR. LOPATKA: If you guys wanted to
9 do this, it would have to be bid to do this
10 work.

11 MR. NOTARI: I think we should go
12 ahead and do it. If it's going to improve
13 the condition and it's going to improve the
14 water runoff, then I think it's something we
15 should do.

16 MR. HOOVER: Get the three bids.

17 MR. LOPATKA: This has to go out to
18 bid. We'll get the specs together and get
19 it to Marylynn so we can get it out.

20 The other one I gave you, I did pass
21 that on to Marylynn. The one on Apache that
22 we had discussed at the last meeting. We
23 weren't just putting one inlet above her
24 driveway, we were putting inlets on both
25 sides of the driveway. If any water came

1 across the street and it bypassed any of the
2 inlets there basically there would be an
3 inlet on both sides of the driveway with a
4 pipe connecting the two and then connecting
5 to the existing inlet there.

6 MR. HOOVER: She kept saying is the
7 water coming down Cheyenne Drive.

8 MR. LOPATKA: There's an inlet on
9 both sides of her driveway, so if it came
10 straight down Cheyenne Drive there's an
11 inlet on both sides. We weren't just
12 putting one on the upper side.

13 MR. FEBBO: There's nothing there
14 now?

15 MR. LOPATKA: There's one on her
16 property line a little further down on the
17 right. There's an existing system. After
18 the last meeting I drove over there. The
19 grades basically show the water should be
20 getting to the inlets. I didn't really
21 see -- because there's a crown on the road
22 on Cheyenne and there's inlets on both
23 sides. Now, if you have one of those crazy
24 downpours maybe the water bypasses, but
25 that's why we put inlets on both sides of

1 the driveway.

2 MR. BUTLER: That's what she told
3 me, the only time she has problems is when
4 it really rains. It comes down Apache and
5 crosses the road.

6 MR. LOPATKA: It's a crown.

7 MR. BUTLER: Is there a problem
8 putting the one directly in front of her
9 driveway?

10 MR. LOPATKA: Me and Joe were out
11 there. If you look at -- and we may be able
12 to fix it with the pave because there's a
13 low spot right in front of her driveway.
14 But everything else kind of flows by. She
15 just gets water that sits there, and if
16 there's enough water it will go over the
17 top. But if we can pitch it so she doesn't
18 have that low spot in the front, then the
19 water should run along the curb.

20 The only other option would be to
21 add another inlet upstream to collect more
22 of the water coming down Apache before it
23 gets there and then when it gets to their
24 driveway. Then if anything came down
25 Cheyenne there's another inlet that we have.

1 There's three inlets within, like, a hundred
2 feet. That's a lot.

3 MR. BUTLER: What she's telling me
4 is it's coming down Apache, but it's coming
5 from the opposite side of the street.

6 MR. LOPATKA: It doesn't have a
7 crown. The water coming down the one side
8 flows over to her side.

9 MR. NOTARI: We're doing a lot of
10 little fixes when it comes to storm water
11 issues. Are they going to be in conjunction
12 with our plan, if we have a plan -- I don't
13 think we have a plan. Can we come up with a
14 plan?

15 MR. LOPATKA: We can start looking
16 at a plan. Honestly, what you really need
17 is a master plan. You need somewhere to
18 start to basically start at the river and
19 start to work your way up.

20 MR. NOTARI: What I've been asking
21 for for six years now. Can we get going on
22 a plan, what you need from us as your
23 engineering firm? What do we need to do to
24 move forward to do that?

25 MR. LOPATKA: You give us the go

1 ahead to do it we'll start putting a master
2 plan together. We'll start looking at the
3 best options on where to start. The only
4 thing that we don't have, we don't have
5 what's separated now. It would be nice to
6 know what's already separated and where. We
7 don't have all the manholes, the sanitary.
8 You need to know some information before you
9 start drawing lines on maps.

10 MR. NOTARI: Can you get us what you
11 need as information, then we can start
12 compiling it for you. I don't know if we
13 need to vote on it, but I don't want to -- I
14 understand we have problems and we need to
15 fix them, but I want to fix them in the
16 grand scheme of things that it's not going
17 to cost us more money down the road.

18 We're making this fix here for the
19 Zambetti family, which is great, and I'm
20 sure there's some other families going to
21 come to us in three months, when we have a
22 bad rain storm, and ask for the same thing,
23 and then it's not going to jive when we have
24 to put our master plan into place.

25 So I think we need to start that

1 process ASAP. We need our engineer to come
2 up with a master plan for storm water
3 separation.

4 MR. LOPATKA: We can do that. It
5 would be a matter of sitting down with a
6 couple of you guys as well. You guys know
7 where some of the more important areas are
8 where there's more issues. So if we can
9 kind of sit down and go over where the major
10 issues are we can kind of start there and
11 then start building on that. We can build
12 on the plan. You guys have a good idea of
13 where most of the storm water issues are in
14 the borough.

15 We get some of that information and
16 then we start compiling some information
17 with regard to inlets and manholes and
18 what's where, then you can start putting
19 together an overall plan. At some point you
20 can pick pieces of it and start to implement
21 it.

22 MR. NOTARI: More reason why we need
23 more manpower in the borough office, for a
24 project like this. Obviously Joe has his
25 hands full with everything, and now we just

1 added another project for him. So if we can
2 start that process, I would be very
3 appreciative of it.

4 MR. RUSSELL RINALDI: Anything else,
5 Dave?

6 MR. LOPATKA: No.

7 MR. FEBBO: I was at the borough
8 building, walking through it. The senior
9 citizen center, lot of remodeling going on
10 there.

11 MR. LOPATKA: They put the windows
12 in, and now D&M has to come back. They're
13 supposed to be stuccoing the outside, fixing
14 some of the brick that was coming off the
15 front, and they're supposed to patch
16 everything on the inside.

17 MR. FEBBO: The windows don't open?
18 No windows in there that open?

19 MR. LOPATKA: I don't believe so.

20 MR. FEBBO: Is that acceptable?
21 Shouldn't something in there open for
22 ventilation? It was like a vacuum in there
23 yesterday.

24 MR. LOPATKA: I don't know. I
25 didn't pick the window. I think they're the

1 same windows that are in council chambers.

2 MR. FEBBO: I think most of the
3 windows open in the other parts of the
4 building.

5 MR. LOPATKA: Couple windows. Some
6 do and some don't.

7 MS. BARTOLETTI: Council doesn't.
8 The ones in the senior center don't. When
9 we remodel we're going to have to take some
10 of the windows on the side of the building
11 and the ones that face the parking lot just
12 so the windows --

13 MR. HOOVER: There's a pretty good
14 draft on those windows. They have to be
15 replaced anyway.

16 MR. LOPATKA: I think they were a
17 match to the council chambers. We did talk
18 about the windows inside the senior center.
19 I think there's two windows on the side
20 wall, one on the back wall that will open.

21 MR. FEBBO: There's a radiator right
22 in front of the front window. Is that going
23 to be exposed like it is?

24 MR. LOPATKA: No, they're going to
25 patch everything.

1 MR. FEBBO: The radiator's up off
2 the floor. How's that going to be not seen
3 from the window, outside the window when you
4 look from the Main Street in?

5 MR. LOPATKA: I think that's part of
6 the remodel. We're going to end up taking
7 that out.

8 MR. FEBBO: Ceiling, drop ceiling,
9 that's going to be tied in somehow?

10 MR. LOPATKA: That's going to be
11 tied in, but that's also going to be part of
12 the remodel in there, new ceilings.

13 MR. FEBBO: Now, getting to the
14 outside, the grass, wasn't that grass
15 supposed to be temporarily installed for the
16 winter months?

17 MR. LOPATKA: It's not supposed to
18 be temporary. I told them when we met with
19 them last week, I said what you guys are
20 growing here isn't acceptable.

21 MR. FEBBO: That's industrial grass
22 they use on gas lines.

23 MR. LOPATKA: No, they put down
24 matting, which the matting is there to kind
25 of hold the seed and it has some straw in

1 it. But the grass is growing, and he said
2 well, we're responsible for the first cut.
3 I said we're not paying you for the grass
4 until there's real grass here because this
5 isn't grass.

6 MR. FEBBO: Eventually will they
7 pull that mat up and find real grass growing
8 underneath it?

9 MR. LOPATKA: I told them we're not
10 paying you for what's growing there now.

11 MR. FEBBO: The area around the
12 monument, the monument itself has a lot of
13 cracks in it. That's not part of the deal,
14 I guess. The veterans, the wall.

15 MR. LOPATKA: Me and Marylynn were
16 kind of starting to put a plan together for
17 that last year and it kind of got put on
18 hold a little bit. We wanted to redo that
19 whole area.

20 MR. FEBBO: Is that going to be
21 taken care of this year?

22 MS. BARTOLETTI: We have to discuss
23 it.

24 MR. FEBBO: Is that something
25 different than the borough building itself?

1 MS. BARTOLETTI: Yes.

2 MR. FEBBO: What about the grading
3 there where you talk about putting that
4 stucco on? That square piece that has no
5 brick on it. Is stucco going to adhere to
6 that? Next to the steps.

7 MR. LOPATKA: Yes. Well, first of
8 all, there's cracking in all that brick.
9 They're supposed to pull all that out and
10 repair that brick. Then they're supposed to
11 wire that and then put the stucco over it.

12 MR. FEBBO: A lot of shoddy work.
13 I'm not happy.

14 MR. HOOVER: I'm disappointed in the
15 contractor and the architect for all the
16 money we spent on that building.

17 MR. FEBBO: I agree. I hate paying
18 for steak and getting hamburger.

19 MR. NOTARI: Did we resolve the
20 railing issue?

21 MR. LOPATKA: The railing, they did
22 come and cleaned everything. From what I
23 can see and run my hands over it, it may
24 have just been when they were building the
25 railing there may have been some stuff on

1 top of it. Like, different material. It's
2 stainless steel, so it shouldn't rust.
3 They're telling me that a lot of times
4 you'll have some other type of metal when
5 they're constructing it.

6 MR. FEBBO: There's still a railing
7 there that is wrong on the right hand side.

8 MR. LOPATKA: We walked it with
9 them. They said they're going to send the
10 structural guy back out to fabricate it.

11 MR. FEBBO: Take a look at it again.

12 MR. LOPATKA: I'll take a look
13 again.

14 MR. NOTARI: How about we just
15 replace it?

16 MR. FEBBO: Do we have a warranty on
17 all this work? Two year warranty on
18 everything?

19 MR. LOPATKA: I don't know if
20 there's a warranty. I mean, there's a
21 maintenance bond that they have to put in
22 place.

23 MR. FEBBO: Would that cover it,
24 this railing, six months or a year turns
25 brown instead of stainless?

1 MR. LOPATKA: Yeah. Before we sign
2 off and give them final payment the railing
3 is going to have to be what you guys want.
4 If it's not, then they're going to have to
5 replace it.

6 CHIEF DUBERNAS: Even the ceiling
7 blocks that are all wet?

8 MR. NOTARI: Excuse me?

9 MS. AVVISATO: They're all wet now?

10 CHIEF DUBERNAS: Yes.

11 MR. HOOVER: Where is the water
12 coming from?

13 MR. FEBBO: Leaky ceiling.

14 MS. AVVISATO: You're going to get
15 mold.

16 CHIEF DUBERNAS: They were there a
17 week ago. They looked right at it and
18 walked away.

19 MR. LOPATKA: I didn't know that.
20 I'll just call them and tell them to replace
21 the ceiling blocks.

22 MS. AVVISATO: Where is the water
23 coming from?

24 CHIEF DUBERNAS: In the room where
25 we have at PFAs, the warrants, the juvenile

1 stuff. That top corner. I told them, they
2 looked at it, okay.

3 MR. LOPATKA: Tell me because I have
4 to document it so that I can tell them.

5 CHIEF DUBERNAS: Then who do I
6 contact about my doors? The guy told me he
7 was coming back to take out the metal out
8 and put glass in.

9 MR. LOPATKA: Anyway, I told you
10 that before. Corbik wouldn't come and
11 replace the glass because they're under
12 contract with D&M, and we talked with D&M
13 and we released Corbik from D&M's contract
14 because what they had already put in was
15 done. This was something that had to be
16 changed after the fact. Marylynn was going
17 to do it straight through Corbik, not
18 through D&M, just so we can get it done.
19 It's the two pieces of glass if those two
20 rooms.

21 MR. FEBBO: Will you be sure to
22 handle everything that's funneled to you
23 from anybody else?

24 MR. LOPATKA: If you guys tell me I
25 will get on the phone and send an e-mail to

1 D&M to make sure the items are addressed.

2 MR. FEBBO: We on council aren't in
3 the borough building, but it's really tough
4 when you do go in there and you see all
5 these mistakes. It should have long been
6 taken care of and you keep finding more and
7 more.

8 MR. LOPATKA: There's certain things
9 that have been kind of showing up, too.

10 MR. FEBBO: Exactly, and this is two
11 years into the project and they still don't
12 have it right.

13 MR. RUSSELL RINALDI: Chief, if you
14 get any items or you see anything or notice
15 anything in your department send them right
16 over to Dave, let him make the calls to the
17 people he has to.

18 CHIEF DUBERNAS: We've been.

19 MR. RUSSELL RINALDI: Then we'll
20 make sure that Dave makes sure he gets a
21 hold of them and sends them back to correct
22 it.

23 MR. FEBBO: Chris and Joe also. If
24 you see something bring it up.

25 MR. RUSSELL RINALDI: Any other

1 members have any questions for Dave? Dave,
2 anything else?

3 MR. LOPATKA: No.

4 MR. RUSSELL RINALDI: Thanks, Dave.
5 Chief Dubernas, police report. Anything for
6 the meeting?

7 CHIEF DUBERNAS: I'm not sure if
8 attorney Rinaldi finished the civil service
9 rules. That and hiring the part-time police
10 officer, James Johnson.

11 ATTY. RINALDI: I met Dave
12 Solfanelli last week and we have to do a
13 little work on it.

14 MR. LETTIERI: That's regarding the
15 test. Right?

16 ATTY. RINALDI: That's everything.

17 CHIEF DUBERNAS: Under the old
18 standard everybody was equal. The standard
19 was just set. 2009 that changed to go that
20 way. Now they just changed to go back to
21 the old standard. So a male from 18 to 25
22 has to do this, a female from 18 to 25 has
23 to do this. So MPOETC went back to that
24 standard. I'm not sure if he wanted to keep
25 it the old way because some people are still

1 keeping it the old way because everybody's
2 equal.

3 MR. RUSSELL RINALDI: Anything else,
4 Chief?

5 CHIEF DUBERNAS: No.

6 MR. RUSSELL RINALDI: Any council
7 members have anything for the chief?
8 Thanks, Chief.

9 Bill Stull, fire report. Anything
10 for the meeting?

11 MR. STULL: I have nothing.

12 MR. RUSSELL RINALDI: Does anybody
13 have any questions for the assistant fire
14 chief? Thanks, Bill.

15 Attorney Rinaldi, solicitor's
16 report. Anything for the meeting?

17 THE COURT: I'm going to recommend
18 you table the pave cut fees and fines
19 because we just left it blank for the fees
20 part. But there's more fees than just one
21 you want to change. So I'll update it, make
22 it match the ordinance for each fee plus the
23 additional fees for the ten percent for
24 permits for the Geotech guys that come out.

25 The Rosemount, tell Chris to run

1 with that.

2 MR. NOTARI: Where is that letter?
3 Is it in the report?

4 ATTY. RINALDI: It's attached to my
5 report. If you want to change anything I
6 don't have any problem.

7 And maybe we can talk about the
8 police contract quick in executive. We can
9 talk about the other real estate property in
10 executive.

11 MR. RUSSELL RINALDI: Any members
12 have any questions for the solicitor?
13 Thanks, Bill.

14 Marylynn, borough manager report?

15 MS. BARTOLETTI: The first thing is
16 everyone has my financial report. Do you
17 have any questions?

18 For the June work session we're
19 going to have a representative from
20 Lackawanna County CDBG come to discuss our
21 funding.

22 I received a letter from Lou Stassi
23 that he's resigning from planning. You're
24 going to have to fill that spot.

25 Everything else I have is for

1 executive.

2 MR. RUSSELL RINALDI: Anybody have
3 any questions for the borough manager?

4 MR. NOTARI: Didn't we discuss the
5 planning situation at the last work session?

6 MS. BARTOLETTI: He was told to give
7 a letter when he resigns.

8 MR. NOTARI: Should we move on that
9 tonight? We have to accept his resignation
10 and name somebody?

11 ATTY. RINALDI: If you're ready to
12 name somebody. We have an alternate right
13 now that we can fill the spot. We had a
14 quorum last night.

15 MR. NOTARI: Do we have to name Bill
16 officially a member of the planning
17 commission?

18 MR. HART: That was the plan. Then
19 I have a few others who are interested, then
20 we can fill the whole board.

21 MR. RUSSELL RINALDI: Do we have Mr.
22 Stassi's resignation letter?

23 MS. BARTOLETTI: Yes.

24 MR. RUSSELL RINALDI: We're going to
25 make a couple motions to amend the agenda to

1 add them.

2 MR. NOTARI: We should be able to
3 add that, too, and hire a part-time police
4 officer.

5 MR. RUSSELL RINALDI: Anything else?
6 Before we go into new business we'll go into
7 public comment. Keith Leshinski?

8 MR. LESHINSKI: First of all, I want
9 to tell Mr. Febbo that's a really nice
10 shirt. I want to thank council over the
11 last couple years, anybody who helped us.
12 Billy, the police, code enforcement.
13 Anybody who helped us and didn't help us
14 with our issues that we had up on Garber and
15 Butler streets.

16 I want you's to know that we only
17 wanted our street cleaned, our neighborhood
18 kept clean, safe, you know, for everybody.
19 That's all our point was. I come off loud
20 and stuff, but that's me. I wouldn't hurt a
21 fly. I don't lie. That's another thing.

22 What I would like you guys to do for
23 yourselves, if you'd grade yourselves on the
24 things when we bring things up at meetings.
25 Not now, just for yourselves. Give yourself

1 a grade on what you's did for part of the
2 town that you guys are in charge of. You
3 guys are the leaders of us and you represent
4 us and you guide everything that happens and
5 that we do. You're responsible for it. So
6 give yourself a grade. I don't want to know
7 it. Just for yourself, because I'm grading
8 myself. I yell at myself every day.

9 Another thing is are you guys aware
10 of the Sunshine Act, council members? Have
11 you ever heard of it? If you haven't,
12 please look it up, do some research on it.

13 To the police chief, I know it's
14 hard to delegate and run your department by
15 yourself. It's a hard job. It's not easy.
16 I called a couple times about patrol and
17 stuff like that and I got, actually, Officer
18 Williams that's been coming up my house,
19 coming by -- not my house. Coming up our
20 street all the time. I actually waived to
21 him yesterday. He's been fantastic since I
22 mentioned it, since I brought it up. I
23 don't know who else comes. I see him a lot.
24 Prior to that it was -- you know, it wasn't
25 very good.

1 I'm not saying, you know, that we
2 deserve it. Old Forge is five square miles.
3 Correct? I don't know what that blows out
4 into, and divided by 24 hours in a day and
5 how many cops we have, but, I mean, at least
6 a drive by.

7 I didn't even call, I didn't even
8 bring it up, but just to let you's know I
9 have video of it. Saturday morning, 8:00 in
10 the morning, a gentleman pulled up in front
11 of my driveway, got out of his car and
12 urinated on the other side of his car. I
13 found it on my video tape. Not that the
14 cops would have been there and been able to
15 stop it. I'm not saying that. But just a
16 drive by once in a while, that they know
17 that, you know, they shouldn't and couldn't
18 and it's not easy to do.

19 So that's just like a reason if
20 anybody said well -- because I'm sure people
21 are saying what does he need police patrols
22 for. Not seeing a cop on our street for
23 three weeks, 24 hours a day, not a car, not
24 a car, I don't blame anybody. I mean, just
25 not coming out, just not driving around. I

1 don't know. Busy? But I am part of the
2 town. We are part of the town.

3 It's been rectified so far. I
4 actually waved, I talked to Eric. Stood on
5 the porch and waved to him. He asked me if
6 everything was okay. I told him
7 everything's great. The urination thing,
8 it's gone. It's come and gone. But imagine
9 if my wife was cutting the grass or looking
10 out the window. It's just not nice.

11 I know it's not easy, Chief, and I
12 wouldn't lie about what I said to you.

13 CHIEF DUBERNAS: I got the answer
14 for you. I'll tell you later.

15 MR. LESHINSKI: Council, that's all
16 I have to say. I did want to thank you
17 guys, whoever did help or didn't. Thank
18 you, too. Sleep good at night. But
19 honestly, I've had people come up our street
20 in snow storms, I've had people arguing,
21 yelling. There's been a lot of response and
22 that makes me feel good. Makes me feel that
23 my getting out of hand wasn't for nothing.
24 So please take that from my heart and I mean
25 that. I'm going to try to work on my being

1 calmness. I don't drink. That's what it
2 is. Thank you. That's all I have.

3 MR. RUSSELL RINALDI: Thanks, Keith.
4 Mike?

5 MR. ZUPON: Just a little thing I
6 want to point out. There's a problem over
7 on Lawrence and Grace Street. Contacted the
8 school bus company. They do not stop at the
9 stop signs going up empty or coming down
10 with kids in. They blow right through that
11 stop sign.

12 CHIEF DUBERNAS: A school bus?

13 MR. ZUPON: Yes. So do the parents.
14 They don't even stop. They just keep going.

15 MR. RUSSELL RINALDI: On the corner
16 by the church? The stop sign right down
17 from your house?

18 MR. ZUPON: Yeah. Then the other
19 problem is everybody uses the short cut up
20 Bradley, making the right onto the Grace and
21 Lawrence and shooting out. Because there's
22 no stop sign there they don't stop there
23 either. It's one way. That's a big problem
24 area, especially with kids walking home.
25 The buses not stopping and cars not

1 stopping. Parents, they don't stop. They
2 don't even slow down.

3 MR. LETTIERI: It's been like that
4 for years.

5 MR. NOTARI: Put a car there, maybe.

6 CHIEF DUBERNAS: I'll check it.

7 MR. ZUPON: I did contact the bus
8 company. Couple days they stopped, a week
9 later it's back to the same thing.

10 Also, I offered Joe any assistance
11 on the old sewer system. There's a lot of
12 things that were changed that aren't on the
13 maps that we did change over the years for
14 the 12 or 15 years I was there. I offered
15 any assistance. You can call me, I can show
16 him different things.

17 MR. RUSSELL RINALDI: Sounds good.
18 Appreciate that.

19 MR. ZUPON: The ceiling blocks
20 leaking, is that because of the roof on the
21 borough building or is that something else?

22 MS. AVVISATO: He has to check it
23 out.

24 MR. RUSSELL RINALDI: This is the
25 first we heard about it.

1 MR. ZUPON: We didn't put a new roof
2 on when we did all this?

3 MR. RUSSELL RINALDI: He has to call
4 the company.

5 MR. ZUPON: But we didn't put a new
6 roof on. Correct?

7 MR. HART: A lot of it was air
8 conditioning, the condensation line. I
9 don't think there's any roof leak. I
10 tracked the piping.

11 MR. NOTARI: That's why we hired an
12 architect and an engineer. None of us are
13 that, so we have to go by what they say.

14 MR. RUSSELL RINALDI: First item
15 under new business will be a motion to table
16 the resolution establishing fees and fines
17 under section 299, article four, entitled
18 pave cut ordinance, sections 229-26 and
19 229-66 of the Old Forge Borough code. This
20 is a motion to table.

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

22 MR. RUSSELL RINALDI: By Councilman
23 Notari.

24 MR. HOOVER: I'll second it.

25 MR. RUSSELL RINALDI: Seconded by

1 Councilman Hoover. On the question? Public
2 input? Roll call, please.

3 MS. BARTOLETTI: Councilwoman
4 Avvisato?

5 MS. AVVISATO: Yes.

6 MS. BARTOLETTI: Councilman Febbo?

7 MR. FEBBO: Yes.

8 MS. BARTOLETTI: Councilman Butler?

9 MR. BUTLER: Yes.

10 MS. BARTOLETTI: Councilman Hoover?

11 MR. HOOVER: Yes.

12 MS. BARTOLETTI: Councilman
13 Lettieri?

14 MR. LETTIERI: Yes.

15 MS. BARTOLETTI: Councilman Notari?

16 MR. NOTARI: Yes.

17 MS. BARTOLETTI: Councilman Rinaldi?

18 MR. RUSSELL RINALDI: Yes. The
19 second item under new business is a motion
20 to approve final payment for the elevator
21 project. Marylynn, do you have the figure?

22 MS. BARTOLETTI: The amount is
23 \$32,932.79.

24 MR. FEBBO: Paid to who?

25 MS. BARTOLETTI: We're not paying

1 it, it's through the county, but we have to
2 approve it. It's D&M Construction.

3 MR. RUSSELL RINALDI: Motion to
4 approve the final payment.

5 MR. LOPATKA: It's only for the
6 elevator portion.

7 MR. HOOVER: I'll make that motion
8 for the elevator project.

9 MR. RUSSELL RINALDI: By Councilman
10 Hoover.

11 MR. LETTIERI: Seconded by
12 Councilman Lettieri. On the question?

13 MS. AVVISATO: Is it running good
14 now? It's good? Thank you.

15 MR. RUSSELL RINALDI: On the
16 question?

17 MR. NOTARI: It's working? Because
18 I think a week ago you mentioned to me that
19 we had a problem with it.

20 MS. BARTOLETTI: They came and did
21 what they needed to do.

22 MR. RUSSELL RINALDI: On the
23 question? Public input? Roll call, please.

24 MS. BARTOLETTI: Councilwoman
25 Avvisato?

1 MS. AVVISATO: Yes.

2 MS. BARTOLETTI: Councilman Febbo?

3 MR. FEBBO: Yes.

4 MS. BARTOLETTI: Councilman Butler?

5 MR. BUTLER: Yes.

6 MS. BARTOLETTI: Councilman Hoover?

7 MR. HOOVER: Yes.

8 MS. BARTOLETTI: Councilman

9 Lettieri?

10 MR. LETTIERI: Yes.

11 MS. BARTOLETTI: Councilman Notari?

12 MR. NOTARI: No.

13 MS. BARTOLETTI: Councilman Rinaldi?

14 MR. RUSSELL RINALDI: Yes. Third

15 item is motion to approve payment

16 application to D&M Construction number 15 in

17 the amount of \$13,825.43.

18 MR. FEBBO: For?

19 MR. RUSSELL RINALDI: Bill, if this

20 motion isn't made it falls?

21 ATTY. RINALDI: Yes.

22 MR. NOTARI: I'll make a motion to

23 table item three.

24 MR. RUSSELL RINALDI: By Councilman

25 Notari to table item three for payment

1 application number 15, D&M Construction.

2 MR. BUTLER: I'll second.

3 MR. RUSSELL RINALDI: Seconded by
4 Councilman Butler. On the question? Public
5 input? Roll call, please.

6 MS. BARTOLETTI: Councilwoman

7 Avvisato?

8 MS. AVVISATO: Yes.

9 MS. BARTOLETTI: Councilman Febbo?

10 MR. FEBBO: Yes.

11 MS. BARTOLETTI: Councilman Butler?

12 MR. BUTLER: Yes.

13 MS. BARTOLETTI: Councilman Hoover?

14 MR. HOOVER: Yes.

15 MS. BARTOLETTI: Councilman

16 Lettieri?

17 MR. LETTIERI: Yes.

18 MS. BARTOLETTI: Councilman Notari?

19 MR. NOTARI: Yes.

20 MS. BARTOLETTI: Councilman Rinaldi?

21 MR. RUSSELL RINALDI: Yes. The next
22 three items will be motions to amend the
23 agenda just to add these to the agenda. So
24 they won't be voting until after we get
25 these all added.

1 So item four on the agenda will be a
2 motion to amend the agenda to add the
3 resignation of Louis Stassi from the
4 planning commission.

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

6 MR. RUSSELL RINALDI: By Councilman
7 Notari.

8 MS. AVVISATO: I'll second that.

9 MR. RUSSELL RINALDI: Seconded by
10 Councilwoman Avvisato.

11 MR. HOOVER: I'd like to thank him
12 for his service all these years. He's going
13 to be dearly missed.

14 MR. NOTARI: Lou's been an
15 invaluable member of our planning
16 commission.

17 MR. RUSSELL RINALDI: I agree.
18 Great job. Been here a long time. He had
19 great knowledge, great experience. He made
20 a lot of good decisions. I'm only here 16
21 years. He's here a lot longer than that.
22 He made a lot of good decisions for the
23 borough and for the people. We're thankful
24 to him for a great job.

25 On the question? Public input?

1 Roll call, please.

2 MS. BARTOLETTI: Councilwoman

3 Avvisato?

4 MS. AVVISATO: Yes.

5 MS. BARTOLETTI: Councilman Febbo?

6 MR. FEBBO: Yes.

7 MS. BARTOLETTI: Councilman Butler?

8 MR. BUTLER: Yes.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Yes.

11 MS. BARTOLETTI: Councilman

12 Lettieri?

13 MR. LETTIERI: Yes.

14 MS. BARTOLETTI: Councilman Notari?

15 MR. NOTARI: Yes, with regret.

16 MS. BARTOLETTI: Councilman Rinaldi?

17 MR. RUSSELL RINALDI: Yes. Fifth

18 item is a motion to amend the agenda to add

19 Bill Stull to the open seat of the planning

20 commission.

21 MS. AVVISATO: I'll make that

22 motion.

23 MR. RUSSELL RINALDI: By

24 Councilwoman Avvisato.

25 MR. HOOVER: I'll second it.

1 MR. RUSSELL RINALDI: Seconded by
2 Councilman Hoover. On the question? Public
3 input? Roll call, please.

4 MS. BARTOLETTI: Councilwoman
5 Avvisato?

6 MS. AVVISATO: Yes.

7 MS. BARTOLETTI: Councilman Febbo?

8 MR. FEBBO: Yes.

9 MS. BARTOLETTI: Councilman Butler?

10 MR. BUTLER: Yes.

11 MS. BARTOLETTI: Councilman Hoover?

12 MR. HOOVER: Yes.

13 MS. BARTOLETTI: Councilman
14 Lettieri?

15 MR. LETTIERI: Yes.

16 MS. BARTOLETTI: Councilman Notari?

17 MR. NOTARI: Yes.

18 MS. BARTOLETTI: Councilman Rinaldi?

19 MR. RUSSELL RINALDI: Yes. Sixth
20 item is a motion to amend the agenda to add
21 the hiring of a part-time police officer.

22 ATTY. RINALDI: That's an emergency
23 health and welfare issue.

24 MR. RUSSELL RINALDI: Yes.

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

1 MR. RUSSELL RINALDI: By Councilman
2 Hoover.

3 MR. NOTARI: I'll second it.

4 MR. RUSSELL RINALDI: Seconded by
5 Councilman Notari. On the question? Public
6 input? Roll call, please.

7 MS. BARTOLETTI: Councilwoman
8 Avvisato?

9 MS. AVVISATO: Yes.

10 MS. BARTOLETTI: Councilman Febbo?

11 MR. FEBBO: Yes.

12 MS. BARTOLETTI: Councilman Butler?

13 MR. BUTLER: Yes.

14 MS. BARTOLETTI: Councilman Hoover?

15 MR. HOOVER: Yes.

16 MS. BARTOLETTI: Councilman

17 Lettieri?

18 MR. LETTIERI: Yes.

19 MS. BARTOLETTI: Councilman Notari?

20 MR. NOTARI: Yes.

21 MS. BARTOLETTI: Councilman Rinaldi?

22 MR. RUSSELL RINALDI: Yes. Those
23 last three were just to add those to the
24 agenda. So item number seven will be a
25 motion to accept the resignation letter of

1 Louis Stassi.

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

3 MR. RUSSELL RINALDI: By Councilman

4 Febbo.

5 MS. AVVISATO: I'll second it.

6 MR. RUSSELL RINALDI: Seconded by

7 Councilwoman Avvisato. On the question?

8 Public input? Roll call, please.

9 MS. BARTOLETTI: Councilwoman

10 Avvisato?

11 MS. AVVISATO: Yes.

12 MS. BARTOLETTI: Councilman Febbo?

13 MR. FEBBO: Yes.

14 MS. BARTOLETTI: Councilman Butler?

15 MR. BUTLER: Yes.

16 MS. BARTOLETTI: Councilman Hoover?

17 MR. HOOVER: Yes.

18 MS. BARTOLETTI: Councilman

19 Lettieri?

20 MR. LETTIERI: Yes.

21 MS. BARTOLETTI: Councilman Notari?

22 MR. NOTARI: Yes.

23 MS. BARTOLETTI: Councilman Rinaldi?

24 MR. RUSSELL RINALDI: Yes. The

25 eighth item is a motion to appoint Bill

1 Stull to the open planning seat.

2 MS. AVVISATO: I'll make that
3 motion.

4 MR. RUSSELL RINALDI: By
5 Councilwoman Avvisato.

6 MR. HOOVER: I'll second it.

7 MR. RUSSELL RINALDI: Seconded by
8 Councilman Hoover. On the question? Public
9 input? Roll call, please.

10 MS. BARTOLETTI: Councilwoman
11 Avvisato?

12 MS. AVVISATO: Yes.

13 MS. BARTOLETTI: Councilman Febbo?

14 MR. FEBBO: Yes.

15 MS. BARTOLETTI: Councilman Butler?

16 MR. BUTLER: Yes.

17 MS. BARTOLETTI: Councilman Hoover?

18 MR. HOOVER: Yes.

19 MS. BARTOLETTI: Councilman
20 Lettieri?

21 MR. LETTIERI: Yes.

22 MS. BARTOLETTI: Councilman Notari?

23 MR. NOTARI: Yes.

24 MS. BARTOLETTI: Councilman Rinaldi?

25 MR. RUSSELL RINALDI: Yes. Item

1 number nine is a motion to hire James
2 Johnson as an Old Forge part-time police
3 officer.

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

5 MR. RUSSELL RINALDI: By Councilman
6 Febbo.

7 MR. LETTIERI: I'll second the
8 motion.

9 MR. RUSSELL RINALDI: Seconded by
10 Councilman Lettieri. On the question?

11 MR. NOTARI: Recommended by the
12 personnel committee?

13 MR. RUSSELL RINALDI: Yes,
14 recommended by the personnel committee and
15 the chief. We interviewed Mr. Johnson last
16 Tuesday. He's currently a part-time police
17 officer. Chief, if you want to give them a
18 little history.

19 CHIEF DUBERNAS: He's a retired NYPD
20 and he currently works part-time for Taylor
21 Borough and the sheriff's department. He
22 has full availability, willing to work
23 holidays, nights, the whole nine yards.

24 MR. RUSSELL RINALDI: He can start
25 ASAP.

1 CHIEF DUBERNAS: He's already
2 certified.

3 MR. RUSSELL RINALDI: On the
4 question? Public input? Roll call, please.

5 MS. BARTOLETTI: Councilwoman
6 Avvisato?

7 MS. AVVISATO: Yes.

8 MS. BARTOLETTI: Councilman Febbo?

9 MR. FEBBO: Yes.

10 MS. BARTOLETTI: Councilman Butler?

11 MR. BUTLER: Yes.

12 MS. BARTOLETTI: Councilman Hoover?

13 MR. HOOVER: Yes.

14 MS. BARTOLETTI: Councilman

15 Lettieri?

16 MR. LETTIERI: Yes.

17 MS. BARTOLETTI: Councilman Notari?

18 MR. NOTARI: Yes.

19 MS. BARTOLETTI: Councilman Rinaldi?

20 MR. RUSSELL RINALDI: Yes. No more

21 items under new business, so the chair will

22 go down the table and ask if anyone has

23 anything before we adjourn. Mayor Legg?

24 MAYOR LEGG: Thank you, Mr.

25 Chairman. I have nothing.

1 MR. FEBBO: Nothing. Thank you.

2 MR. NOTARI: Nothing.

3 MR. LETTIERI: Nothing at this time.

4 MR. BUTLER: Nothing at this time.

5 MS. AVVISATO: I just want to
6 congratulate Bill Stull.

7 MR. HOOVER: I'm good.

8 MR. RUSSELL RINALDI: I as well have
9 no items. We'll just break into a brief
10 executive session, but before we do the
11 chair would entertain a motion to adjourn.

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

13 MR. RUSSELL RINALDI: By Councilman
14 Notari. All in favor?

15 (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 97 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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