

1 MR. CIUCCIO: I think he addressed
2 that today. I think he sent a letter this
3 afternoon.

4 ATTY. RINALDI: He didn't address
5 everything. Are you coming in to the
6 meeting Thursday?

7 MR. CIUCCIO: I don't know anything
8 about it.

9 ATTY. RINALDI: The quicker you get
10 in there and they final approve that road
11 the quicker you get paid and we can get it.
12 That's my recommendation.

13 MR. CIUCCIO: Okay, but this work
14 that's done, that's approve, I'd like to get
15 paid. That was -- you're not paying it?

16 ATTY. RINALDI: We're going to pay
17 it when we get the roads. That's the
18 recommendation.

19 MR. CIUCCIO: I thought our
20 agreement was when the work was done I'd
21 submit the paid invoice and you reimburse
22 me. That's changing?

23 ATTY. RINALDI: No. Actually, there
24 was no agreement on payment. Council's been
25 nice enough to pay you as you go rather than

1 at the end of the job.

2 MR. RUSSELL RINALDI: No, Bill,
3 there was an agreement. The stipulation
4 states it.

5 ATTY. RINALDI: No, we didn't put a
6 payment plan in. The payment plan council
7 came up with every time he came in with a
8 cancelled check. When everything is done
9 there was supposed to be a settlement and a
10 discontinuance.

11 MR. RUSSELL RINALDI: So why have we
12 been paying piece by piece all along?

13 ATTY. RINALDI: Because that's the
14 way council wanted to do it.

15 MR. RUSSELL RINALDI: Well, why are
16 we going to stop now?

17 ATTY. RINALDI: He's done. We don't
18 have the roads.

19 MR. RUSSELL RINALDI: I thought Dave
20 said we're withholding a portion?

21 ATTY. RINALDI: No, that's for
22 repair. You're going to pay him for
23 Villa -- I mean, you can if you want, but we
24 don't have the Villa roads.

25 MR. RUSSELL RINALDI: I would

1 approve payment for what the engineer says a
2 payment should be approved for. I'm going
3 off of what the engineer said.

4 MR. FEBBO: What's in our
5 stipulation?

6 ATTY. RINALDI: The engineer's
7 saying the work was completed.

8 MR. LOPATKA: That's all I'm saying.
9 I can't vote for you guys.

10 ATTY. RINALDI: I think you want to
11 own the roads before you make the last
12 payment.

13 MR. CIUCCIO: There's more invoices
14 coming, though.

15 ATTY. RINALDI: Is there any money
16 owed to American Asphalt besides this last
17 retainage?

18 MR. LOPATKA: No.

19 ATTY. RINALDI: So that's the ten
20 percent retainage on the whole American
21 Asphalt contract. Once we get the roads for
22 Villa you get that retainage. Once you deed
23 that over to the borough.

24 MR. CIUCCIO: We sent you the deeds.

25 ATTY. RINALDI: We can't take --

1 Lou, I've been through this with your
2 engineer for four years. We can't accept
3 those roads until we accept Mountain Road.

4 MR. CIUCCIO: Well, I'm not here for
5 you to accept the roads. I'm here for
6 payment.

7 ATTY. RINALDI: I sent Pat a letter.
8 Have him call me, I can explain it to him.
9 I know Dave's been reviewing what was sent
10 and it's incomplete and we're trying to
11 figure out what you're giving us so we can
12 take it.

13 MR. CIUCCIO: Well, maybe I
14 shouldn't have paid American Asphalt. He
15 suggested I pay them.

16 ATTY. RINALDI: That's up to you.
17 You have the contract with them, not us.
18 We're just splitting the costs once the
19 project is complete.

20 MR. CIUCCIO: We kind of worked on
21 it together. It's not me. Dave worked
22 closely with American Asphalt.

23 ATTY. RINALDI: I agree.

24 MR. CIUCCIO: The work is done. I
25 should be paid.

1 ATTY. RINALDI: If the borough wants
2 to pay you without accepting the roads,
3 that's up to them. Address them. My
4 recommendation is get the deeds and make the
5 final payment. It's ten percent of the
6 contract. You've been paid 90 percent of
7 the contract price. I'm talking about
8 Villa's roads. There's two sets of roads
9 there. There's the American Asphalt
10 contract, which you've been paid 90 percent
11 of. Ten percent the borough owes you, and
12 they'd like to get the deed for the roads.

13 TSE, you've been paid all but the
14 ten percent retainage on that. Correct?

15 MR. CIUCCIO: No.

16 ATTY. RINALDI: Well, 33, I think,
17 is about the last payment on it. Right?

18 MR. LOPATKA: Overall, yes.

19 ATTY. RINALDI: Once we get Mountain
20 Road you'll get that check. The ball's kind
21 of in your court to get to the borough the
22 deeds so we can --

23 MR. CIUCCIO: We did give you the
24 deeds a month ago.

25 MR. LOPATKA: We reviewed the deeds

1 and you can't understand exactly who's
2 getting what. I contacted your engineer and
3 I asked him about it and he's supposed to be
4 sending me a map, but I told him based on
5 the way they're written we can't record them
6 because you're going to have remnant pieces
7 of property.

8 ATTY. RINALDI: You have four
9 parcels of land there on four separate
10 deeds. So you've got to come back to get
11 final approval and consolidate it so we can
12 take it. It's not hard. It's easy,
13 actually.

14 MR. LOPATKA: I told George anytime
15 you want to sit down I can show you what my
16 concerns are and, if you guys can resolve
17 them, then resolve them. I talked to George
18 two days ago.

19 MR. RUSSELL RINALDI: So we have the
20 deeds?

21 MR. LOPATKA: We have deeds.

22 MR. CIUCCIO: The deeds in the
23 development haven't changed.

24 MR. LOPATKA: The deeds for Mountain
25 Road is where the biggest issue is.

1 MR. RUSSELL RINALDI: I'm only
2 listening to the solicitor. He said we need
3 the deeds.

4 ATTY. RINALDI: We can't accept
5 Villa's roads until they connect to a
6 borough street. We have deeds.

7 MR. LOPATKA: We have the deeds for
8 both, but the deed for Mountain Road, if you
9 plot the deed for Mountain Road and look at
10 the map there's going to be remnant pieces
11 of property left over that should be somehow
12 described somewhere, because you can't
13 record a map and leave remnant pieces of
14 property. If, 20 years down the road,
15 somebody comes to research this nobody's
16 going to understand who owns what there. So
17 the whole process is putting a map together
18 that shows -- if they're going to put that
19 right-of-way where they're showing it and
20 there's four other pieces of property and
21 they're going to change description they
22 need to be shown on the map.

23 ATTY. RINALDI: Right now it looks
24 like he might have modified a plan that's
25 already recorded. So we're trying to

1 straighten that out.

2 MR. RUSSELL RINALDI: Then we don't
3 need the deeds, we have the deeds. We need
4 the deeds to be arranged.

5 MR. LOPATKA: The deeds for
6 Rosemount, like Louis said, they're kind of
7 the same as they were other than an edge of
8 Edgewood, which is actually getting
9 subdivided off on the right-of-way for
10 Mountain Road.

11 So the Mountain Road deed, it
12 describes correctly, but there's remnant
13 pieces of property that you can't leave out
14 there.

15 MR. RUSSEL RINALDI: My question
16 is -- because we've been going on and on and
17 on about this since 2014. No offense to
18 Dave or Bill, but the longer this drags on
19 the more taxpayer money we have to pay you,
20 we have to pay you. How do we settle it?
21 When is it going to be over? What do we
22 need to do?

23 MR. FEBBO: Russ, how about we do it
24 right.

25 ATTY. RINALDI: I sent his lawyer a

1 letter. We can't create his documents.

2 MR. LOPATKA: Believe me, I'd like
3 it to be over, too.

4 ATTY. RINALDI: It's kind of simple.
5 It's a map, lot consolidation to put it all
6 together. It's like any other plan that
7 comes through.

8 MR. LOPATKA: You can't record
9 something like this. It can't be tracked.

10 MR. RUSSELL RINALDI: July 4th we
11 had a stipulation. We had 12 points on the
12 stipulation to do. He had to do them. We
13 had to do them together. Go down the bullet
14 one to 12. It should have taken six months.
15 It's now a year and six months.

16 MR FEBBO: Russ, because the problem
17 that existed then still exists. It wasn't
18 resolved. The problem is where the road is,
19 according to the road, and the
20 configurations on the map don't match up.
21 There's a recorded deed in the courthouse,
22 the specs on that. If you look at the deed
23 they don't match up. Am I correct?

24 MR. LOPATKA: Well, it's not even
25 recorded.

1 ATTY. RINALDI: He has to get the
2 borough to sign off on it to record it.
3 That's why he has to come back to planning.

4 MR. CIUCCIO: We did go to planning
5 and it was approved by planning and approved
6 by the borough.

7 ATTY. RINALDI: You got preliminary
8 approval. You have to come back for final.

9 MR. CIUCCIO: It's the same thing.

10 ATTY. RINALDI: No, it's not. To
11 make sure you constructed it, and now --

12 MR. CIUCCIO: You had an inspector
13 there every day.

14 ATTY. RINALDI: This is your land.
15 Okay? I'm just telling you what you need to
16 do. It's all spelled out in the code. It's
17 the same for anybody that does any road or
18 any lot consolidation or any lot subdivision
19 in the borough. They all come on Thursdays,
20 they get their plans approved. I'm not
21 telling you anything different than anybody
22 else does.

23 MR. FERRETT: Can I say one word?
24 Russell, I'm only going to speak for myself.
25 You're talking about going back, you're

1 talking about when this problem started.
2 What I understand is I sat here with
3 everyone at that time. The plan originally
4 was Mountain Road has to be done first
5 before we do the other roads. We jumped the
6 gun, we done the other roads, we didn't do
7 Mountain Road. Now we got trouble with
8 Mountain. If we done Mountain Road the
9 first time, it was done the right way and it
10 was approved, the other roads there would be
11 no problems with. Today we got a problem.
12 We jumped the gun the opposite way. We do
13 what we want to do.

14 MR. RUSSELL RINALDI: Mountain road
15 was done first.

16 MR. FERRETT: No, it wasn't.

17 ATTY. RINALDI: You got preliminary
18 approval. That gives him three years to do
19 it. He's completed the work, comes back to
20 planning and say hey, I completed my work,
21 here's my final plan --

22 MR. RUSSELL RINALDI: Mountain Road
23 wasn't done first?

24 ATTY. RINALDI: No, I think American
25 Asphalt paved first.

1 MR. LOPATKA: Dave, what was done
2 first?

3 MR. LOPATKA: From when I came in a
4 year ago Mountain Road was started. It
5 wasn't completed.

6 MR. RUSSELL RINALDI: The overlay
7 wasn't done. That was the only thing.

8 MR. LOPATKA: Well, no, from when I
9 came on, which is a year ago --

10 MR. RUSSELL RINALDI: No, the
11 overlay -- Mountain Road was approved to go
12 first.

13 MR. LOPATKA: Mountain Road was
14 approved before I got here, so, yes.

15 MR. RUSSELL RINALDI: Mountain Road
16 was done first.

17 ATTY. RINALDI: It was a preliminary
18 plan approval. We all have a copy of that.
19 He needs a final approval of it.

20 MR. FERRETT: If Mountain Road was
21 done first, why are we talking about
22 Mountain Road with this problem, this
23 problem, that problem? Mountain Road was
24 not done first. Some of the objects might
25 have been done, but it wasn't overlaid. It

1 wasn't overlaid properly. If it was done
2 properly, then you know what? Everything
3 would be a go.

4 MR. RUSSELL RINALDI: It didn't get
5 overlaid until November.

6 MR. LOPATKA: At this point it's not
7 even as much about the construction as it is
8 about the description. The construction
9 portion of it, you know, it was redone,
10 repaved. There's one section that we need
11 to figure out. But other than that, it has
12 nothing to do with the construction side of
13 it, it has to do with the deed.

14 ATTY. RINALDI: There's got to be a
15 plan recorded.

16 MR. LOPATKA: It's not whether or
17 not it was constructed first or not. We
18 need to resolve the issue with the
19 description and the map that we have.

20 MR. RUSSEL RINALDI: How long have
21 we had to do that?

22 MR. LOPATKA: We got it about a
23 month, month and a half ago. So that's how
24 long I've had the deeds to review them.

25 ATTY. RINALDI: So if he gets into

1 planning on the first Thursday in February,
2 they pass final approval, come back to
3 council, final approval, he fixes the
4 descriptions -- I think he needs a little
5 lot consolidation for that road because
6 there's, like, four different parcels that
7 make up the road. So somehow it's got to be
8 consolidated and put together.

9 MR. LOPATKA: The right-of-way and
10 five parcels.

11 ATTY. RINALDI: I mean, I know
12 there's a Villa piece, there's a Louis
13 piece.

14 MR. RUSSELL RINALDI: We'll still be
15 working on this 20 years from now.

16 MR. FEBBO: Not until we get it
17 right.

18 MR. CIUCCIO: Can we make approval
19 for some of the payment? It's \$60,000 I put
20 out. The work is done.

21 MR. RUSSELL RINALDI: According to
22 past payments he presented invoices,
23 cancelled checks and we paid him. Correct?

24 MR. LOPATKA: Yes.

25 ATTY. RINALDI: Yes, but this is the

1 final payment. So in other words --

2 MR. CIUCCIO: I'm not going
3 anywhere.

4 ATTY. RINALDI: I don't want to be
5 chasing him for the deeds for the roads.

6 MR. RUSSEL RINALDI: If we've done
7 it in the past why not hold a portion and
8 pay a portion.

9 ATTY. RINALDI: Normally in any
10 contract you make sure all the work is
11 done --

12 MR. RUSSELL RINALDI: This is not a
13 normal contract.

14 ATTY. RINALDI: You make sure all
15 the work is done before you pay the last
16 payment.

17 MR. FEBBO: I believe we're paying
18 our solicitor for his advice. Maybe we
19 should start listening to our solicitor.

20 ATTY. RINALDI: I just want to see
21 the borough get everything and this be over
22 with. This can all be done by next month if
23 he gets the stuff in. I don't want to be
24 chasing him to get stuff in and he's gotten
25 paid for it.

1 He's your engineer. You have to
2 instruction him what to do. We can't. We
3 can just tell you what you're missing and
4 what you need to get done.

5 MR. LENCESKI: I'm only one of seven
6 council members. At this time I'd like to
7 make a motion to hold ten percent of the
8 money on Mountain Road and ten percent of
9 all the roads in Villa, Inc, which includes
10 Edgewood Drive, Oakwood Drive, Stone Hill
11 Drive and Villa Drive.

12 MR. SEMENZA: Motion on the floor by
13 Councilman Lenceski that you would like to
14 hold ten percent on payment on Edgewood
15 Drive, Oakwood Drive, Stone Hill Drive,
16 Villa Drive --

17 MR. LENCESKI: And Mountain Road,
18 ten percent until all 12 points of the
19 stipulation are met.

20 MR. SEMENZA: Until all 12 points of
21 the stipulation have been met. We have a
22 motion on the floor.

23 MR. FERRETT: I'll second it.

24 MR. SEMENZA: Seconded by Councilman
25 Ferrett. On the question?

1 MR. FEBBO: Mr. Rinaldi, is that
2 feasible?

3 ATTY. RINALDI: We need one
4 calculation from Dave from the Mountain Road
5 invoice. We have to extrapolate what that
6 amount is. And the Villa, Inc. roads,
7 you're saying ten percent of the \$33,000
8 payment.

9 MR. LENCESKI: I'm saying ten
10 percent of the overall cost of the project.

11 ATTY. RINALDI: That is the ten
12 percent. I'm okay with that.

13 MR. SEMENZA: Public input?

14 MR. RUSSICK: Does the engineer and
15 solicitor agree with that motion?

16 MR. LOPATKA: It's not up to me.
17 They tell me what to calculate. I had
18 recommended they withhold certain portions
19 originally.

20 MR. SEMENZA: Roll call, please.

21 ATTY. RINALDI: Councilman Brown?

22 MR. BROWN: Yes, as per your advice
23 and, I guess, the engineer's advice to hold
24 the payment.

25 ATTY. RINALDI: Councilwoman

1 Cordiano?

2 MS. CORDIANO: Yes.

3 ATTY. RINALDI: Councilman Febbo?

4 MR. FEBBO: I'll go along with Mr.
5 Brown and say yes on the same circumstances.

6 ATTY. RINALDI: Mr. Ferrett?

7 MR. FERRETT: Yes.

8 ATTY. RINALDI: Councilman Rinaldi?

9 MR. RUSSELL RINALDI: No, only on
10 the fact because, just to explain myself,
11 first meeting I asked if Councilwoman
12 Cordiano and Councilman Febbo should abstain
13 from any votes that have to do with any type
14 of legal lawsuit they have pending against
15 this typical developer. So in case the
16 borough is held at lawsuit in the future,
17 I'm going to excuse myself from this vote
18 and I'm going to vote no.

19 MR. FEBBO: Is that not interpreted
20 as a yes vote, Solicitor?

21 ATTY. RINALDI: No, he's voted no.
22 Councilman Lenceski?

23 MR. LENCESKI: Yes.

24 ATTY. RINALDI: Councilman Semenza?

25 MR. SEMENZA: Yes. Anything else?

1 MR. CIUCCIO: No. So what was the
2 outcome?

3 MR. SEMENZA: When all 12 points of
4 the stipulation are finalized and
5 everything -- you take care of all the lot
6 consolidation and everything, that you come
7 back to us and we'll approve payment.

8 MR. CIUCCIO: So no payment was
9 approved tonight?

10 MR. SEMENZA: Correct.

11 MR. CIUCCIO: Mr. Lenceski made a
12 motion and it was seconded. Why wasn't that
13 voted on?

14 MR. SEMENZA: It was.

15 MR. CIUCCIO: To hold ten percent of
16 everything? You just -- okay, thank you.

17 MR. SEMENZA: Joan Wilk?

18 MS. WILK: I have a problem with
19 parking on the side, here. You have
20 handicapped parking. Your volunteer
21 fireman, okay, parks there. Tonight
22 Mr. Crossin came in, he's got a problem with
23 his foot, they were parked there again. I
24 think they should be cited. Not a phone
25 call like the last time, the chief went and

1 gave them a phone call to move the cars.
2 I'd block them in. I don't care, I'd block
3 them in.

4 MR. SEMENZA: There were people
5 parking in handicapped parking spots?

6 MS. WILK: Yes, your volunteer fire.

7 CHIEF DUBERNAS: I addressed both of
8 the captains over there. They're supposed
9 to be taking care of it.

10 MS. WILK: This gentleman tried to
11 park there today.

12 MR. SEMENZA: Isn't that a
13 violation? Don't they need to be cited?

14 CHIEF DUBERNAS: Like I said, it was
15 addressed to Captain Wrubel and Captain
16 Rutkowski that they're not to be parking
17 there.

18 MS. WILK: Well, you got to start
19 giving tickets out.

20 MR. SEMENZA: If there's people
21 parking in handicapped --

22 CHIEF DUBERNAS: I'll take care of
23 it.

24 MR. SEMENZA: We'll go into new
25 business. I see Nick Piccini. There's a

1 lot consolidation for Stull. It's not on
2 the agenda but it should be. Get us up to
3 speed.

4 MR. PICCINI: This was the plan that
5 was submitted to the planning comission for
6 a lot consolidation for lands owned by
7 Brittni Stull.

8 MR. FEBBO: Nick, is the this one
9 that you had at the planning commission?

10 MR. PICCINI: Yes, it was approved
11 by the planning commission. All comments
12 for the engineer and the county were
13 addressed, and the Old Forge Borough
14 Planning Commission approved it as well.

15 MR. SEMENZA: Is this as far up into
16 the Heights as you can go?

17 MR. PICCINI: It is.

18 MR. FEBBO: Two separate lots they
19 want to consolidate into one?

20 MR. PICCINI: Yes.

21 MR. SEMENZA: Steve, anything?

22 MR. BIERYLA: No, everything's been
23 approved. Lackawanna County, engineering
24 comments.

25 MR. SEMENZA: Pretty much cut and

1 dry?

2 MR. PICCINI: Yes, sir. Very, very
3 simple consolidation.

4 MR. SEMENZA: Okay. The chair would
5 entertain a motion for lot consolidation for
6 Brittni Stull.

7 MR. FEBBO: I'll make the motion.

8 MR. SEMENZA: By Councilman Febbo.
9 Second?

10 MR. BROWN: I'll second that.

11 MR. SEMENZA: By Councilman Brown.
12 On the question? Public input? Roll call,
13 please.

14 ATTY. RINALDI: Councilman Brown?

15 MR. BROWN: Yes.

16 ATTY. RINALDI: Councilwoman
17 Cordiano?

18 MS. CORDIANO: Yes.

19 ATTY. RINALDI: Councilman Febbo?

20 MR. FEBBO: Yes.

21 ATTY. RINALDI: Councilman Ferrett?

22 MR. FERRETT: Yes.

23 ATTY. RINALDI: Councilman Rinaldi?

24 MR. RUSSELL RINALDI: Yes.

25 ATTY. RINALDI: Councilman Lenceski?

1 MR. LENCESKI: Yes.

2 ATTY. RINALDI: Councilman Semenza?

3 MR. SEMENZA: Yes. The chair would
4 entertain a motion to reappoint to the
5 zoning board Joe Pilosi.

6 MR. RUSSEL RINALDI: I'll make that
7 motion.

8 MR. SEMENZA: By Councilman Rinaldi.
9 Can I have a second?

10 MR. BROWN: I'll second that motion.

11 MR. SEMENZA: Seconded by Councilman
12 Brown. On the question? Public input?
13 Roll call, please.

14 ATTY. RINALDI: Councilman Brown?

15 MR. BROWN: Yes.

16 ATTY. RINALDI: Councilwoman
17 Cordiano?

18 MS. CORDIANO: Yes.

19 ATTY. RINALDI: Councilman Febbo?

20 MR. FEBBO: Yes.

21 ATTY. RINALDI: Councilman Ferrett?

22 MR. FERRETT: Yes.

23 ATTY. RINALDI: Councilman Rinaldi?

24 MR. RUSSELL RINALDI: Yes.

25 ATTY. RINALDI: Councilman Lenceski?

1 MR. LENCESKI: Yes.

2 ATTY. RINALDI: Councilman Semenza?

3 MR. SEMENZA: Yes. The chair would
4 entertain a motion to reappoint to the
5 planning comission Sal Luzio.

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

7 MR. SEMENZA: By Councilman Febbo.
8 Can I have a second, please?

9 MS. CORDIANO: I'll second that.

10 MR. SEMENZA: Seconded by
11 Councilwoman Cordiano. On the question?
12 Public input? Roll call, please.

13 ATTY. RINALDI: Councilman Brown?

14 MR. BROWN: Yes.

15 ATTY. RINALDI: Councilwoman
16 Cordiano?

17 MS. CORDIANO: Yes.

18 ATTY. RINALDI: Councilman Febbo?

19 MR. FEBBO: Yes.

20 ATTY. RINALDI: Councilman Ferrett?

21 MR. FERRETT: Yes.

22 ATTY. RINALDI: Councilman Rinaldi?

23 MR. RUSSELL RINALDI: Yes.

24 ATTY. RINALDI: Councilman Lenceski?

25 MR. LENCESKI: Yes.

1 ATTY. RINALDI: Councilman Semenza?

2 MR. SEMENZA: Yes. The chair would
3 entertain a motion to reappoint to planning
4 commission Robert Petosky.

5 MR. LENCESKI: I'll make that
6 motion.

7 MR. SEMENZA: By Councilman
8 Lenceski. Second?

9 MR. FEBBO: I'll second it.

10 MR. SEMENZA: Seconded by Councilman
11 Febbo. On the question? Public input?
12 Roll call, please.

13 ATTY. RINALDI: Councilman Brown?

14 MR. BROWN: Yes.

15 ATTY. RINALDI: Councilwoman
16 Cordiano?

17 MS. CORDIANO: Yes.

18 ATTY. RINALDI: Councilman Febbo?

19 MR. FEBBO: Yes.

20 ATTY. RINALDI: Councilman Ferrett?

21 MR. FERRETT: Yes.

22 ATTY. RINALDI: Councilman Rinaldi?

23 MR. RUSSELL RINALDI: Yes.

24 ATTY. RINALDI: Councilman Lenceski?

25 MR. LENCESKI: Yes.

1 ATTY. RINALDI: Councilman Semenza?

2 MR. SEMENZA: Yes. The chair would
3 entertain a motion to reappoint to the
4 planning commission Vince Piccolini.

5 MR. BROWN: I'd like to make that
6 motion.

7 MR. SEMENZA: By Councilman Brown.
8 Can I have a second?

9 MR. RUSSELL RINALDI: I'll second
10 that.

11 MR. SEMENZA: Seconded by Councilman
12 Rinaldi. On the question? Public input?
13 Roll call.

14 ATTY. RINALDI: Councilman Brown?

15 MR. BROWN: Yes.

16 ATTY. RINALDI: Councilwoman
17 Cordiano?

18 MS. CORDIANO: Yes.

19 ATTY. RINALDI: Councilman Febbo?

20 MR. FEBBO: Yes.

21 ATTY. RINALDI: Councilman Ferrett?

22 MR. FERRETT: Yes.

23 ATTY. RINALDI: Councilman Rinaldi?

24 MR. RUSSELL RINALDI: Yes.

25 ATTY. RINALDI: Councilman Lenceski?

1 MR. LENCESKI: Yes.

2 ATTY. RINALDI: Councilman Semenza?

3 MR. SEMENZA: Yes. The chair would
4 entertain a motion to reappoint to the
5 planning commission Louis Mancuso.

6 MR. BROWN: I'd like to make that
7 motion.

8 MR. SEMENZA: Motion by Councilman
9 Brown. Can I have a second?

10 MR. RUSSELL RINALDI: I'll second
11 that also.

12 MR. SEMENZA: Seconded by Councilman
13 Rinaldi. On the question? Public input?
14 Roll call, please.

15 ATTY. RINALDI: Councilman Brown?

16 MR. BROWN: Yes.

17 ATTY. RINALDI: Councilwoman
18 Cordiano?

19 MS. CORDIANO: Yes.

20 ATTY. RINALDI: Councilman Febbo?

21 MR. FEBBO: Yes.

22 ATTY. RINALDI: Councilman Ferrett?

23 MR. FERRETT: Yes.

24 ATTY. RINALDI: Councilman Rinaldi?

25 MR. RUSSELL RINALDI: Yes.

1 ATTY. RINALDI: Councilman Lenceski?

2 MR. LENCESKI: Yes.

3 ATTY. RINALDI: Councilman Semenza?

4 MR. SEMENZA: Yes. In your packets
5 everybody has letters for seats on the rec
6 board. There was four of them. There's
7 appointments or reappointments. I'm going
8 to call for a motion for the first
9 appointment or reappointment to the
10 recreation board. Does anybody have a
11 recommendation? Make a motion.

12 MR. RUSSELL RINALDI: Are we doing
13 them individually, each seat?

14 MR. SEMENZA: Individually, each
15 seat. They're at-large seats for recreation
16 board.

17 MR. RUSSELL RINALDI: I make a
18 motion to reappoint John Armillay to the
19 recreation board.

20 MR. SEMENZA: Motion by Councilman
21 Rinaldi to reappoint John Armillay to an
22 at-large seat on the recreation board.

23 MR. FEBBO: I'll second that motion.

24 MR. SEMENZA: Seconded by Councilman
25 Febbo. On the question? Public input?

1 Roll call, please.

2 ATTY. RINALDI: Councilman Brown?

3 MR. BROWN: Yes.

4 ATTY. RINALDI: Councilwoman
5 Cordiano?

6 MS. CORDIANO: Yes.

7 ATTY. RINALDI: Councilman Febbo?

8 MR. FEBBO: Yes.

9 ATTY. RINALDI: Councilman Ferrett?

10 MR. FERRETT: Yes.

11 ATTY. RINALDI: Councilman Rinaldi?

12 MR. RUSSELL RINALDI: Yes.

13 ATTY. RINALDI: Councilman Lenceski?

14 MR. LENCESKI: Yes.

15 ATTY. RINALDI: Councilman Semenza?

16 MR. SEMENZA: Yes. The chair would
17 entertain a motion to appoint or reappoint
18 an at-large seat on the recreation board.
19 Anybody have a name?

20 MS. CORDIANO: I would recommend
21 Rick Notari for reappointment.

22 MR. SEMENZA: Motion on the floor to
23 reappoint Rick Notari to an at-large seat on
24 the recreation board by Councilwoman
25 Cordiano. Can I have a second?

1 MR. FERRETT: I'll second that.

2 MR. SEMENZA: Seconded by Councilman
3 Ferrett. On the question? Public input?
4 Roll call, please.

5 ATTY. RINALDI: Councilman Brown?

6 MR. BROWN: Yes.

7 ATTY. RINALDI: Councilwoman
8 Cordiano?

9 MS. CORDIANO: Yes.

10 ATTY. RINALDI: Councilman Febbo?

11 MR. FEBBO: Yes.

12 ATTY. RINALDI: Councilman Ferrett?

13 MR. FERRETT: Yes.

14 ATTY. RINALDI: Councilman Rinaldi?

15 MR. RUSSELL RINALDI: Yes.

16 ATTY. RINALDI: Councilman Lenceski?

17 MR. LENCESKI: Yes.

18 ATTY. RINALDI: Councilman Semenza?

19 MR. SEMENZA: Yes. The third and
20 final at-large seat to appoint or reappoint
21 to the recreation board. Does anyone have a
22 recommendation?

23 MR. FEBBO: Ray Telipski.

24 MR. SEMENZA: Motion on the floor by
25 Councilman Febbo to reappoint Ray Telipski

1 at an at-large seat on the recreation board.

2 MR. LENCESKI: I'll second that.

3 MR. SEMENZA: Seconded by Councilman
4 Lenceski. On the question? Public input?
5 Roll call, please.

6 ATTY. RINALDI: Councilman Brown?

7 MR. BROWN: Yes.

8 ATTY. RINALDI: Councilwoman
9 Cordiano?

10 MS. CORDIANO: Yes.

11 ATTY. RINALDI: Councilman Febbo?

12 MR. FEBBO: Yes.

13 ATTY. RINALDI: Councilman Ferrett?

14 MR. FERRETT: Yes.

15 ATTY. RINALDI: Councilman Rinaldi?

16 MR. RUSSELL RINALDI: Yes.

17 ATTY. RINALDI: Councilman Lenceski?

18 MR. LENCESKI: Yes.

19 ATTY. RINALDI: Councilman Semenza?

20 MR. SEMENZA: Yes. The chair would
21 entertain a motion to give LRC a limited
22 access agreement expiring December 31, 2018.

23 MR. FEBBO: I'll make that motion.
24 That's the one to accept them going onto the
25 property? I'll make that motion.

1 MR. SEMENZA: Motion by Councilman
2 Febbo. Can I have a second?

3 MR. FERRETT: I'll second that.

4 MR. SEMENZA: Seconded by Councilman
5 Ferrett. On the question? Public input?
6 Roll call, please.

7 ATTY. RINALDI: Councilman Brown?

8 MR. BROWN: Yes.

9 ATTY. RINALDI: Councilwoman
10 Cordiano?

11 MS. CORDIANO: Yes.

12 ATTY. RINALDI: Councilman Febbo?

13 MR. FEBBO: Yes.

14 ATTY. RINALDI: Councilman Ferrett?

15 MR. FERRETT: Yes.

16 ATTY. RINALDI: Councilman Rinaldi?

17 MR. RUSSELL RINALDI: Yes.

18 ATTY. RINALDI: Councilman Lenceski?

19 MR. LENCESKI: Yes.

20 ATTY. RINALDI: Councilman Semenza?

21 MR. SEMENZA: Yes. The chair would
22 entertain a motion to reinstate the
23 part-time officers by the name of Officer
24 Patrick Walsh, Officer Keri McHugh, Officer
25 Matthew Brown, Officer Paul Murazzi, Officer

1 Michael Roberts, Officer Shawn Jones,
2 Officer Nathan Manning, Officer Matthew
3 Derenick, and Officer Dennis Terhune.

4 MS. CORDIANO: I'll make that
5 motion.

6 MR. SEMENZA: Motion by Councilwoman
7 Cordiano. Can I have a second?

8 MR. BROWN: I'll second that.

9 MR. SEMENZA: Seconded by Councilman
10 Brown. On the question? Public input?
11 Roll call, please.

12 ATTY. RINALDI: Councilman Brown?

13 MR. BROWN: Yes.

14 ATTY. RINALDI: Councilwoman
15 Cordiano?

16 MS. CORDIANO: Yes.

17 ATTY. RINALDI: Councilman Febbo?

18 MR. FEBBO: Yes.

19 ATTY. RINALDI: Councilman Ferrett?

20 MR. FERRETT: Yes.

21 ATTY. RINALDI: Councilman Rinaldi?

22 MR. RUSSELL RINALDI: Yes.

23 ATTY. RINALDI: Councilman Lenceski?

24 MR. LENCESKI: Yes.

25 ATTY. RINALDI: Councilman Semenza?

1 MR. SEMENZA: Yes. The chair would
2 entertain a motion to reinstate contracted
3 32-hour officers by the name of Officer
4 Robert Harris, Officer Colleen Cantonese,
5 Officer Gordon Demming, Officer Brice
6 Finnerty.

7 MR. RUSSEL RINALDI: I'll make that
8 motion.

9 MR. SEMENZA: Motion by Councilman
10 Rinaldi. Can I have a second?

11 MR. BROWN: I'll second that.

12 MR. SEMENZA: Seconded by Councilman
13 Brown. On the question? Public input?
14 Roll call, please.

15 ATTY. RINALDI: Councilman Brown?

16 MR. BROWN: Yes.

17 ATTY. RINALDI: Councilwoman
18 Cordiano?

19 MS. CORDIANO: Yes.

20 ATTY. RINALDI: Councilman Febbo?

21 MR. FEBBO: Yes.

22 ATTY. RINALDI: Councilman Ferrett?

23 MR. FERRETT: Yes.

24 ATTY. RINALDI: Councilman Rinaldi?

25 MR. RUSSELL RINALDI: Yes.

1 ATTY. RINALDI: Councilman Lencieski?

2 MR. LENCIESKI: Yes.

3 ATTY. RINALDI: Councilman Semenza?

4 MR. SEMENZA: Yes. At this time the
5 chair would entertain a motion to adjourn
6 the meeting.

7 MR. LENCIESKI: On the minutes from
8 Tuesday, December 15, 2015, page 42, line
9 22, Mrs. Yeager says we've got a \$125,000
10 grant from Lower Lackawanna. That should be
11 changed to \$25,000 grant.

12 MR. FERRETT: I'd like to put a
13 motion on the floor that council authorize
14 our engineer to move forward to put forth a
15 bid package and to have it presented to
16 council at the next meeting on February 16th
17 so council can approve or make a decision
18 which way they want to go and have a bid
19 package prepared.

20 ATTY. RINALDI: You have to vote on
21 your amendment to the minutes.

22 MR. LENCIESKI: I'd like to make a
23 motion to amend the minutes.

24 MR. SEMENZA: Motion on the floor by
25 Councilman Lencieski to amend the December

1 15th meeting minutes, page 42, line 22,
2 \$25,000 grant, it should be, from Lower
3 Lackawanna. Can I have a second?

4 MR. FEBBO: I'll second that.

5 MR. SEMENZA: Seconded by Councilman
6 Febbo. On the question? Public input?
7 Roll call, please.

8 ATTY. RINALDI: Councilman Brown?

9 MR. BROWN: Yes.

10 ATTY. RINALDI: Councilwoman
11 Cordiano?

12 MS. CORDIANO: Yes.

13 ATTY. RINALDI: Councilman Febbo?

14 MR. FEBBO: Yes.

15 ATTY. RINALDI: Councilman Ferrett?

16 MR. FERRETT: Yes.

17 ATTY. RINALDI: Councilman Rinaldi?

18 MR. RUSSELL RINALDI: Yes.

19 ATTY. RINALDI: Councilman Lenceski?

20 MR. LENCESKI: Yes.

21 ATTY. RINALDI: Councilman Semenza?

22 MR. SEMENZA: Yes.

23 MR. FERRETT: I'm making a motion to
24 authorize our engineer to put forth a bid
25 package for the \$1 million paving program

1 that's going to be done in 2016 and have it
2 prepared for the February 16th meeting.

3 MR. SEMENZA: Motion on the floor by
4 Councilman Ferrett. Can I have a second?

5 MR. FEBBO: I'll second that.

6 MR. SEMENZA: Seconded by Councilman
7 Febbo. On the question? Roll call, please.

8 ATTY. RINALDI: Councilman Brown?

9 MR. BROWN: Yes.

10 ATTY. RINALDI: Councilwoman
11 Cordiano?

12 MS. CORDIANO: Yes.

13 ATTY. RINALDI: Councilman Febbo?

14 MR. FEBBO: Yes.

15 ATTY. RINALDI: Councilman Ferrett?

16 MR. FERRETT: Yes.

17 ATTY. RINALDI: Councilman Rinaldi?

18 MR. RUSSELL RINALDI: Yes.

19 ATTY. RINALDI: Councilman Lenceski?

20 MR. LENCESKI: Yes.

21 ATTY. RINALDI: Councilman Semenza?

22 MR. SEMENZA: Yes. At this time the
23 chair would entertain a motion to adjourn
24 the meeting.

25 MR. FEBBO: I'd like to have the

1 floor, please. I got some issues here.
2 This is the second time sitting here since
3 I've been on council, second time that I
4 take offense to Mr. Rinaldi's comments about
5 what's legal and what's not legal.

6 I'd like to know two things. I want
7 to know who shuffled the names, here, from
8 the original seating position? Was that
9 your doing?

10 MR. SEMENZA: Mine and Councilman
11 Rinaldi's.

12 MR. FEBBO: Can I ask you why?

13 MR. SEMENZA: We discussed that we'd
14 change it up a little bit.

15 MR. FEBBO: Okay. I mentioned
16 before I'm on a council that's elected by
17 our public voters. Mr. Rinaldi has attacked
18 me as to whether or not I should be eligible
19 to vote.

20 If that's the case, Mr. Rinaldi --
21 wait a minute. I have the floor.

22 MR. RUSSEL RINALDI: That's my
23 opinion.

24 MR. FEBBO: My opinion is that you
25 should no longer be able to vote until you

1 come into compliance with all the rules and
2 regs of town. You violate every code there
3 is. Therefore, you should not be allowed to
4 vote.

5 MR. RUSSELL RINALDI: I violate
6 every code?

7 MR. FEBBO: Yes. Let's see, the
8 deck down there, do you have a code?

9 MR. RUSSELL RINALDI: It was shut
10 down. The state shut it down.

11 MR. FEBBO: Did you correct it?

12 MR. RUSSELL RINALDI: No, I never
13 opened it.

14 MR. FEBBO: But it's still left
15 up --

16 MR. RUSSELL RINALDI: The state shut
17 it down.

18 MR. FEBBO: Do you have permits for
19 your signs?

20 MR. RUSSELL RINALDI: Permits for my
21 signs?

22 MR. FEBBO: Yes. You have signs
23 down there, mutual signs. Did they come
24 through planning or zoning for a permit?

25 MR. RUSSELL RINALDI: Do my signs

1 have to go through planning and zoning? I
2 just replaced it. What do you mean? I just
3 replaced it. I took an old sign down, put a
4 new one up. I had a sign there already.

5 MR. FEBBO: Does that not have to
6 go --

7 MR. BIERYLA: You need a permit.

8 MR. RUSSEL RINALDI: Oh, you still
9 need a permit even when you replace an old
10 sign, not a new sign?

11 MR. FEBBO: Mr. Rinaldi, another
12 question for you. What's your take on
13 blighted areas in the community?

14 MR. RUSSELL RINALDI: Blighted
15 areas?

16 MR. FEBBO: Blighted areas. What's
17 your stand on that?

18 MR. RUSSEL RINALDI: I don't
19 understand what that means.

20 MR. FEBBO: Well, I'm just asking
21 what your opinion is. We talked about that
22 at several meetings, one of the big issues
23 is we have blighted areas in the community.
24 I want to know what your take is on that.

25 MR. RUSSELL RINALDI: What's my take

1 on blighted areas? As far as what?

2 MR. FEBBO: What do you think should
3 be done with them?

4 MR. RUSSELL RINALDI: What do I
5 think should be done with them? You have a
6 blighted area? If you have a blighted area
7 what should council do with it?

8 MR. FEBBO: Yes.

9 MR. RUSSELL RINALDI: I don't
10 understand the question.

11 MR. FEBBO: Well, the question is
12 that you own a property down on South Main
13 Street that's blighted. Okay? By Blighted
14 I mean it should be knocked down.

15 MR. RUSSELL RINALDI: You're talking
16 about the property at 1127?

17 MR. FEBBO: Do you not own that?

18 MR. RUSSELL RINALDI: I do, but I
19 also owned it with a person who lost their
20 life recently, about seven months ago. You
21 asked, let me finish. Due to a tragedy,
22 unfortunately somebody passed away in a
23 horrific death that I won't go into now
24 because we all, I'm pretty sure, know who it
25 is and I don't want to put their name out

1 there. I'm a little bothered by it because
2 he was a very close friend of my family's
3 for years.

4 MR. FEBBO: Then you should take
5 responsibility and get it cleaned up.

6 MR. RUSSEL RINALDI: We're going
7 through a process right now and the family
8 is extremely good friends of mine and I
9 cannot put any pressure on that family until
10 we came up with a little bit of a solution.
11 And Mr. Bieryla knows, I've been in to see
12 him. We have an acting permit, correct, to
13 remodel it?

14 MR. BIERYLA: For the porch, yes.

15 ME. RUSSELL RINALDI: For the porch?
16 Well, no, the porch was already corrected.
17 We have a permit to remodel. We were doing
18 the siding, we were doing the roofing, front
19 porch and the back porch. Correct?

20 MR. FEBBO: Is there a permit,
21 Steve, for that?

22 MR. BIERYLA: For the porch.

23 MR. FEBBO: Nothing for the rest of
24 the building?

25 MR. BIERYLA: No.

1 MR. RUSSELL RINALDI: Then what was
2 the permit package I filled out when I told
3 you we were going to put siding on, do the
4 roof?

5 MR. BIERYLA: You don't need a
6 permit for siding.

7 MR. RUSSELL RINALDI: Well, what was
8 the package I filled out when I told you I
9 was --

10 MR. BIERYLA: It was for the back
11 porch. The first correction on the house is
12 the back porch to secure it. That's where
13 we started. Then we were going to continue
14 from there as to the needs of what else had
15 to be done on the house. So the permit that
16 Mr. Rinaldi has --

17 MR. RUSSEL RINALDI: Well, we were
18 in the process of doing the siding, the
19 front porch and the roof.

20 MR. BIERYLA: Well, I'm just
21 saying --

22 MR. RUSSELL RINALDI: No, no, no,
23 that's what me and you discussed.

24 MR. BIERYLA: That was for the
25 porch, and that was the first process. Like

1 Russell is saying, there's separate
2 processes, but they never happened.

3 MR. FEBBO: So we never got to step
4 two. We're at step one. We never got
5 beyond the porch?

6 MR. BIERYLA: I don't believe so.
7 Not the back porch.

8 MR. RUSSELL RINALDI: And the
9 contractor was a part owner. He passed away
10 in a tragic accident.

11 MR. FEBBO: Let me just say this to
12 you, I lead by example. I'm here to lead by
13 example. I see a lot of things I need
14 corrected. If all this nitpicking doesn't
15 stop around here we're going to get nothing
16 done. I'm going to fight you over this
17 tooth and nail.

18 MR. RUSSELL RINALDI: There's no
19 fighting involved. I just stated my
20 opinion.

21 MR. FEBBO: Well, let's move on
22 here. Mr. Semenza is now the president.
23 Okay? You no longer drive the bus, you're a
24 passenger on the bus, like the rest of us,
25 and the sooner you become a team member, the

1 sooner we can things moving forward. You
2 keep going back and picking and picking and
3 picking.

4 MR. RUSSELL RINALDI: Nobody's going
5 back picking and picking.

6 MR. FEBBO: You are.

7 MR. SEMENZA: The chair would
8 entertain a motion to adjourn the meeting.

9 MR. FEBBO: I'll second that.

10 MR. SEMENZA: All in favor?

11 (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 92 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