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OLD FORGE BOROUGH COUNCIL
OLD FORGE, PENNSYLVANIA

IN RE: COUNCIL WORK SESSION

SEPTEMBER 5, 2023

7:00 P.M.

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

COUNCIL MEMBERS:

- RUSSELL RINALDI, PRESIDENT
- RICK NOTARI
- LOUIS FEBBO
- JAMES HOOVER
- ANDREW BUTLER
- 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, please.

5 (The Pledge of Allegiance was
6 recited.)

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

9 MS. BARTOLETTI: Councilwoman
10 Avvisato is absent. Councilman Butler?

11 MR. BUTLER: Here.

12 MS. BARTOLETTI: Councilman Febbo?

13 MR. FEBBO: Here.

14 MS. BARTOLETTI: Councilman Hoover?

15 MR. HOOVER: Here.

16 MS. BARTOLETTI: Councilman Lettieri
17 is absent. Councilman Notari?

18 MR. NOTARI: Present.

19 MS. BARTOLETTI: Councilman Rinaldi?

20 MR. RUSSELL RINALDI: Here. Once
21 again, welcome, ladies and gentlemen, to the
22 work session of Old Forge Borough. Tonight
23 is Tuesday, September 5, 2023. The purpose
24 of our meeting is to set up our agenda for
25 our regular borough meeting, which will be

1 Tuesday, September 19th, 7 p.m. We'll hear
2 from our department heads, we'll go down the
3 table, hear from our borough manager,
4 solicitor, our mayor, some of the members of
5 council if they have anything to add.

6 There is a public sign-in sheet on
7 the table. If anyone from the public would
8 like to address us at the end of the meeting
9 we'll give you a few moments.

10 The first department head is going
11 to be late, according to our zoning officer,
12 so we'll go to our zoning officer/code
13 enforcement. Anything for the meeting
14 coming up or the agenda, Mike?

15 MR. SOKOLOWSKI: No, I have nothing.

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

18 MR. FEBBO: Mike, let's talk about
19 that garage again. Tell me that they're
20 working on it.

21 MR. SOKOLOWSKI: I sent e-mails.
22 I'm waiting for them to get back. They said
23 they would give me who to contact. It's
24 supposedly for sale -- not for sale, the
25 sale is pending. That's the last they gave

1 me.

2 MR. FEBBO: That being said, this is
3 going on for what, a year and a half, two
4 years?

5 MS. BARTOLETTI: Which one is this?

6 MR. FEBBO: Behind Schuback's.

7 MR. SOKOLOWSKI: Drake's Lane.

8 MR. FEBBO: We had an episode on
9 West Grace Street years ago where we forced
10 them to knock the building down because it
11 was desecrated, falling down. At which time
12 they had to borrow money from their kids. I
13 don't know the difference between not
14 getting this one knocked down and getting
15 that one knocked down. In other words, why
16 can't we force them, going to court, because
17 we need to get that done. We have a couple
18 places down there that we really need to
19 deal with.

20 ATTY. RINALDI: Which property is
21 this?

22 MR. SOKOLOWSKI: I think it's 139
23 Drake's Lane. There's a garage in the back
24 yard that's falling down.

25 ATTY. RINALDI: This is a property

1 in the back?

2 MR. SOKOLOWSKI: Yeah, it's a garage
3 behind a house.

4 ATTY. RINALDI: It's owned by?

5 MR. SOKOLOWSKI: The bank. The
6 service company that's taking care of it
7 will not give me the name of the bank that
8 owns it.

9 ATTY. RINALDI: This isn't the one
10 behind that somebody owns, that's going to
11 fix it up. Right? This is a different
12 property.

13 MR. SOKOLOWSKI: Different.

14 MR. RUSSELL RINALDI: Mike, the
15 service company in charge of managing the
16 property will not give you the name?

17 MR. SOKOLOWSKI: No. I don't know
18 why.

19 ATTY. RINALDI: And they have
20 foreclosed on it?

21 MR. SOKOLOWSKI: Yes.

22 ATTY. RINALDI: Then they're the
23 servicer. They get the notice.

24 MR. SOKOLOWSKI: So I send it to
25 them?

1 ATTY. RINALDI: Send it to them.

2 MR. FEBBO: See, here again, every
3 time we get a property that's owned by
4 somebody out of town they get away with
5 murder. Same thing with the Miller property
6 down there going on seven years, eight years
7 with the Cadillac in the back yard, motor
8 homes.

9 MR. SOKOLOWSKI: That's going to the
10 magistrate.

11 MR. FEBBO: What about the one on
12 Race Street by Butler's, two houses away?

13 MR. SOKOLOWSKI: They started
14 cleaning up, and that Scott Carey's is going
15 for sale. That's what he told me. And the
16 one in front, Pisko, also cleaned up.

17 MR. FEBBO: Let's go back to the
18 garage. Unfortunately, the bad thing about
19 that garage is it's in the rear, rear of Elm
20 Street, where you have beautiful homes that
21 people are complaining about it. Stone's
22 house here and Schuback's house, in the back
23 yard, including a family of fox been passing
24 through there. Again, this has been going
25 on for two years. Year and a half, two

1 years.

2 MR. RUSSELL RINALDI: Is the home
3 vacant?

4 MR. FEBBO: It's been. That's
5 something else. I don't know that that
6 house is livable. From what I understand
7 there's mold inside and stuff.

8 MR. SOKOLOWSKI: I don't know.

9 MR. FEBBO: What do we have to do to
10 inspect that? Can we have an agency or can
11 we get in there?

12 ATTY. RINALDI: Is it boarded up?
13 Is it open to the elements?

14 MR. SOKOLOWSKI: No, it's secure.

15 MR. FEBBO: It's locked up. It's
16 been locked up. There's no heat in the
17 place and it's been neglected for three or
18 four years now.

19 ATTY. RINALDI: Is it falling down?

20 MR. SOKOLOWSKI: No. It's the
21 garage that's the problem.

22 MR. FEBBO: But again, the house
23 itself is locked up. But is it worth -- in
24 other words, is it livable? Do we have any
25 sort of authority to go in there and inspect

1 the inside of the house? Because I know the
2 roof was leaking and there's mold in it.

3 MR. BUTLER: The house and the
4 garage on Grace Street are the same way.

5 MR. FEBBO: Don't we have some
6 leverage? This is only a handful of ones
7 that we're mentioning that were ongoing for
8 years.

9 MR. SOKOLOWSKI: Granko on the
10 right, Febbo on the left.

11 MR. FEBBO: Unfortunately, that's my
12 son's house. It's in the back yard. In
13 Schuback's back yard, too. Like I said
14 before, it's between Elm Street and Drake's
15 Lane.

16 MR. SOKOLOWSKI: 139 is the house
17 number.

18 MR. HOOVER: There's a lot of houses
19 in Old Forge that are vacant or worse.
20 There's lots of them, and I just don't think
21 we can -- I mean, we pick and choose. You
22 do them all. I got a report on one on
23 Morton Street. Barone's house. That's
24 another one.

25 MR. SOKOLOWSKI: That's another one

1 that's going to court, with the tree in
2 front.

3 MR. HOOVER: I don't know, what can
4 we do?

5 MR. FEBBO: How long has Barone's
6 house been going on here?

7 MR. NOTARI: Long time.

8 MR. SOKOLOWSKI: It's at the
9 magistrate. Barone's, with the tree in
10 front of Barone's.

11 MR. HOOVER: It just takes too long
12 to do everything. It's way too long.

13 MR. FEBBO: Again, to refer back to
14 the house on Grace Street, because the house
15 was falling down, secondary house in the
16 yard, small house. But we forced him to get
17 it knocked down.

18 ATTY. RINALDI: Is this house
19 falling down?

20 MR. FEBBO: Well, no. The garage is
21 falling down in the back yard. But that's
22 falling down.

23 ATTY. RINALDI: We could do
24 something about the garage, but that's a
25 problem. Just get me some pictures of it.

1 MR. SOKOLOWSKI: I'll go tomorrow.

2 ATTY. RINALDI: Dave has to look at
3 it. You can take action against the garage.

4 MR. FEBBO: Again, we don't know who
5 the owner is.

6 ATTY. RINALDI: There will be court
7 papers that say what the address is.

8 MR. FEBBO: Can we act on that,
9 please? That's all I have for Mike. Again,
10 we have too many houses in town that are in
11 that kind of condition and they've been
12 around for years and years and years. Our
13 zoning laws have to be enforced to be
14 stronger. We need to take care of that.
15 We've been talking about that also.

16 MR. RUSSELL RINALDI: Anyone else
17 have any questions for Mike?

18 Mike, anything else?

19 MR. SOKOLOWSKI: No.

20 ATTY. RINALDI: Thank you. Dave
21 Lopatka, Engineer, anything for the agenda?

22 MR. LOPATKA: Nothing for the
23 agenda, no. On the senior center, I did
24 call Peggy, talked to her at the county.
25 She's supposed to be issuing their

1 resolution you guys have to pass, I guess,
2 to move it forward. I talked to her today.
3 She said she'd get it out. You may have
4 time to get it on the agenda. I'll follow
5 up with it.

6 I got a call from Emmett Mancinelli,
7 who has, I guess, been engaged by Emlaw now
8 to do this plan. I just gave him the
9 background on it, told him it's been an
10 issue for a long time. They kind of just
11 went and did what they did without coming to
12 the borough with a plan. So supposedly now
13 he is hired to do the plan. He said he'll
14 be out there sometime this week to walk it.
15 He got some mapping from the owner or Rebar,
16 whoever.

17 MR. RUSSELL RINALDI: This is the
18 fence company on Moosic Road?

19 MR. LOPATKA: Yes. So I'm hoping --

20 MR. HOOVER: There was a three week
21 lag from the time you guys got together
22 until Dave Cherundolo came here the other
23 day to the planning commission. We have
24 nothing from this guy. He's been doing
25 everything for six months. He's killing

1 their property down there, runoff water. As
2 far as I'm concerned this guy's got to be
3 shut down until we do something.

4 MR. FEBBO: I though we did shut him
5 down.

6 MR. HOOVER: He's doing what he
7 wants. We have to fine him. This is
8 ridiculous. Dave Cherundolo stood there at
9 the podium the other night saying that he's
10 got to get in touch with this particular
11 guy. The guy was sitting in the corner, and
12 for three weeks this guy said he never
13 called. So that three weeks that went by
14 that nothing was done. It's like who's
15 doing anything here? Nobody. These poor
16 people in the back --

17 MR. LOPATKA: I can't do it for the
18 guy.

19 MR. HOOVER: I know that. You're
20 the one that said he's back there, ask him.

21 MR. LOPATKA: He knew nothing about
22 it.

23 MR. HOOVER: So this guy's just
24 fooling around with us. Something should be
25 done.

1 MR. NOTARI: He not supposed to be
2 doing any business there. We've been told
3 he is.

4 MR. SOKOLOWSKI: I don't see people
5 coming in and out of there. I can't sit
6 there and watch him. I don't see trucks
7 coming in and out.

8 MR. HOOVER: Even for the state
9 permit for being in front of the building,
10 the ingress and egress. He thinks he's
11 going to get that overnight. That's a year
12 away. You know that. That's a year away
13 from getting curbs there, ingress, egress.
14 It's crazy this guy's operating the way he's
15 operating down there. It's another place
16 like up on Keyser Avenue.

17 MR. NOTARI: What can we do at this
18 point?

19 ATTY. RINALDI: He's not supposed to
20 be doing anything. If he's spotted and you
21 have evidence of it that's a fine. He
22 already got the notice. It's a registered
23 letter. He knows it's a cease and desist.

24 MR. NOTARI: He has to be caught.

25 ATTY. RINALDI: Go in the middle of

1 the night? I don't know.

2 MR. NOTARI: Again, our zoning
3 officer drives by there three times a day
4 and he's not doing anything.

5 ATTY. RINALDI: His attorney called
6 me today around 4:30, said he was trying to
7 get a letter from Emmett that he's hired so
8 I can bring it to the meeting tonight but he
9 didn't get it yet.

10 MR. LOPATKA: Emmett called me and
11 he said he was supposed to be getting them a
12 final proposal to do the work.

13 MR. HOOVER: He's not at the meeting
14 tonight.

15 MR. NOTARI: We could care less if
16 they hire anybody. They just have to do
17 what they're supposed to do. Just because
18 they have somebody on retainer isn't the
19 answer.

20 MS. PIKARSKI: Today at 10:33 they
21 were loading the trucks.

22 MR. FEBBO: He's working on his
23 property.

24 MR. RUSSELL RINALDI: We're not
25 saying we don't believe you.

1 MR. BUTLER: Is there a way for you
2 to contact us somehow when this is going on
3 so we can actually catch him?

4 MR. RUSSELL RINALDI: Well, it's not
5 that we don't believe you, it's that we
6 would have to have either the zoning officer
7 go down and catch him while he's doing it,
8 maybe have a police officer go down and
9 catch him while he's doing it. Somebody who
10 could catch him, like Councilman Butler
11 said.

12 ATTY. RINALDI: I'll talk to Mike
13 this week.

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

16 MR. LOPATKA: No.

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

19 MR. HOOVER: The paving's almost
20 done except for Dunn Avenue.

21 MR. LOPATKA: He's supposed to be
22 back here. All the inlets were put in.

23 MR. HOOVER: There's an invoice
24 there for Sonny Drive.

25 MR. HOOVER: Also the Comcast about

1 those cables up there. Set up a meeting and
2 I'll come up. We're going to knock
3 everybody's cable out of there.

4 MR. BUTLER: There's a wire down on
5 East Grace Street and it's wrapped up and
6 just sitting on top of the fire hydrant. I
7 don't know if it fell off the pole or what
8 happened, but somebody actually wound it up
9 and taped it. It's a cable line. It's just
10 sitting on top of the fire hydrant.

11 MR. RUSSELL RINALDI: If you give
12 Joe the address it's at he'll contact them
13 and they'll come and take care of it. Mike,
14 you said Joe's coming tonight.

15 MR. SOKOLOWSKI: Yes. She had a
16 game.

17 MR. RUSSELL RINALDI: We can notify
18 him tomorrow. Joe will call Comcast or if
19 it's another company's line.

20 MR. BUTLER: It looks like a cable
21 line.

22 MR. RUSSELL RINALDI: Anybody else
23 have any questions for Dave?

24 MR. FEBBO: Did you say all the
25 paving projects are finished?

1 MR. HOOVER: Most of them are paved
2 except for Dunn Avenue.

3 MR. FEBBO: What about Milwaukee
4 Avenue?

5 MR. LOPATKA: It's milled. The two
6 blocks weren't original on the plan, Dunn
7 Avenue, the first couple blocks.

8 MR. RUSSELL RINALDI: Thanks, David.
9 Bill Stull, Assistant Fire Chief, anything
10 for the meeting or for the agenda?

11 MR. STULL: Not for the meeting, but
12 I just want to it put it out there to
13 council that the department has an open
14 house at the fire department Saturday,
15 September 16th, from 11 a.m. until 3 p.m.

16 MR. RUSSELL RINALDI: Anything else?

17 MR. STULL: That's it.

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

20 MAYOR LEGG: I think we should all
21 make an effort to try and go.

22 MR. RUSSELL RINALDI: Thanks, Bill.
23 Attorney Rinaldi, anything for the agenda or
24 for the meeting?

25 ATTY. RINALDI: So on the agenda is

1 going to be a stipulation to resolve a real
2 estate tax assessment appeal for Fred and
3 Annette Rinaldi. Noah Katz said the school
4 board approved it, so we'll get a copy of it
5 and we'll put that on the agenda for council
6 to approve.

7 The cable contract, I did speak with
8 attorney Cohen, who works for the COG. I'm
9 not sure who is the member for us that sits
10 on the Abington COG. Appoint somebody if
11 you don't. He already sent a proposal to
12 Rick, who heads up the COG, because the
13 renewal is up for the cable contract, the
14 Comcast contract.

15 So he did just preliminarily look at
16 the RCN contract and just pointed out a few
17 things. He said he'd be happy to negotiate
18 a better deal. There's no density
19 requirement, number of homes per mile
20 necessary for the cable operator to be
21 required to bill for those as there is in
22 the Comcast agreement. And it's not clear
23 whether they're going to do a full build-out
24 in the borough or if they just want to do
25 part of the borough.

1 The police powers that the borough
2 has over the company aren't as strong as in
3 the Comcast agreement.

4 They're not offering to install and
5 return the borough's governmental channel.

6 They're not offering a cash grant.
7 Comcast gives \$12,870 to the borough for the
8 contract.

9 And we have no right to inspect and
10 the enforcement remedies are a little
11 limited.

12 So he's going to send a proposal to
13 me that I can shoot to you guys to look at.
14 He said he'd be happy to handle this one the
15 same as the Comcast agreement. He was going
16 to reach out to see if RCM was going to
17 other municipalities that are part of the
18 COG so he can say I'll do a one packet deal
19 for everybody.

20 I guess we're going to have a CDBG
21 resolution.

22 The mural wall, Joe Campolieto is
23 working on that because he's the zoning
24 solicitor. It's not allowed, but he's going
25 to try and see if there's a way to get it

1 accomplished because under your zoning
2 ordinance that's considered an outdoor
3 advertising sign.

4 MR. RUSSELL RINALDI: I spoke to
5 Joe. I didn't know you spoke to him
6 already. I asked him to call you.

7 ATTY. RINALDI: I sent him all the
8 issues I have with it. I said see what we
9 have to do --

10 MR. RUSSELL RINALDI: He told me he
11 was going to talk to you, get the language
12 together between both of you, and it could
13 be used if council wants to because we
14 approve it or disapprove it as a conditional
15 use, he said. But just for that building
16 and that building only, and it can't be any
17 type of personal advertisement, can't be any
18 type of -- some other type of advertisement.
19 He said if council's okay with it they can
20 go as a separate conditional use outside our
21 zoning ordinance. So we're going to wait
22 for Joe to get the right language with Bill
23 or vice versa.

24 ATTY. RINALDI: They have to enforce
25 the zoning, so they have to come up with

1 language that they'd be happy with.

2 MR. RUSSELL RINALDI: That's why I
3 told him to give you a call.

4 ATTY. RINALDI: That's all I have.

5 MR. RUSSELL RINALDI: Anybody have
6 any questions for the solicitor? Thank you,
7 Bill.

8 Borough manager, Marylynn, anything
9 for the meeting or for the agenda?

10 MS. BARTOLETTI: For the agenda
11 we're going to have the purchase of the 2022
12 Case backhoe for DPW, and also I will have
13 the minimum municipal obligations for the
14 police pension and the non-uniform pension
15 that we will pass. That's all I have for
16 the agenda.

17 MR. RUSSELL RINALDI: Just so
18 council and the public knows, we had a
19 finance meeting before our meeting this
20 evening. Marylynn requested it. She asked
21 us to look into the finances and budget with
22 her for the brand new backhoe for DPW.

23 MS. BARTOLETTI: Everyone knows our
24 backhoe burned, so our guys are struggling
25 without one. We borrowed one. So we had

1 the guys do some shopping. This is through
2 COSTARS, so we don't have to put it out for
3 bid or anything like that.

4 MR. RUSSELL RINALDI: The finance
5 committee was okay with it, so we're going
6 to recommend it.

7 MR. FEBBO: Did we pick one out
8 from Medico?

9 MS. BARTOLETTI: We had the guys
10 meet down at Medico, we went and we tested
11 it to make sure that was what they're
12 comfortable with.

13 MR. RUSSELL RINALDI: Anything else,
14 Mare?

15 MS. BARTOLETTI: That's it.

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

18 MR. FEBBO: That is an all-wheel
19 drive. Right?

20 MS. BARTOLETTI: Yes.

21 MR. RUSSELL RINALDI: Anything else?
22 Anybody else have any questions for
23 Marylynn? Thanks, Mare.

24 Anyone from the public? Any names
25 on the sheet? Okay, does anyone from the

1 public want to address us before we move on?
2 Okay.

3 Just so everyone knows, council
4 members and the public, Mr. Marino is here
5 from Northeast Inspection Consultants. We
6 invited him down to give us a presentation
7 on his part in the inspection company. So
8 if you guys want to come up to the podium.

9 MR. JOHN MARINO: I'm John Marino.
10 My brother, Ken, and I started our agency
11 seventeen years ago. We've been in
12 Lackawanna County doing our work. We work
13 for 75 municipalities within northeastern
14 Pa. Out of the 75, 25 are co-agencies with
15 another agency where it's shared.

16 Pennsylvania state law allows us to
17 have multiple agencies within a
18 municipality, and we are here to request to
19 work within your municipality as an
20 alternative agency. After 17 years we found
21 that it's easier on boroughs if they have
22 two agencies. It leads to no monopolization
23 of codes and it leads to an alternative
24 where a certain agency will get in trouble
25 or will get into a pickle if there's

1 conflicting interests with the developer or
2 past histories of a developer in other
3 towns. So it has been working well now in
4 23 or 24 municipalities where we're shared.

5 Ken and I have been doing
6 construction since 1980. We came into this
7 as inspectors -- as contractors and master
8 tradesmen. We wanted to add something
9 different where our gentlemen are all
10 tradesmen who are now inspectors. Instead
11 of just passing a test, all our people are
12 tradesmen who are either retired or got out
13 of the scope of work to become inspectors.
14 We thought it would be a better service to
15 municipalities.

16 With that, we were on the other end
17 of receiving the inspections from agencies
18 that were from abroad. Philadelphia,
19 France, whoever was working in the area.
20 Most of our agencies are from Philadelphia,
21 France, and there's a couple down from
22 Harrisburg. There are big conglomerates
23 made up of a hundred-some inspectors and you
24 just become a number within those agencies.
25 So when you call they don't understand the

1 concrete truck has to come and has to get
2 there overnight and has to be there because
3 all your men are waiting. We understood
4 this as tradesmen.

5 So with that said, we created a
6 company that gets to our inspections within
7 24 hours. Most of the time the same day.
8 You call in the morning, get an inspection
9 that day. Our returns on print reviews are
10 within seven days or less. Doesn't matter
11 the size of the job. We will return it. We
12 have multiple reviewers to keep the jobs
13 flowing.

14 We meet our techs and engineers at
15 their office free of charge or we meet them
16 on the job site. We'll meet homeowners at
17 the job site or at their home. We meet
18 after hours. And that is at no cost to any
19 one of them or the borough. We do that to
20 expedite the building process. Again, as
21 developers and builders we know how fast you
22 have to get it done because we live in the
23 northeast. Winter's always coming. It's on
24 your back to get it done. So we try and we
25 try our darndest to make sure those

1 inspections are done within 24 hours.

2 That's what we do.

3 We have a different notch to it. We
4 kicked it up a level. That worked over the
5 past 15 years that we've been building our
6 company from nothing. From no towns to now
7 we have 55 on the list. The Susquehanna
8 County COG is equal to 20 municipalities.
9 We handle the whole county. We're spread
10 out over 13 counties now. We have three
11 offices. There's one in Carbondale, one in
12 Scranton and one in Danville. Each one has
13 their own inspectors, their own office
14 personnel, and they all fulfill the idea and
15 vision that we want. Inspections are done
16 in 24 hours.

17 We try to make it easy on people
18 because it's scary enough working with our
19 own money, it's scary enough dealing with a
20 contractor, and it's scary enough that
21 you're shelling out hundreds of thousands of
22 dollars and you have an inspector who stops
23 you for no reason. He doesn't give you an
24 alternative.

25 The code's a minimum, but we can

1 give avenues and ways to help that person
2 get the end result that's safe, happy and
3 hits their deadlines. That's what we do.

4 So that's what we're here to do.
5 We're here to solicit this municipality to
6 be an alternative agency.

7 We offer other services, too. Our
8 company is now expanding to zoning, property
9 maintenance, rental registration, floodplain
10 management, and our next avenue is grant
11 writing. Until then, we are just doing the
12 zoning, property maintenance, rental
13 inspections, commercial inspections,
14 floodplain management, and engineering we
15 haven't touched yet. It's on the horizon.
16 Zoning is kicking off very well. We have 15
17 municipalities in zoning. We do everything
18 by phone and digitally. It's fast, how we
19 do our services and we get to those places,
20 because we're in the modern era. We use
21 phones for everything. We use phones to
22 communicate, to do inspections.
23 Everything's uplinked and downloaded from
24 pictures to us being on site. So our
25 inspectors won't go back to an office. They

1 can telegraph their inspection and keep
2 going to the next one by the office
3 personnel. We're broken into office
4 personnel, there's couriers, permit clicks
5 and inspectors. That's how we get the speed
6 and we get the clarification and it's
7 documented. That's what we're here to do.

8 Does anybody have any questions for
9 me?

10 MR. FEBBO: You say you're
11 secondary. You work with another group,
12 BIU?

13 MR. JOHN MARINO: Yes, we work
14 parallel to BIU in most of those towns.

15 MR. FEBBO: Communities where you
16 are the primary one and they're secondary?

17 MR. PARKER: Yeah. When we work
18 together in those towns it's not secondary
19 and primary. Doesn't work that way. The
20 way it's written out -- and you'll see
21 under -- if you go to the second to last
22 article I've given you in chapter five of
23 the Pennsylvania Construction Code Act 45.
24 It's under section, I think, 501 or 301.
25 Every municipality has to enforce this code.

1 They have a choice of hiring their own
2 personnel or hiring one or more third-party
3 agencies to enforce their codes, and it's
4 been in there since day one. That's how we
5 built our company, doing that. Our first
6 group of towns were always shared, but since
7 then we give great service and we do speed
8 and they just like us.

9 MR. FEBBO: Did you say you'll meet
10 with our engineer?

11 MR. JOHN MARINO: Uh-huh. We meet
12 with the engineers on site.

13 MR. FEBBO: After hours.

14 MR. PARKER: After hours, varying
15 hours. Whatever they want. It's all free
16 of charge.

17 MR. FEBBO: Zoning officer?

18 MR. JOHN MARINO: Zoning officers.
19 Firemen, we go to the city of Scranton, city
20 of Dunmore. We take care of their emergency
21 services at night, too. So we have
22 inspectors 24.7.

23 MR. FEBBO: Tell me about this
24 floodplain management.

25 MR. JOHN MARINO: Floodplain

1 management is when we establish -- Old Forge
2 is in the floodplain now since there's a lot
3 of properties, so I'm sure you guys have
4 established a floodplain manager. If you
5 haven't, you need one. That's by FEMA
6 standards and PEMA standards, that somebody
7 has to manage your floodplain rules and
8 regulations. Who's going to build next to
9 the river, how far they build, how high they
10 build, what's the height that you build to.

11 Through that permit process what's
12 going to happen is that will all affect your
13 ISO rating and your FEMA rating. They
14 insurance across the floodplain. Everything
15 in that corridor that's in a floodplain. So
16 we have to make sure all those permits
17 comply to FEMA regulations. So if you go
18 for a grant later on they're going to pull
19 all those permits. They do an assessment
20 and audit, they pull the permits and say how
21 did they assess the floodplain management.
22 Did they abide by the rules that were set by
23 FEMA and PEMA. That's what we do.

24 MR. FEBBO: So we have a situation
25 with a floodplain on Lonesome Road and we

1 want to consider the process right now
2 looking at perhaps getting a dike or
3 something built down there, river
4 management. Do you assist with that?

5 MR MARINO: No. What's going to
6 happen, that will go to your civil
7 engineers. They'll have to do an assessment
8 of the heights in the floodplain and the
9 DFEs. What we take care of is any buildings
10 or anything that would be within the
11 floodplain. So if there's a building, a
12 deck, a pool, a garage, a shed, it can't be
13 built within the floodplain unless it has
14 rules and regulations so we don't have,
15 like, a deck or a shed not pinned down, that
16 flies down and goes down to Pittston.

17 So that's what we do, floodplain
18 management. We make sure if we're going to
19 build a school or something in a floodplain
20 it has kick-out doors and we have
21 directional flow, and we'll coordinate with
22 the engineers to build into a floodplain.
23 That's floodplain management.

24 MR. FEBBO: As primary inspector how
25 do we negotiate price in terms of percentage

1 for you versus what we get back?

2 MR. JOHN MARINO: What happens is
3 it's illegal in the state of Pennsylvania or
4 anywhere to give money for any kind of
5 services, so our company handles it
6 different.

7 What we do is you pay your bill in
8 30 days, you get a 30 percent discount.
9 It's like the Visa and Master Card. You pay
10 ahead, you get money off. You pay in 30
11 days, you get 30 percent right off the bill.
12 That's how it works.

13 Now, most municipalities are adding
14 in an administrative fee on top of the
15 permit fee. So let's say you come and you
16 want to build a house. The permit's \$1,000.
17 Right? We take it, the fee is \$1,000. We
18 give it to the secretary, they'll put their
19 administrative fee or we'll do it for you.
20 Whatever the administrative fee is. Most
21 municipalities are 20 percent. So the
22 permit will be \$1,200. For that 20 percent,
23 that's supposedly the paper you give us, you
24 handle the paper yourself, you do the
25 filing, you keep the documents in-house.

1 That's your administrative fee.

2 So the customer comes in, they pay
3 \$1,200 to you. At the end of the month, 30
4 days, we bill you \$700 because you're going
5 to pay less the 30 percent in less than 30
6 days. You're keeping \$500, we take \$700.
7 That's our standard fee agreement. So \$500
8 to you, \$700 to us and we get the job done.
9 We go back, no matter how many times, we do
10 not double bill, we do not add inspection
11 price. Whatever the price is, we go back
12 ten times, we'll go back 20 times. That's
13 what we do.

14 MR. HOOVER: How does it work with
15 two inspection firms?

16 MR. PARKER: Well, Dickson City,
17 Olyphant, all the others are having two,
18 even though we have up towards Jefferson
19 Township. They'll do an alternating method
20 or they'll let the customer pick its agency.
21 You have a choice of A or B. I'm not bias
22 to either one. That's what the zoning
23 officer's going to say. I can't pick.
24 Well, this one's up this week, pick this
25 one. Next week, this one. Or it's odd/even

1 if they have no choice. Most of the time
2 they come in they already know who they're
3 going to pick because through the grape vine
4 they know who the good agencies are.

5 MR. HOOVER: Except if you
6 alternate. A big one comes in and a small
7 one --

8 MR. JOHN MARINO: So be it. That's
9 how it works. Right now we do Taylor like
10 that. Taylor's either one unless the person
11 comes in and says I want that agency no
12 matter what because it's their money.
13 They're not tax dollars. It's coming out of
14 their pocket, paying for that permit. So as
15 big as the project they want, that's how big
16 the permit's going to be. How less it is,
17 that's how big the permit's going to be.

18 MR. RUSSELL RINALDI: Let me go back
19 to Councilman Febbo's last question. The
20 fee. So you're saying that we get back the
21 30 percent fee on top of a 20 percent
22 administrative charge?

23 MR. JOHN MARINO: Uh-huh.

24 MR. RUSSELL RINALDI: Fifty percent?

25 MR. JOHN MARINO: No, it's not 50

1 percent. Doesn't work that way. You go
2 with a number, a thousand dollars is the
3 basic permit fee, you guys add 20 percent on
4 top for administrative fee or whatever it
5 is. Thirty, ten, 15. We have places adding
6 150 percent. They're going to be in
7 trouble. We don't know anything about it.

8 What I'm saying is if you do 20
9 percent, now it's a \$1,200 permit. The
10 homeowner pays \$1,200. At the end of the
11 month we're only going to bill you \$700.
12 That's that initial thousand, which we don't
13 touch the administrative fee, but you're
14 paying it in 30 days. Make sure you pay it
15 in 30 days. If not we'll send an invoice
16 for the full amount. But that's how you
17 save the borough money. You're not making
18 money in the borough. That's illegal to do.
19 But you can save the money as much as the
20 cows come home. You can save this borough
21 money by paying it early.

22 MR. RUSSELL RINALDI: That's where I
23 was confused.

24 MR. JOHN MARINO: You have a big
25 warehouse coming, we've had municipalities

1 where the permit was somewhere in the
2 neighborhood of \$400,000. Same thing, 20
3 percent on top, and we only bill out of that
4 \$300,000, whatever. Seventy percent.
5 Something like that. But they walked away
6 with almost \$400,000 for pushing paper.

7 MR. RUSSELL RINALDI: Then after
8 Councilman Hoover's question, like Taylor,
9 you said.

10 MR. JOHN MARINO: BIU and us.

11 MR. RUSSELL RINALDI: Now, where I'm
12 confused, and I have to ask the solicitor,
13 too, your company and BIU is in there.
14 You're both equally in there? There's no
15 one on top of the other one?

16 MR. PARKER: Nobody's on top.

17 MR. RUSSELL RINALDI: Nobody's
18 looking over the other one's work?

19 MR. JOHN MARINO: No, because each
20 BCO of the town -- there's town BCOs in that
21 town. There's multiple BCOs. A BCO is a
22 building code official. He's the one who's
23 the big chief. He's the fire chief of
24 building. He's in charge of his projects
25 and his jobs that come down the pike. BIU's

1 in charge of theirs. They have a BCO that's
2 in charge of theirs. So that BCO is the one
3 who is responsible for that work.

4 MR. RUSSELL RINALDI: So neither one
5 of you would look at each other companies'
6 work?

7 MR. JOHN MARINO: No. The only time
8 that would happen is if that company bailed
9 out from a job and we would pick it up free
10 of charge because the money was already paid
11 to the municipality. If BIU had a problem
12 or whoever the agency is had a problem with
13 that person we would step in and take it
14 over. Same thing with us. If we have a
15 problem we would hope they would take over
16 for us.

17 MR. RUSSELL RINALDI: So I'm going
18 to ask the solicitor, Bill, if we had two
19 companies, whether it was BIU or his
20 company, if we had two companies is that how
21 it works? They both control their own
22 stuff?

23 ATTY. RINALDI: Yes. How do both of
24 you work on the administration together?
25 Like, is there two different packets that

1 we're going to have to keep track of, then?

2 MR. PARKER: No, you work off one
3 price schedule. Most cases we adopt theirs
4 because they're here first and the residents
5 are used to it, so we'll adopt their fee
6 schedule.

7 ATTY. RINALDI: So the fee's going
8 to be the same?

9 MR. JOHN MARINO: Yes, across the
10 board. The only time that we suggest to
11 change it is to simplify it. We start off
12 with the BIU schedule because they were here
13 first. Everyone knows they were the big
14 company all around. But their fee schedule
15 was designed under an electrical fee
16 schedule. They were counting outlets and
17 counting nails and counting this and
18 counting that. There's no way a guy from
19 out of town can take your fee schedule --
20 because we're in a digital age. There's
21 architects, engineers and permitting
22 companies out in Georgia who are looking
23 into your website saying how the hell do I
24 feed this out and estimate for the bank who
25 is giving me money and my developers. A

1 permitting fee of \$100,000. I can't figure
2 it out. So then they've got to call up and
3 somebody's got to give the prices. The
4 prices are never done. So you're in a lock.

5 So we've streamlined our fee
6 schedule, and you'll see how we did that.
7 We streamlined where electrical is. I think
8 the first thousand is a hundred bucks or ten
9 bucks and then after that it's ten dollars
10 every thousand.

11 Plumbing, electrical, mechanical and
12 all the same. It works by dollar value.
13 Every thousand dollars is ten bucks. Real
14 simple.

15 Buildings are square footage. Real
16 simple. Square footage. That's it. So our
17 fees are really easy to calculate. We did
18 that for that reason. We had so many
19 problems utilizing existing schedules, which
20 have not changed or updated themselves in
21 the past 17 years that we had codes.

22 MR. RUSSELL RINALDI: Bill, if there
23 were two companies or three or multiple they
24 would be in charge of their own inspections?
25 They wouldn't be -- one wouldn't look after

1 the other one, then?

2 ATTY. RINALDI: I guess the
3 confusion is is it difficult to administer
4 two. So you would be the ones to go on site
5 for your jobs and they would be the ones to
6 go on site to their jobs.

7 MR. JOHN MARINO: Correct. Right
8 now we work with the state of Pennsylvania,
9 with the auditors. The auditors are used to
10 this now. It's happening all over the
11 state. So when an auditor comes to your
12 town to audit your town -- let me go
13 backwards. Auditors come to every
14 municipality every two to three years, five
15 year maximum, depending on how you perform
16 your administration of UCC. Why? Because
17 if you don't administer correctly it goes
18 back to the ISO rating, again, which affects
19 all the residents' insurance levels. So if
20 we don't do our job correctly that ISO
21 rating goes up, all the insurance costs go
22 up. So there's a lot falls on the BCO, how
23 he does his job.

24 The auditors come out from
25 Harrisburg and they'll audit the town.

1 They're going to call on the phone and say
2 listen, I've got to audit Old Forge. BIU is
3 there and NEIC. He'll do two audits, one
4 with BIU and one with us, and they'll take
5 the jobs that are commercial, BIU, three of
6 them, they'll take jobs with us, three of
7 them, and they're going to audit both. It's
8 on the performance of BIU and the
9 performance of NEIC how we support your town
10 and do those codes, because the whole
11 process is if Ken comes in to get a permit
12 from you guys and he says okay, I want BIU,
13 you give him the paperwork, they'll fill it
14 out, you pass the permit back to the borough
15 manager, the fee will get paid, you guys
16 never see it again until the end, until
17 there's a certificate of occupancy. Right?
18 That's all you see. You see money coming
19 in, the permit is handed out, and you never
20 see that guy again for six months until he
21 comes in for the CO.

22 It's the same process. I came in
23 and I see you and I say I want a permit and
24 I'm with NEIC. So the both of you gave out
25 permit applications, they got filled out.

1 She passed out one to NEIC, you pass one to
2 BIU, and all we do is do our work like we
3 always do and we come back with a
4 certificate of occupancy at the end.

5 MR. RUSSELL RINALDI: Just do your
6 own work individually.

7 MR. JOHN MARINO: Yes.

8 MR. KEN MARINO: The same example is
9 picture the Keystone State insignia on a gas
10 station where a guy does state inspections
11 for your vehicle. You go to John, he's up
12 in Dixon, or you go to Jack down in Old
13 Forge. They both work for the state. That
14 certificate of occupancy and that sticker
15 for your vehicle, that's the same thing
16 we're doing with a certificate of occupancy.
17 We perform our performance on your job.

18 MR. RUSSELL RINALDI: My question
19 was to better understand that. Like, you
20 wouldn't be looking over BIU's inspections
21 and they wouldn't be looking over yours.

22 MR. JOHN MARINO: No.

23 MR. KEN MARINO: It's not our job.
24 They do the inspections, they do the
25 certificate of occupancy, it falls under

1 their umbrella.

2 MR. JOHN MARINO: You're not forced
3 to get one. It doesn't work that way. The
4 state in their wording didn't do it so well.
5 It says no monopolies. You can have
6 multiple agencies. They fulfill
7 Pennsylvania and UCC laws across the land.
8 So we enforce those laws.

9 Now, when you get down to other
10 stuff like property management that's a
11 different animal. That's your laws, how you
12 guys want to adopt that code. Before we
13 were talking about problem properties. What
14 we'll do with your ordinances, we'll help
15 suggest ordinances, we'll use our attorneys.
16 We have two law firms on retainer for us
17 that work for us but for the municipalities.
18 We create ordinances to help you guys better
19 give more teeth to your property maintenance
20 code.

21 One suggestion, change your property
22 maintenance violation from a summary to a
23 misdemeanor. You can do that. Change it to
24 a misdemeanor offense. They're going to go
25 to jail if they don't fulfill it.

1 Everybody's going to get a non-traffic
2 citation, rip it up. Once they're going to
3 go to jail you'll see how much quicker
4 they'll respond. It's just that simple
5 word. Change it to a misdemeanor.

6 MR. STULL: Would you come and work
7 with the fire department and code
8 enforcement if we do have a technical
9 question?

10 MR. JOHN MARINO: Today we had an
11 event with Dunmore. Dunmore had a hoarding
12 event, there's wires hanging. They called
13 us on an emergency dispatch and we went out.
14 Sometimes comm center will dispatch us. The
15 fire chief will say I have wires down and I
16 have a building that's on fire, I have to
17 disconnect power. I don't want to take
18 people out. Is it condemnable, and I'm
19 going to get in a lawsuit if I kick these
20 people out because a lot of times you can't
21 just kick them out. It's a lawsuit to the
22 borough. You have to make sure you have the
23 certification to assess the whole thing.
24 That's why these cities are calling us to do
25 it. We're certified.

1 MR. STULL: Is there a fee for that?

2 MR. JOHN MARINO: If it's during the
3 day, no. After hours we got to get the guys
4 out of bed and I have to pay them, so it's,
5 like, 75 bucks at night, which is not bad.

6 MR. STULL: Take a life safety
7 inspection for a rental we have in town.
8 Myself and code enforcement go out. I know
9 that I can call right now on the phone BIU,
10 ask them technical questions, they'll give
11 me the answer like that. Do you offer the
12 same service?

13 MR. JOHN MARINO: Yes, absolutely.
14 Plus, we help you guys develop an inspection
15 program that will not be challenged in
16 court. Well, anything's challenged in
17 court, but we have to give you enough
18 bullets to win in court. That comes down to
19 how you enter the property, how you handle
20 the property, do you have ordinances in
21 effect that are proper, do you have people
22 inspecting who have been certified, because
23 when you go to an attorney the first thing
24 he's going to say is how do you interpret
25 this book? What gives you regulation to

1 interpret this book? Who appointed you to
2 interpret this book? And it gets thrown out
3 by the magistrate because the guy you hired
4 doesn't know what he's doing. He's not
5 certified.

6 So we try to keep that whole package
7 so we win in court. That's under property
8 maintenance inspection, because it takes a
9 lot to shut down a place. We're in
10 Pennsylvania. You have to be diligent and
11 make sure everything is perfect. That's
12 what we do.

13 MR. RUSSELL RINALDI: Anybody else
14 have any questions for John? John, thank
15 you. We appreciate you coming. Very
16 helpful. Have a good evening.

17 If nobody from the public would like
18 to address us we'll go down the table, see
19 if the mayor or council have anything before
20 we adjourn. Mayor Legg?

21 MAYOR LEGG: That's our new
22 sergeant, Dennis Terhune. This Thursday, in
23 the afternoon, we're going to get him sworn
24 in. He's a great cop. I think he's the
25 cat's whiskers. You might want to

1 congratulate him.

2 The chief is in Idaho hunting. We
3 had an inspection from the state a week and
4 a half ago and we passed with flying colors.
5 The chief and Officer Davies did a lot of
6 work, especially Officer Davies. So that's
7 out of the way.

8 One thing we have to do -- and we
9 should have been on this before. We have to
10 get the stop signs off the telephone poles.
11 Joe ordered some poles. He's going to have
12 the DPW crew take care of that. If somebody
13 gets pulled over for running through a stop
14 sign and it goes in front of a magistrate he
15 throws it out. Not legal. So that's a
16 problem everybody's working on. Hopefully
17 it gets done by the end of the year. I
18 think that's all I have.

19 MR. FEBBO: As we all know, the Sons
20 of Italy had been running the upstairs at
21 Saint Lawrence's Church. I understand that
22 Wansacz and the daycare are moving out of
23 the basement.

24 With that being said, we would like
25 to entertain the idea of occupying the

1 basement and converting it back into a
2 useful kitchen whereby we could eventually
3 get it back to where the whole community
4 could use it. Presently we're upstairs.
5 Downstairs we have a beautiful hall and it's
6 something that we don't have right in our
7 own community where if somebody wants to get
8 together for a small party, any kind of
9 event. It's a modern kitchen. We do need
10 an Ansel system. We still have it over the
11 fire station. So it's just a matter of
12 putting that down at the church and then the
13 whole kitchen is usable for anything you
14 want to do.

15 Again, we would be down there. We
16 don't want it to go empty again. I talked
17 to other guys at the Sons of Italy. We
18 would consider all that. It's still run by
19 the borough, owned by the borough, but it's
20 utilized by the recreation committee that we
21 have in town here with the recreation,
22 supposedly. We would run it for the
23 borough. Councilman Andy Butler and myself
24 are still pursuing grants to help with that
25 facility.

1 Anything that we generate in terms
2 of money coming in by using the facility
3 once it gets up and running will go back
4 into the building. We are not here to make
5 money on it. We're just here to run it and
6 keep it going and get it off the ground.

7 Presently we have the historical
8 society in there. That's the home for them.
9 That's working out real well with them. We
10 plan on going back in there once we close
11 down the courts at Angelo's next month, so
12 we'll be using that full time two nights a
13 weeks rather than one. It's really starting
14 to catch on with the community people.

15 The last thing I want to say is that
16 maybe we should consider renaming the place.
17 Some sort of a complex that relates to the
18 borough as to refer back to Saint Lawrence's
19 all the time. Let's get that stigma away
20 from the whole community. A lot of people
21 are still offended by the diocese closing
22 down. Consider all that and put it on the
23 agenda next month.

24 MR. RUSSELL RINALDI: Anything else?

25 MR. FEBBO: No.

1 MR. RUSSELL RINALDI: Council
2 Notari?

3 MR. NOTARI: I want to congratulate
4 the sergeant.

5 MR. BUTLER: Just congrats to him,
6 and maybe we should look at changing the
7 bylaws that make it a summary offense to a
8 misdemeanor. We'll get some more teeth in
9 what we'll try to do.

10 MR. RUSSELL RINALDI: Agreed.

11 MR. HOOVER: Zoning board, we're
12 short one person?

13 MR. PICCOLINI: We're short an
14 alternate.

15 MR. HOOVER: I'll make a motion to
16 appoint Dave Fife as a full time person on
17 planning. We need an alternate?

18 MR. PICCOLINI: I believe we only
19 have one alternate for planning.

20 MR. FEBBO: We're looking for
21 someone. Larry Semenza would be interested
22 filling that position. I'd ask to put his
23 name on the list for consideration.

24 MR. RUSSELL RINALDI: We can't do
25 anything until next meeting.

1 MR. HOOVER: Get an ad in the paper.
2 MS. BARTOLETTI: We should.
3 MR. HOOVER: And I want to welcome
4 Sandy back.
5 MR. FEBBO: I didn't acknowledge you
6 because I guess they have something for you.
7 I'll address you as sergeant when you earn
8 it, but congratulations on that.
9 MR. RUSSELL RINALDI: I don't have
10 any other items. So see everybody at the
11 next meeting. Motion on the floor to
12 adjourn?
13 MR. NOTARI: Motion.
14 MR. RUSSELL RINALDI: By Councilman
15 Notari. All in favor?
16 (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 51 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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