

1 OLD FORGE BOROUGH COUNCIL

2 OLD FORGE, PENNSYLVANIA

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4  
5 IN RE: REGULAR MEETING OF COUNCIL

6  
7  
8  
9 JULY 19, 2016

10 7:00 P.M.

11 OLD FORGE MUNICIPAL BUILDING

12 314 SOUTH MAIN STREET

13 OLD FORGE, PENNSYLVANIA

14  
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16  
17  
18 COUNCIL MEMBERS:

19 JOSEPH LENCESKI, VICE-PRESIDENT

20 RUSSELL RINALDI

DEVON BROWN

21 JENNIFER CORDIANO

LOUIS FEBBO

22 WILLIAM RINALDI, ESQUIRE, SOLICITOR

MARYLYNN BARTOLETTI, BOROUGH MANAGER

23  
24  
25 Mark Wozniak  
Official Court Reporter

1 MR. LENCESKI: Good evening.  
2 Welcome, everyone, to the July 19, 2016 Old  
3 Forge Borough Council meeting. I'd like to  
4 call the meeting to order with the Pledge of  
5 Allegiance.

6 (The Pledge of Allegiance was  
7 recited.)

8 MR. LENCESKI: Roll call, please.

9 MS. BARTOLETTI: Councilman Brown?

10 MR. BROWN: Here.

11 MS. BARTOLETTI: Councilwoman  
12 Cordiano?

13 MS. CORDIANO: Here.

14 MS. BARTOLETTI: Councilman Febbo?

15 MR. FEBBO: Here.

16 MS. BARTOLETTI: Councilman Ferrett  
17 is absent. Councilman Rinaldi?

18 MR. RUSSELL RINALDI: Here.

19 MS. BARTOLETTI: Councilman  
20 Lenceski?

21 MR. LENCESKI: Here.

22 MS. BARTOLETTI: Councilman Semenza  
23 is absent.

24 MR. LENCESKI: The purpose of  
25 tonight's meeting is to hear from our

1 department heads, go through some  
2 housekeeping. There is a public sign-in  
3 sheet for anyone who'd like to address  
4 council at the podium.

5 At this time I would like to  
6 entertain a motion to approve the minutes  
7 from last month.

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

9 MR. LENCESKI: By Councilman Febbo.  
10 Can I get a second?

11 MS. CORDIANO: I'll second that.

12 MR. LENCESKI: Seconded by  
13 Councilwoman Cordiano. Public input? Roll  
14 call, please.

15 MS. BARTOLETTI: Councilman Brown?

16 MR. BROWN: Yes.

17 MS. BARTOLETTI: Councilwoman  
18 Cordiano?

19 MS. CORDIANO: Yes.

20 MS. BARTOLETTI: Councilman Febbo?

21 MR. FEBBO: Yes.

22 MS. BARTOLETTI: Councilman Rinaldi?

23 MR. RUSSELL RINALDI: Yes.

24 MS. BARTOLETTI: Councilman  
25 Lenceski?

1 MR. LENCESKI: Yes. At this time I  
2 would like to entertain a motion to approve  
3 the treasurer's reports. This does not  
4 include the sewer accounts.

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

7 MR. LENCESKI: By Councilwoman  
8 Cordiano. Can I get a second?

9 MR. FEBBO: I'll second that.

10 MR. LENCESKI: Seconded by  
11 Councilman Febbo. Public input? Roll call,  
12 please.

13 MS. BARTOLETTI: Councilman Brown?

14 MR. BROWN: Yes.

15 MS. BARTOLETTI: Councilwoman  
16 Cordiano?

17 MS. CORDIANO: Yes.

18 MS. BARTOLETTI: Councilman Febbo?

19 MR. FEBBO: Yes.

20 MS. BARTOLETTI: Councilman Rinaldi?

21 MR. RUSSELL RINALDI: Yes.

22 MS. BARTOLETTI: Councilman  
23 Lenceski?

24 MR. LENCESKI: Yes. At this time  
25 I'd like to entertain a motion to approve

1 the invoices for payment. It does not  
2 include sewer accounts.

3 MR. RUSSELL RINALDI: I'll make that  
4 motion.

5 MR. LENCESKI: By Councilman  
6 Rinaldi. Can I get a second?

7 MR. BROWN: I'll second that.

8 MR. LENCESKI: Seconded by  
9 Councilman Brown. Public input, please?  
10 Roll call.

11 MS. BARTOLETTI: Councilman Brown?

12 MR. BROWN: Yes.

13 MS. BARTOLETTI: Councilwoman  
14 Cordiano?

15 MS. CORDIANO: Yes.

16 MS. BARTOLETTI: Councilman Febbo?

17 MR. FEBBO: Yes.

18 MS. BARTOLETTI: Councilman Rinaldi?

19 MR. RUSSELL RINALDI: Yes.

20 MS. BARTOLETTI: Councilman  
21 Lenceski?

22 MR. LENCESKI: Yes. At this time  
23 I'd like to entertain a motion to approve  
24 the sewer department's financial report.

25 MR. RUSSELL RINALDI: I'll make that

1 motion.

2 MR. LENCESKI: By Councilman  
3 Rinaldi. Can I get a second?

4 MR. BROWN: I'll second that.

5 MR. LENCESKI: Seconded by  
6 Councilman Brown. Public input? Roll call,  
7 please.

8 MS. BARTOLETTI: Councilman Brown?

9 MR. BROWN: Yes.

10 MS. BARTOLETTI: Councilwoman  
11 Cordiano?

12 MS. CORDIANO: Yes.

13 MS. BARTOLETTI: Councilman Febbo?

14 MR. FEBBO: Yes.

15 MS. BARTOLETTI: Councilman Rinaldi?

16 MR. RUSSELL RINALDI: Yes.

17 MS. BARTOLETTI: Councilman  
18 Lenceski?

19 MR. LENCESKI: Yes. At this time  
20 I'd like to entertain a motion to approve  
21 the sewer department invoices for payment.

22 MR. RUSSELL RINALDI: I'll make that  
23 motion as well.

24 MR. LENCESKI: By Councilman  
25 Rinaldi. Can I get a second?

1 MR. BROWN: I'll second that.

2 MR. LENCESKI: Seconded by  
3 Councilman Brown. Public input? Roll call,  
4 please.

5 MS. BARTOLETTI: Councilman Brown?

6 MR. BROWN: Yes.

7 MS. BARTOLETTI: Councilwoman  
8 Cordiano?

9 MS. CORDIANO: Yes.

10 MS. BARTOLETTI: Councilman Febbo?

11 MR. FEBBO: Yes.

12 MS. BARTOLETTI: Councilman Rinaldi?

13 MR. RUSSELL RINALDI: Yes.

14 MS. BARTOLETTI: Councilman  
15 Lenceski?

16 MR. LENCESKI: Yes. At this time  
17 we'll hear from some of our department  
18 heads. Mayor Mulkerin?

19 MAYOR MULKERIN: Two quick things.  
20 I don't know if the chief was going to talk  
21 about the LSA grant that we received. I  
22 just want to thank Marylynn and the chief  
23 for getting the paperwork in on a timely  
24 manner. We received \$40,000 for the  
25 purchase of tablets for the cars, which will

1 assist our officers on every stop.

2 Printers. We're going to purchase printers  
3 for the cars, which the state police and  
4 many local departments have. We also are  
5 upgrading our tazers, which currently our  
6 cartridges are basically obsolete. So we're  
7 upgrading our tazers to more current, state  
8 of the art. I just wanted to thank you  
9 guys.

10 We have our Snow Forge Christmas in  
11 July fundraiser this Friday, 7 to 10, at  
12 Arcaro & Genell's. If anyone is interested  
13 in donating please see myself or any  
14 committee member.

15 Also, the park program, Marylynn, is  
16 going well again.

17 MS. BARTOLETTI: I'll be reporting  
18 on that tonight.

19 MAYOR MULKERIN: I just wanted to  
20 acknowledge the great job everyone does. I  
21 know my kids are having a blast. It's a  
22 great, great program. That's all I hear  
23 from people. Thank you for your hard work.

24 MR. LENCESKI: Chief Dubernas?

25 CHIEF DUBERNAS: I just have a



1 couple things. First was the grant.  
2 Second, I've been in contact with  
3 Mr. Evanusa. He's the gentleman that was  
4 here. His daughter was killed in a fatal  
5 car accident on Sibley Avenue. Right now  
6 it's going to be July 30th. He has a group  
7 of people on Sunday from 9:00 to noon  
8 they're going to clean the entire Sibley  
9 Avenue under that Adopt a Highway program in  
10 memory of his daughter. So it's going to go  
11 from Main Street to Sibley Avenue, both  
12 sides.

13 He reached out to me about getting a  
14 dumpster and everything. I was in contact  
15 with Paul. We're going to park the dumpster  
16 by the DPW garage to alleviate most of the  
17 traffic unloading pickup trucks on Sibley  
18 Avenue. You'll probably see a lot of people  
19 doing the cleanup there.

20 MR. PAPI: We're completely covering  
21 DPW drive with millings and it's kind of --  
22 the timing is going to be --

23 MR. RUSSELL RINALDI: How about  
24 across from the soccer field?

25 MR. PAPI: That would be good.

1 MS. BARTOLETTI: This is only for  
2 one day.

3 CHIEF DUBERNAS: They don't pick up  
4 the dumpster until Monday or Tuesday.

5 Second thing, I got three officers  
6 going to CIT training. It's free. It's  
7 crisis intervention training. After these  
8 three will be done I'll approximately have  
9 more than three-quarters of our department  
10 certified in CIT. So Officer Bernardi,  
11 Officer Finnerty and Officer McHugh. She  
12 works for the sheriff's department, and  
13 because she's a tactical negotiator for the  
14 Lackawanna County SWAT Team the sheriff's  
15 department is going to pay her way. She  
16 works both places.

17 Third, public safety meeting.  
18 Councilman Brown, still August 1st?

19 MR. BROWN: I'll reach out to the  
20 fire chief and the Pennsylvania Ambulance.  
21 I know we had a conflict last meeting. It's  
22 hard getting everybody on the same page.

23 CHIEF DUBERNAS: I'd like to set up  
24 a personnel meeting. I'll reach out to you  
25 guys. I'd like to discuss about getting a

1 civil service test ready. It usually takes  
2 six to nine months. We'll have an active  
3 list by the time everything is done. That's  
4 it.

5 MAYOR MULKERIN: Chief, I'm sure  
6 some councilmen received calls, as did I,  
7 regarding that Facebook post with the fight.  
8 So if you want to let --

9 CHIEF DUBERNAS: Right now  
10 approximately 20 people are going to be  
11 charged in that mêlée that happened in the  
12 rear wooded area of Eagle-McClure. It  
13 wasn't just juveniles. There were parents  
14 involved, too. As of right now  
15 approximately 20 people are being charged  
16 involved in that fight, parents and  
17 children.

18 MAYOR MULKERIN: I know when I  
19 contacted you when I was informed about the  
20 video you were already on it. So I  
21 appreciate it.

22 CHIEF DUBERNAS: Also, I'll give you  
23 guys a little FYI now. I couldn't give you  
24 too much information on the incident that  
25 happened on Friday on North Main Avenue. It

1 was a multiple hit deal. I try to give you  
2 as much information as possible. It was due  
3 to the SWAT team being involved. They were  
4 doing multiple hits at the same time. They  
5 hit Phillips Street in Scranton and they did  
6 the house here. They were supposed to do  
7 another one but one of the females involved  
8 they actually got in the house in Scranton.  
9 That's why I didn't put out too much  
10 information. We didn't know the female was  
11 in custody.

12 MR. RUSSELL RINALDI: Chief, two  
13 questions. One, since you brought it up,  
14 great job on that. Great to see the police  
15 getting some good publicity as much we see  
16 we get some backlash for some things. But  
17 great job on that.

18 Secondly, about the grant, the  
19 \$40,000 grant, good job on that as well. Is  
20 that going to all go towards that?

21 CHIEF DUBERNAS: Yeah. When we  
22 applied for the grant we had to put in there  
23 what we were going to use it for.

24 MR. RUSSELL RINALDI: I don't know  
25 what any of that stuff cost.

1 CHIEF DUBERNAS: They're pretty  
2 expensive.

3 MS. BARTOLETTI: We would have liked  
4 a little more.

5 CHIEF DUBERNAS: We applied for 45  
6 to cover everything and have a little extra.  
7 We're very pleased with 40.

8 MR. RUSSELL RINALDI: It's a great  
9 number.

10 MAYOR MULKERIN: You have to submit  
11 a proposal with prices.

12 CHIEF DUBERNAS: I had to get quotes  
13 for everything. Some things went up, some  
14 went down. I have to juggle things around.  
15 She has to sign the paperwork and we can  
16 start getting all the quotes moving forward.  
17 We're going to go with a different company  
18 that it costs a quarter of the price to  
19 upgrade them every five years.

20 MR. RUSSELL RINALDI: My question  
21 was -- and I'm not trying to change your  
22 perspective of what we need. I take what  
23 you say we need. I know you mentioned in  
24 the past about car cameras, you mentioned a  
25 couple times about that speed limit sign and

1 stuff.

2 CHIEF DUBERNAS: We have to apply  
3 for another grant.

4 MR. RUSSELL RINALDI: I was  
5 wondering if there was any left over.

6 Last, about the civil service test,  
7 when we do advertise for that and the people  
8 take it who choose to take it, how long does  
9 that last that it can be used for?

10 CHIEF DUBERNAS: One year. Then you  
11 get -- with our civil service commission you  
12 can actually get a one-year extension. So  
13 it could be a two-year list. A year from  
14 the finalized date. They would give the  
15 test tomorrow and it goes on and the final  
16 list comes out January 1st of 2017. It will  
17 expire December 31 of 2018. January 1 of  
18 2019 you'd have to start again.

19 MR. LENCESKI: Thank you, Chief. At  
20 this time we'll hear from Mr. Lopatka, the  
21 engineer's report.

22 MR. LOPATKA: I just have a couple  
23 things briefly. First, as everyone probably  
24 knows the paving project has started. They  
25 started milling today down at the stadium,

1 with the millings going up to Pagnotti Park.  
2 Paul had them up there spreading it. That  
3 will continue this week. They'll probably  
4 be milling most of the week. I don't have  
5 an overall schedule for them yet. I did ask  
6 for a schedule. I'm kind of waiting for  
7 that to see where they're going to go. I  
8 know that they're going up toward the  
9 school, do those before anything happens at  
10 the school.

11 MS. BARTOLETTI: They started at  
12 Susquehanna Avenue, now the area of George  
13 Street is posted. Do they go and do all  
14 milling first and dig up everything and then  
15 go and pave?

16 MR. LOPATKA: Not necessarily.  
17 Probably come back and start paving soon.  
18 They kind of like to get ahead of the  
19 paving, the millings. So at some point -- I  
20 know they're finishing up some stuff in  
21 Scranton right now, the paving crews. Once  
22 that's all done they'll be bringing them  
23 down here.

24 MS. BARTOLETTI: Someone asked me  
25 how long before they actually pave it.

1 MR. LOPATKA: Shouldn't be that  
2 long. The second thing was just the police  
3 station. We kind of met on that with the  
4 architect. We have a base plan. A survey  
5 was done of the area down there they're  
6 looking to put it in. I actually got a call  
7 from them today. I'd like to set a meeting  
8 up sometime next week with the borough and  
9 go over schedules they have. I will be  
10 sending an e-mail out on that.

11 Dunn Avenue, I know it's been off  
12 the radar a little bit. We're kind of  
13 finalizing the plans. We did make a  
14 submission to PennDOT on the plans. We're  
15 kind of waiting to hear back from them on  
16 the plans, if they have comments. There is  
17 no time frame, I don't think, on that. It's  
18 kind of going to be up to PennDOT when they  
19 get back to us, address the comments.

20 Other than that, I don't have  
21 anything else unless you guys have  
22 something.

23 MS. CORDIANO: Who is the architect  
24 on --

25 MR. LOPATKA: Joe Romanski.



1 MR. RUSSELL RINALDI: Pagnotti Park,  
2 we're paving the parking lot with the  
3 millings.

4 MR. LOPATKA: They're putting the  
5 millings down there.

6 MR. RUSSELL RINALDI: Are we paving  
7 the road?

8 MR. LOPATKA: We're not doing the  
9 road.

10 MR. RUSSELL RINALDI: I know you  
11 can't answer this, but just out of  
12 curiosity. When will the paving project be  
13 complete? I know weather might be involved.

14 MR. LOPATKA: About a month and a  
15 half.

16 MR. RUSSELL RINALDI: There's 36  
17 streets?

18 MR. LOPATKA: Yes, I believe so. I  
19 don't know the exact number.

20 MR. RUSSELL RINALDI: Do we have  
21 them putting our millings down or are we  
22 doing that?

23 MR. PAPI: Earthworks is doing it.  
24 They have a bulldozer on site.

25 MR. RUSSELL RINALDI: So wherever we

1 put our millings down -- Pagnotti, DPW  
2 garage -- Earthworks is doing it, and  
3 Pennsy's just doing all --

4 MR. LOPATKA: They're just doing the  
5 milling. They're bringing it over and  
6 dumping it and Earthworks is taking over.

7 MR. PAPI: Then Pennsy's going to  
8 come back and roll it, then we'll get the  
9 seal coating down.

10 MR. FEBBO: Chief, we met on the  
11 basement and you had several of your own  
12 sketches. Are you okay with what we have  
13 proposed? Did you come up with any other  
14 changes that you're adding to? Any other  
15 ideas that you want to incorporate?

16 CHIEF DUBERNAS: Couple things, but  
17 I'd like to see what they have first. I'd  
18 just like to maybe move the training room to  
19 a different area and the one holding cell  
20 closer to the other end.

21 MR. LOPATKA: Once we have that  
22 sketch, then we can mark it up again and  
23 kind of refine it a little bit.

24 MR. LENCESKI: At this time can we  
25 have the sewer report?

1 MS. YEAGER: I have nothing to add.

2 MR. LENCESKI: Anyone have any  
3 questions for Lucille? One question.  
4 Lucille, with the project that Wince did at  
5 South Main Street, are they suppose to come  
6 back and pour concrete and put blacktop  
7 down?

8 MR. LOPATKA: They are. I did call  
9 them. I'll try and get in touch with them  
10 and try and get something scheduled with  
11 those guys. We did talk to them about it  
12 two or three weeks ago, maybe a little  
13 longer, trying to get a schedule from them  
14 as to when he's going to go back and finish  
15 it.

16 MR. PAPI: Mr. Mazzeo approached me  
17 and said one of his sidewalks has dropped  
18 down because of their project. I think  
19 Wince took pictures. That would be between  
20 him and the contractor. Correct?

21 ATTY. RINALDI: Should be.

22 MR. LOPATKA: I'll look into it.

23 MR. PAPI: His permit is open until  
24 October or November.

25 MR. LENCESKI: Thank you. DPW

1 manager's report?

2 (Mr. Papi read his report, which is  
3 attached.)

4 MR. FEBBO: Paul, could you expand  
5 on the project that took place on Bridge  
6 Street and Drake Street so all council  
7 members can be up to date.

8 MR. PAPI: Basically what happened  
9 is we got called out because of two houses  
10 having sewage back up into their basement.  
11 We tried to flush the sewer line. We went  
12 90 feet and stopped dead. Mike has a feel  
13 for it. He knows if he's in the pipe or  
14 he's out of the pipe. He said I'm out of  
15 the pipe and into something. The pipe's  
16 chopped off. It's right exactly where the  
17 new contractor put in the new catch basin.  
18 So we call LLVSA, they came up. Earthworks  
19 dug it up and, sure enough, there was our  
20 pipe and it was chopped off.

21 So consequently what we had to do is  
22 dig a new hole, make a trench, tap into a  
23 new sewer line. We had to hold up a  
24 telephone pole in order to do that because  
25 the pole was right along -- the dig was

1 right between the catch basin and the  
2 telephone pole. We were in a state  
3 right-of-way. We had state inspectors, gas  
4 inspectors. We had to go through a high  
5 pressure gas line, water lines, electric  
6 lines. It was a tough dig. They had to use  
7 a water hose and vacuum instead of using the  
8 claw on the backhoe.

9 But we got everything cleaned up,  
10 everything vacuumed out, the lines are all  
11 hooked together now.

12 There was a question about who is  
13 responsible, but our sewer authority,  
14 council will meet with Lower Lackawanna and  
15 we can hash everything out to make it all  
16 work. We had to do what we had to do when  
17 we were there to get everything back and  
18 hooked up again. That's pretty much it. I  
19 have a little drawing made up for that so we  
20 can save it for the future. It gives us  
21 something to go on. And that section of  
22 town was not on any of our borough sewer  
23 maps.

24 MR. LENCESKI: I have a question,  
25 Paul. How many hours a week are you

1 working?

2 MR. PAPI: All of them. Every time  
3 I'm here I'm working. I average 40 hours a  
4 week. I don't complaint about going out  
5 here and there. It's part of my job.

6 MR. FEBBO: Let that go until my  
7 report. Then we'll address his schedule.

8 MR. LENCESKI: Thank you. Zoning  
9 code enforcement officer's report,  
10 Mr. Bieryla.

11 (Mr. Bieryla read his report, which  
12 is attached.)

13 MR. FEBBO: High grass, what's  
14 involved when you get a high grass call?

15 MR. BIERYLA: High grass is easy or  
16 high grass is hard. One is high grass, a  
17 resident. If it's a resident, try to  
18 contact them personally without sending out  
19 a letter and informing them of the violation  
20 because I have a little piece of paper that  
21 says 189 of health and sanitation, high  
22 grass. Can't be above six inches.

23 If it's somebody that is a tenant  
24 and the owner is in town or they have  
25 somebody else in town I try to contact them

1 by phone if I have a phone number. If not,  
2 a letter of violation is sent out. I try to  
3 get it done within seven days.

4 The third scenario is, as I stated  
5 in the beginning, the first one, the bank,  
6 if they have a maintenance crew you have to  
7 find out what bank it is, did that bank sell  
8 it to another bank. The one over here at  
9 424 Moosic Road, it was Wells Fargo. Wells  
10 Fargo sold it to Bank of America. Well,  
11 Bank of America, their maintenance crew is  
12 always Safeguard Property. So now you have  
13 to go through a process which takes a little  
14 bit of time to find out what bank sold it to  
15 what bank and what maintenance crew are you  
16 trying to get a hold of. Until I get a hold  
17 of the bank and figure out who it is it  
18 takes some time. In the meantime  
19 everybody's yelling about the high grass.

20 MS. CORDIANO: The empty lot on the  
21 corner of Taroli and Moosic Road, is that  
22 one of the addresses on here? I only  
23 noticed it today how high it was.

24 MR. BIERLYA: Here's what's going on  
25 there. If you see the center not cut, the

1           only reason the center is not cut is because  
2           when Mr. Gilchrist was cutting the lawn,  
3           there's a family of rabbits living there.  
4           So he's waiting for them to kind of  
5           disburse, then that middle section will get  
6           cut out. He is cutting around the edges and  
7           leaving that high.

8                   MR. FEBBO: I see Ms. Macheska. Do  
9           you want to address about that wall  
10          situation while she's here.

11                   MR. BIERYLA: I did give that  
12          letter. I hand delivered the letter in the  
13          mailbox to the next door neighbor and I gave  
14          her a copy, which was like a courtesy  
15          letter, can you please move the wall.

16                   Well, we just sent a letter out for  
17          dangerous buildings because structure is in  
18          that definition of dangerous buildings.  
19          Structure means any form of manmade building  
20          that's a danger or a hazard for the health  
21          and safety of the residents. So they  
22          received that letter this week, so they have  
23          30 days to start, 60 days to finish. They  
24          have within that 60 days to appeal to  
25          council, and if they don't, then it goes



1 right to the magistrate.

2 MR. FEBBO: That's just for the part  
3 that has fallen onto her property. Correct?

4 MR. BIERYLA: No, that's the whole  
5 wall. Right now it's a danger for anybody  
6 trying to traverse in and out of the house.  
7 My main concern in the beginning, until I  
8 really looked up in the code, the definition  
9 of what we could do to help her, was to have  
10 where EMS, parcel, mailman, everybody came  
11 down her stoop because that one big piece  
12 was right in the way. I wanted to try to  
13 get that removed and then see what we can do  
14 to get the rest removed.

15 MR. FEBBO: So they have 30 days to  
16 act?

17 MR. BIERYLA: Thirty days to start,  
18 60 to finish.

19 MS. CORDIANO: When was the letter  
20 received?

21 MR. BIERYLA: Thursday. There's  
22 also one that's certified.

23 MR. FEBBO: Are you okay with that?

24 MS. MACHESKA: I don't know. Well,  
25 I have to be. Right? I mean, there's no

1 movement yet.

2 MR. FEBBO: We'll wait the 30 days  
3 and see what happens after that. We're  
4 bound to give her 30 days to act on it.

5 MAYOR MULKERIN: If they don't start  
6 within the 30-day period it goes right to  
7 the magistrate. Right?

8 MR. BIERLYA: Yes.

9 MR. BROWN: Summer Street. Last  
10 year --

11 MR. BIERLYA: He did procure  
12 Mr. Talerico, and they were going over there  
13 and he was going to do the roof. Once  
14 again, that plastic on the roof was gone.  
15 Then he had Earl over there and the winter  
16 came, and then nothing was done because you  
17 can't do a roof in the winter. So then the  
18 spring came around, I did give -- I did try  
19 to contact him but then kind of forgot about  
20 it with all the high grass and everything  
21 that was coming in, and then I went by again  
22 and I said this is unacceptable.

23 So now he has the same letter I sent  
24 him the last time, the dangerous building  
25 letter, and I told him this was sent to you

1 back on November 14th, if I can remember the  
2 dates right. November 14th and November  
3 18th, somewhere around there, he was trying  
4 to act on it, but then the winter came. I  
5 said the guy can't do anything in the  
6 winter. He can't put a roof on. But now  
7 he's back in the picture because of the fact  
8 that the grass was this high when I went by.  
9 He's just letting it go to pot.

10 Once again, on the environmental  
11 issue, working with Mr. Febbo, I did a  
12 highlight of the most dangerous or needed to  
13 go, and now we're down into the small  
14 portion of cars, abandoned cars. So we're  
15 working with Officer Kimball, myself going  
16 forward trying to take care of abandoned  
17 cars. Every once in a while the high grass  
18 issue still comes up.

19 MR. BROWN: I was just wondering  
20 because I know I saw that and I saw Sussex  
21 Street. These two properties along with  
22 others I've talked about since I've been on  
23 council.

24 MR. BIERYLA: Which one on Sussex  
25 Street?

1 MR. BROWN: The rear.

2 MR. BIERYLA: I had trouble getting  
3 a hold of Mr. --

4 MR. BROWN: The one the tenant  
5 moved, which I don't know. I know we had  
6 issues with it last year on Sussex Street,  
7 the half-double.

8 CHIEF DUBERNAS: He's talking about  
9 176-178.

10 MR. BROWN: Both owned by him. Next  
11 to Kathy Stockey's house.

12 MR. FEBBO: Didn't we stop at that  
13 one, Steve?

14 MR. BIERYLA: Mr. Novak is living on  
15 one side.

16 MR. BROWN: One side is supposed to  
17 be -- there's not supposed to be anybody.

18 MR. BIERYLA: There is nobody on the  
19 right hand side. Where Mrs. Stockey is, the  
20 driveway, that side right there is totally  
21 vacant.

22 MR. BROWN: They do not have other  
23 tenants in the other side. So my question  
24 now becomes is he running a boarding house  
25 within the borough? Because you're saying

1           that the guy from rear Sussex Street moved  
2           across the street to where tenants are  
3           already occupied. So that would be  
4           considered a boarding house if you already  
5           have tenants that are occupying there that  
6           aren't related.

7                   MR. BIERYLA: Once again, Mr. Brown,  
8           you're giving me more information that I  
9           really know, how Mr. Swaydes was. I was  
10          concerned more about the property that you  
11          had questioned where the sheriff has gone.  
12          He told me that that's what he said. He  
13          said Mr. Novak had moved across the street  
14          and he was going to meet with him on  
15          Saturday.

16                   So now I have the phone number.  
17          I'll gladly call him up and we could do an  
18          inspection and find out exactly what's going  
19          on because at this point in time I can't  
20          answer your question and I can't assume that  
21          what you're saying is true. I don't want to  
22          assume.

23                   MR. BROWN: Is there a way -- I know  
24          you've been sending out a lot of dangerous  
25          building notifications and the time these --

1 that are lapsing. People are getting  
2 extensions. Not that I'm against it, but is  
3 there a way we can speed this process up?

4 MR. BIERLYA: Change the code.

5 MR. BROWN: If we can publicly post  
6 like a -- instead of like -- because they're  
7 not being served. If we can publicly post  
8 in the paper hey, this is everybody that has  
9 a dangerous building. Here's your address.

10 Attorney Rinaldi, is that legal?

11 MR. BIERLYA: Mr. Brown, the other  
12 way around that is council do a resolution  
13 to the ordinance on the limit. Cut the  
14 limit down. Right now you have 30/60. You  
15 can cut that down to 10/45, 10/30. You  
16 could do a resolution to change the numbers.  
17 That takes care of it.

18 CHIEF DUBERNAS: What Steve is  
19 saying is, the guy that got arrested by the  
20 sheriff's department was living on Sussex  
21 Street, rear. On 154, I think. The place  
22 gets condemned. Now he gets out of jail, he  
23 doesn't have a place to stay. Mr. Swaydes  
24 gives him another apartment that he has  
25 that's vacant. That's why he's staying

1 at --

2 MR. BROWN: It's not vacant. It's  
3 being rented out by multiple different  
4 people. There's only two bedrooms with  
5 multiple different people.

6 CHIEF DUBERNAS: On the same side as  
7 Stockey?

8 MR. BROWN: Right next door. It's  
9 the left. Numerous people living there with  
10 different license plates from different  
11 states. The other day there was a license  
12 plate from New York there.

13 MR. BIERYLA: I'll approach  
14 Mr. Swaydes, I'll have him give me a list of  
15 whatever is going on, because he seems more  
16 than willing to cooperate to do anything.

17 MR. BROWN: Just a quick question.  
18 Do you think it would help if we made a  
19 resolution to cut down on the days for  
20 ramifications for properties?

21 MR. LENCESKI: I agree.

22 MR. BROWN: I just want somebody  
23 else's opinion. I looked on the internet  
24 and came up with, like, public -- they're  
25 not being served. What I came up with is,

1           like, service by publication. Posting it in  
2           the paper saying these are the people with  
3           dangerous buildings. You have, like, X  
4           amount of days. Then Steve can do what he  
5           needs to do and take them to the magistrate.

6           MR. BIERLYA: The time limit is what  
7           kills you.

8           MR. BROWN: It's days upon days upon  
9           days and then you're back again.

10          MR. PAPI: Not everybody gets the  
11          paper.

12          MR. FEBBO: A personnel letter I  
13          think is better.

14          ATTY. RINALDI: The ordinance says  
15          it's the address on the tax rolls. That's  
16          notice. Once it goes there, that's it. You  
17          have to go to court to do service by  
18          publication.

19          MR. BROWN: It seems like it's  
20          taking forever. It's the same problem I  
21          keep talking about that are still there. I  
22          know they've been cited for dangerous  
23          building, but I don't know what happens  
24          after that.

25          ATTY. RINALDI: Who are we talking



1 about?

2 MR. BROWN: There's a bunch.

3 MR. BIERYLA: I have Cordino.

4 MR. FEBBO: If that's the case, it  
5 makes sense to cut the time factor down as  
6 opposed to advertising. It's 30 days? Cut  
7 it to what, 15? Ten?

8 ATTY. RINALDI: Really the heart of  
9 the ordinance is to have the structure torn  
10 down. I don't know anybody that's going to  
11 tear a structure down in two weeks after  
12 being notified.

13 MR. BIERYLA: At least they have to  
14 start work on it.

15 ATTY. RINALDI: Actually council can  
16 just start taking action. The trouble is,  
17 when you take action we get stuck with the  
18 problem.

19 MR. PAPI: Can't you lower it from  
20 30 days to ten days and then take them to  
21 the magistrate after ten days?

22 ATTY. RINALDI: It's kind of like a  
23 zoning issue. I'll look at it. I don't  
24 know if that's going to --

25 MR. BIERYLA: If you want faster

1           than that you have to cut the time down.

2           ATTY. RINALDI: We can just have a  
3           hearing. If they don't show up for the  
4           hearing we rule. If it's condemned we can  
5           tear it down. It cost money, then we lien  
6           it.

7           MR. BROWN: I'm not for taking  
8           anybody's property or hurting anybody  
9           financially. I just want the properties  
10          corrected. They've been a nuisance for  
11          years, even before I got on council. I'm  
12          just trying to think of new, innovative ways  
13          to address this problem.

14          MR. BIERYLA: I don't know if I said  
15          it before, but the easiest way is to take  
16          the property maintenance code, 2012 property  
17          maintenance code, and don't adopt the whole  
18          code. Just adopt parts of the code that fit  
19          your needs. Then you have more teeth to  
20          bite with because now you're going by a  
21          state code. You have ordinances here that  
22          drag on forever. There's a couple of them  
23          that contradict each other, even. When you  
24          look at one it's ten, you look at another it  
25          says 30. Then you have to go in between to

1 try to make a rational decision. If you  
2 take the property maintenance code and adopt  
3 little sections, which is the state code,  
4 you'll have more teeth, more bite, more  
5 action. It's as simple as that.

6 MR. BROWN: Bill, could you look  
7 into, next meeting, if it would be all right  
8 if we took parts of the property maintenance  
9 code and see --

10 ATTY. RINALDI: I'd rather council  
11 look through it and decide what you want.  
12 It's pretty elaborate.

13 MR. BIERYLA: Best thing is go  
14 through the whole thing. I don't know which  
15 committee you want to do. Everybody meet,  
16 go over which parts you think suit the  
17 borough best, agree on it, adopt it,  
18 advertise it. Now you got the teeth. It's  
19 a state standard. You move on.

20 ATTY. RINALDI: It's not time. If  
21 the person doesn't have the money the  
22 borough goes in, does the work and liens it.  
23 We have two liens out here now -- at least  
24 one for 15 years. We're never going to  
25 collect on it. We can go in and start

1           tearing properties down, but then it's our  
2           money out there liened for whenever.

3           MR. FEBBO:   So we're looking at  
4           either leaving it up, looking at it, or  
5           tearing it down and paying for it.

6           ATTY. RINALDI:   The Chelland  
7           property, we have a lien on that for at  
8           least ten years.

9           MR. BROWN:   The quickest way to see  
10          something done fast, would it be to do,  
11          like, the ramifications of the code? Reduce  
12          the days?

13          MR. BIERYLA:   In our code the time  
14          limit is --

15          MR. BROWN:   If we reduce that, that  
16          would be the quickest way --

17          MR. BIERYLA:   If it's legal for us  
18          to reduce the amount of time, naturally it's  
19          always beneficial. You just don't have to  
20          wait, because as soon as you do one you have  
21          another and you have another. I have a time  
22          sheet in there trying to coordinate them.  
23          Then you're trying to contact them and some  
24          people react on it. Then they say I was  
25          within ten days. But come 60 days I'm not

1 going to do nothing. I wanted to satisfy  
2 the ten-day notice. Then you're kind of  
3 stuck. I have no money. What do you want  
4 me to do. You're going to take blood from a  
5 stone? Go ahead, take me to court.

6 MR. PAPI: Even after ten days is  
7 up, then you file with the magistrate,  
8 you're still looking at five weeks for a  
9 hearing.

10 MR. BIERLYA: I went with Sandy with  
11 this animal cruelty. Grass is this high,  
12 there's dog feces from the mayor to  
13 Councilman Russell, and the dog is going  
14 through it. There's glass. The dog was  
15 walking over the glass. Sandy cited them.  
16 I'll be back next week to check. It's still  
17 there. Sandy cites them, files at the  
18 magistrate. Our date for that dog, which  
19 was in June, is August 24th. It's not fair  
20 to the animal. She can't go in and  
21 physically take possession of that dog until  
22 she has a court hearing. Poor dog has been  
23 suffering.

24 What I didn't say was 424 Moosic  
25 Road, I contacted them on June 6th, June

1 13th. It is now July 19th. I just sent  
2 Safeguard Properties the notice of violation  
3 and a fine because their maintenance crew is  
4 still not there and there's an in-ground  
5 pool. The grass is this high. Anybody  
6 traversing, from where that fence got taken  
7 down, at nighttime is going right in the  
8 pool. I asked them to go out there and just  
9 put a snow fence up and guard it. That is  
10 sent registered for a fine.

11 MR. FEBBO: Every time we turn  
12 around we're handcuffed by the law to try to  
13 enforce the law.

14 MR. BIERYLA: Any more questions?

15 MR. RUSSELL RINALDI: I do.

16 MR. BIERYLA: Oh, really?

17 MR. RUSSELL RINALDI: I'd appreciate  
18 you when I ask you that, like you said to  
19 Councilman Brown as well, don't answer me  
20 like that. "Oh, really"? You didn't say  
21 that to Councilman Febbo when he addressed  
22 you when he said he had questions for you.  
23 Excuse me, you answered Councilman Brown the  
24 same way you answered me. That was going to  
25 be my first question.

1                   Why do you feel that it's okay to  
2                   answer somebody that way? It has to nothing  
3                   to do with me being a councilman or him.  
4                   Just in general. You represent the borough  
5                   of Old Forge. Do you think that's correct  
6                   to answer somebody that way? Yes or no?

7                   MR. BIERYLA: No response.

8                   MR. RUSSELL RINALDI: Yes or no?

9                   MR. BIERYLA: No response.

10                  MR. RUSSELL RINALDI: Because you  
11                  know it's not correct. I'm going to ask you  
12                  one time and one time only. Do not answer  
13                  me that way ever again. I don't answer you  
14                  that way.

15                  Secondly, how many landlords have  
16                  you registered this past year? How many  
17                  landlords have you had register their  
18                  tenants this past year?

19                  MR. BIERYLA: Can't say for sure.  
20                  Sandy's keeping track.

21                  MR. RUSSELL RINALDI: Sandy's  
22                  keeping track? Why would Sandy keep track?  
23                  She's not the zoning officer.

24                  MR. BIERYLA: Well, Marylynn has  
25                  Sandy giving me a hand because Sandy is

1 keeping track.

2 MR. RUSSELL RINALDI: My next  
3 question to you, do you think you need help  
4 in the zoning department office?

5 MR. BIERYLA: I don't need help in  
6 the zoning department, but if you guys feel  
7 that landlord/tenant is going to be coming  
8 up I suggest that council higher a third  
9 party.

10 MR. RUSSELL RINALDI: So do you feel  
11 that you would need some help in that  
12 department?

13 MR. BIERYLA: Not help, I don't want  
14 to do it because it's just overwhelming.

15 MR. RUSSELL RINALDI: Excuse me, you  
16 don't want to do what?

17 MR. BIERYLA: The landlord/tenant  
18 registers.

19 MR. RUSSELL RINALDI: So you're  
20 saying in public you don't want to do your  
21 job?

22 MR. BIERYLA: I'm saying publicly  
23 that physically I can't.

24 MR. RUSSELL RINALDI: So you're  
25 saying publicly that you don't want to do a



1 part of your job description. Is that what  
2 you're saying?

3 MR. BIERYLA: No, what I'm saying  
4 is --

5 MR. RUSSELL RINALDI: Excuse me.  
6 Isn't that he just said? Or am I hearing  
7 things?

8 MR. FEBBO: I believe he said he  
9 didn't want to do that part of the job.

10 MR. RUSSELL RINALDI: Okay. So,  
11 then, you're saying you don't want to do a  
12 part of your job description? I don't know  
13 how else I ask that question. I didn't say  
14 it, you said it. Correct?

15 MR. BIERYLA: Right, I did say it.

16 MR. RUSSEL RINALDI: Okay. So,  
17 then --

18 MR. BIERYLA: Because I wouldn't be  
19 able to do it in the fashion that it needs  
20 to be done because that is overwhelming. I  
21 just gave you a three-page report on  
22 everything that I did.

23 MR. RUSSELL RINALDI: Right. It's  
24 not that you don't want to do it, you can't  
25 do it the proper way because you don't have

1 enough -- whether it be manpower, hours,  
2 time?

3 MR. BIERYLA: All of the above.

4 MR. FEBBO: Russ, to do this --

5 MR. RUSSELL RINALDI: Excuse me,  
6 Councilman Febbo.

7 MR. BIERYLA: All of the above. I  
8 wouldn't have the manpower, I wouldn't have  
9 the time. I'd be working 16 hours a day  
10 just trying to do this job, zoning, code  
11 enforcement and landlord/tenant.

12 MR. RUSSELL RINALDI: Then back to  
13 my third question. Do you feel that that  
14 office needs some help? Your office. Do  
15 you feel it needs some help, part-time help?  
16 Whether they would assist that office in  
17 doing anything. Not just --

18 MR. BIERYLA: On the other part, no.  
19 On the landlord, yes. I don't know if  
20 you're aware of this, Russ, but --

21 MR. RUSSELL RINALDI: I'm aware of a  
22 lot of things but I'll wait to hear what you  
23 say.

24 MR. BIERYLA: Good. Amanda from the  
25 department, we have been compiling a list

1 of -- we're up to the Ds right now. She  
2 does A, B, C, D. She has been compiling a  
3 list of properties and owners that are  
4 residents or that lease them out and are  
5 tenants. I've been doing a walk to verify  
6 that the sewer agency has one unit, two  
7 units, three units and they're billing  
8 properly. Or is it vacant. Do they have to  
9 file a vacancy with Lucille.

10 So right now we're up into the Ds,  
11 we're going into the Es. Once that list is  
12 all compiled that list -- the people are  
13 getting sent the registrations for your  
14 landlord/tenant. Now you know half of  
15 Bennett Street is landlord/tenant. Dunn  
16 Avenue, part of it is. There was a third  
17 unit over on Dunn Avenue. I just sent the  
18 party the letter. The neighbor said that  
19 they snuck it in illegally. Lucille's been  
20 billing, but she can only go back to 2010.  
21 I asked the party to come in, get the  
22 conditional use through council. If they  
23 have the conditional use, fine. If they  
24 just put it in there because they needed it  
25 for family members and the neighbors didn't

1 say anything, we're going to ask them to do  
2 the conditional use and abide by and put a  
3 third one in because that's an R-2 section.

4 So it's not that stuff isn't being  
5 done. We're setting --

6 MR. RUSSELL RINALDI: I never said  
7 stuff wasn't being done.

8 MR. BIERLYA: We're setting a  
9 profile for everybody that's there. Now,  
10 when you get all that done, then you go back  
11 in and you do all your inspections, as your  
12 book says. Council has waived the fee for  
13 the registration. There's 15 more fees in  
14 there that have to be set. My letter to  
15 somebody constitutes a fee. My warning  
16 letter constitutes a fee. Them coming in  
17 front of council constitutes a fee. Going  
18 to the magistrate constitutes a fee set from  
19 time to time by council. None of that part  
20 has taken place.

21 So the steppingstone is to take and  
22 get everybody, see what properties are what.  
23 Like I said, we're going from D to E right  
24 now. All those people will be getting  
25 registered within the next two months. Some

1 of the letters are sent out, some aren't.  
2 But we have a composite list, if you would  
3 like to see it.

4 MR. RUSSELL RINALDI: I would.

5 MR. BIERYLA: Amanda has it on her  
6 desk. She's been helping me out. That's  
7 why I said once that's compiled,  
8 landlord/tenant registering, but it's a slow  
9 process. Like I said, I'm not only helping  
10 the sewer agency out by going door to door  
11 and finding out it was a two, now it's a  
12 one, it's vacant now. You're paying Lower  
13 Lackawanna and you're paying us. You don't  
14 have to anymore.

15 Or you filed a vacancy and now you  
16 have somebody living there. Well, you can't  
17 take the vacancy anymore. So I've been  
18 helping them out and I've been doing that.

19 So I don't know if council's been  
20 aware of that, but that's been going on for  
21 the last couple months.

22 MR. RUSSELL RINALDI: So, then, just  
23 in that area you think you could use some  
24 more help?

25 MR. BIERYLA: In that area for sure

1 because even though I'm taking the time and  
2 I'm doing the steppingstone. This is almost  
3 like a three month process.

4 MR. RUSSELL RINALDI: What do you  
5 think would be better, as the zoning  
6 officer? Do you think it would be better if  
7 we hired a person, advertise and hire a  
8 person, if we hired an inspection company or  
9 agency to do it? What do you think as the  
10 zoning officer? Because you definitely  
11 would have, I think, a better answer and  
12 input than me.

13 MR. BIERYLA: The answer to that  
14 would be don't show any favoritism, don't  
15 show any discrimination. Hire a third  
16 party. They have their own lawyers.

17 MR. RUSSELL RINALDI: A company or  
18 agency?

19 MR. BIERYLA: A company. They have  
20 their own lawyers, they have their own  
21 umbrella policy. They go out. We compile  
22 the list. That's what I meant to say  
23 before. We compile the list. Here you are.

24 MR. RUSSELL RINALDI: Has this  
25 crossed your mind before?

1 MR. BIERLYA: No, it hasn't.

2 MR. RUSSELL RINALDI: Do you have  
3 any in mind?

4 MR. BIERLYA: No.

5 MR. FEBBO: Can I address both you  
6 guys? You're on the right track. He  
7 brought it up back in March. As a matter of  
8 fact, Jen compiled a list of things that we  
9 have an open issue here on the nuisance  
10 properties. One of the things we listed in  
11 here was the environmental committee, where  
12 we list the rental properties and assisting  
13 Steve on enforcing the nuisance properties  
14 as it is written in the borough code.

15 Also, we said we would discuss in  
16 the following month's meeting and we never  
17 addressed it.

18 Next thing. Do we want to bring in  
19 an outsourcing company like Devon proposed?  
20 That's what he's referring to. Not being  
21 disrespectful to you. He and I talked about  
22 that. What he said makes sense because what  
23 you want to do is the right thing. But he  
24 can't -- one person can't do what he's doing  
25 now and also go after this because there's

1 too many of them. So that being said --

2 MR. BROWN: I scheduled committee  
3 meetings with three different companies. I  
4 proposed that, before you guys were on  
5 council, with different companies. I  
6 brought it up multiple times. I said that I  
7 recommended it. I said this is how I feel.  
8 I know that a lot of other council members  
9 may not have been for it, maybe might not be  
10 now. But we spoke about this previously.

11 MR. FEBBO: You're correct, I wasn't  
12 here back then. But since I've been working  
13 with Steve on these issues that has come  
14 back to the surface again, and how do we  
15 deal with it has come to the surface, and  
16 the most logical way that we had discussed  
17 was go back to what you had referred to in  
18 this part here. Again, this is back in  
19 March when we addressed this, and to this  
20 date we have not met on it or discussed it.

21 MR. BIERLYA: In doing it and  
22 compiling all this information for it,  
23 because it takes a lot of time, you can see  
24 that in order to enforce it properly and not  
25 just because the police had a call and you



1           went or you had a landlord call you with a  
2           tenant, complaining about what's going on,  
3           in order to enforce this properly, my  
4           personal opinion is you need a third party,  
5           non-discriminatory people that would do  
6           something with it.

7                     The only bad part about it is right  
8           now the zoning code office is compiling that  
9           list and making sure that that list is  
10          correct. So a lot of time and footwork has  
11          been, so far, put into that.

12                    So to do it, you get a call -- I  
13          have it here. Tenant calls, go check, come  
14          back. A, B, C, D, E, go and knock on  
15          everybody's door just because you had the  
16          time to walk the streets to see if there's  
17          two gas meters, two electric meters, and  
18          then double check because Lucille might have  
19          a question -- sewer agency have a question  
20          and you go back to that one again and ask  
21          the people if somebody is there, isn't  
22          there, try to see -- Councilman Rinaldi  
23          asked me about 165 Drake Street. The one  
24          apartment there is vacant. The guy called  
25          me up. He wants me to come down to check it

1 out and verify the one is vacant and what  
2 he's doing.

3 All that is time. Before I as the  
4 zoning officer do that it could be done.  
5 When you have so much more on your plate,  
6 that can come up in front of you. Maybe  
7 during the wintertime you can get it done,  
8 but you can't do it at prime time summer and  
9 going into the fall because there's just so  
10 many more issues that have to be addressed.

11 MR. RUSSELL RINALDI: So to recap,  
12 if Councilmen Febbo and Brown are done, so  
13 to echo off Councilman Febbo, he's correct,  
14 we have been talking about it since March,  
15 but we have been here a lot longer than  
16 March and we've been talking about and  
17 discussing it for two years. So I'm not  
18 trying -- and you know I've talked in the  
19 past about it many times. We all did in  
20 public meetings.

21 I'm not pointing the blame to the  
22 office. We're the council. We're the ones  
23 who make the decisions on what goes on as  
24 far as department offices. Who we put in  
25 them, who we don't. If we want to hire

1 somebody else, if we don't. That's our  
2 decision.

3 That's why I'm asking you and I've  
4 been asking you if you think you need help  
5 in that office. Last year you said no, no,  
6 no. Then in November of last year you did  
7 an interview and you said you needed help.  
8 Then we discussed it for a awhile. I think  
9 we discussed it in January, then it went  
10 until, Councilman Febbo said, in March we  
11 discussed it again. So now we're into July  
12 of 2016. I can say that we've been talking  
13 about it for years, the people who have been  
14 here for a few years, whether it be  
15 Councilman Lenceski, Mayor Mulkerin,  
16 Councilman Brown, Marylynn. I'm not calling  
17 any of you out, I'm just saying you've been  
18 here. I'm only speaking for myself here.  
19 We've been talking about it for years.

20 I, along with everybody else who  
21 sits up here, and I'm going to say even  
22 including you and the other people who work  
23 for the borough or who are a part of the  
24 borough, we want to see a solution to it. I  
25 want to know what that office needs to get

1 the best possible correction going on the  
2 street, whether it's an agency, another  
3 person. The summers are busy. These things  
4 get longer and longer every month. I'm not  
5 saying that the blame is all on you. I  
6 think we should take some of the blame.

7 So agency? Person? I have my  
8 answer, so I'm going to go forward with it.  
9 I think that office definitely needs to be  
10 expanded somehow in agreement with you  
11 giving me that same response. Correct?

12 MR. BIERLYA: Well, like I said, on  
13 the zoning and this here part with the  
14 streets I can handle. Taking on the  
15 landlord/tenant inspections, if they want to  
16 try and get the fire chief, which you should  
17 so they can mark off what kind of furnace  
18 they have, is it gas, are they doubled up  
19 downstairs, so they know, God forbid,  
20 somebody had a fire. Every one they could  
21 mark off with the tenants. Not on a regular  
22 house because a regular house you know what  
23 you're going to have. But in doing it now,  
24 before October, November, everything slacks  
25 off, you think you can do it and you keep up

1 with it a little bit.

2 Now, prime time, grass, leaves, this  
3 that, you just can't. There's not enough  
4 time.

5 MR. RUSSELL RINALDI: I'm all for  
6 expansion of that office, whether it's to  
7 hire a part-time person, whatever council  
8 majority decides, or whether it's an agency.  
9 Whatever it is, I want to find a solution.

10 Thank you for your answer. I have  
11 nothing else.

12 MR. RUSSICK: You need a standard  
13 when you go out to do inspections. The  
14 standard should be the international  
15 building code, property maintenance code.  
16 You need the standard. You don't have a  
17 standard now. If you have an apartment  
18 building with over four apartments that  
19 boiler in that building requires a state  
20 license.

21 There's a big responsibility on  
22 council's part. You can make it easy on  
23 yourself. Third party inspection agency  
24 makes a lot of sense.

25 MR. FEBBO: I agree. I'm learning

1 here as we go along. Russ, I spend a lot of  
2 time with Steve because it has been an  
3 issue, so I wanted to find out exactly where  
4 we're at and what goes on. We have gotten  
5 to the point where everything's -- he's busy  
6 and so is Paul. They're really up. I've  
7 been spending a lot of time with him in the  
8 office and on the road, again, just to see  
9 what he does. I have the time to do it.

10 MR. RUSSELL RINALDI: I have time to  
11 do it. When could you take me on the road?  
12 Because, I mean, I would love to go on the  
13 road. I have a zillion, a zillion places  
14 that we can check out -- well, I can point  
15 to for you to check out because I have no  
16 authority.

17 MR. FEBBO: It's not a matter of  
18 checking out, it's a matter of what he has,  
19 what's on the code and what he's doing.  
20 That takes us into what Devon talked about  
21 and where you want to go. We have opened  
22 that up now because it is a problem and we  
23 see the problem. He can cover everything  
24 that he's covering, but to expand his job  
25 description to another level and do what we

1           feel we have to do with these properties may  
2           require another person, may require an  
3           outside source. Have a professional who  
4           inspects everything.

5           Now, that being said, if you want to  
6           go with him on the road, but also let's sit  
7           down and brainstorm a little bit about how  
8           we can better help get things done and also  
9           move forward with what Devon was talking  
10          about with a third outfit to come in here.

11          MR. RUSSICK: If you hire a third  
12          party inspection agency the owner of the  
13          property pays for the inspection.

14          MR. RUSSELL RINALDI: It costs the  
15          borough nothing.

16          MR. BROWN: If the borough does  
17          decide to set fees, these inspection  
18          companies would give a percentage to the  
19          borough.

20          MR. RUSSELL RINALDI: The borough  
21          actually makes money.

22          MR. BROWN: If they decide --  
23          currently as we have it the fee is waived.  
24          But if the borough ever decided to charge a  
25          fee the borough would potentially stand to

1 make revenue off it.

2 MR. RUSSICK: That's the fallacy of  
3 inspections. It's only to sustain the  
4 program. That's the law.

5 MR. RUSSELL RINALDI: My purpose  
6 would be, as a councilman and as a person  
7 who has one vote out of seven, is not to  
8 make money. It's to get the property  
9 straightened out, get the tenant or the  
10 landlord, whoever's at fault, straightened  
11 out, make the property more safe to live in  
12 for them who are there, for people around  
13 them, and for potential future -- whether it  
14 was -- I'm not saying this is even the case,  
15 but incidents that happened up on Main  
16 Street, there, or incidents that happen at  
17 any other place in the area in Old Forge.  
18 That's my first thing, and I'm sure that's  
19 everyone who sits up here.

20 I just said it wouldn't cost the  
21 borough money. It could make money, whether  
22 people were to be fined because they didn't  
23 get done in time, because Steve maybe didn't  
24 have enough time to follow up this month,  
25 went to the magistrate. That 30 days



1 changed to the ten days. I'm just saying a  
2 few things. Maybe it would make the borough  
3 money. I'm not looking to make the borough  
4 money because of it, I'm looking to make the  
5 borough safe.

6 MR. FEBBO: Russ, go forward. Let  
7 him do what we're doing with Amanda. As a  
8 matter of fact, come into the office, sit  
9 down with Steve, let him explain that to you  
10 with Amanda and Sandy.

11 At the same time, Devon, if you  
12 would check into it as you did before,  
13 perhaps come up with the other solution so  
14 when he gets done with his list we can get  
15 that list and go after what we're talking  
16 about with outside parties to get involved  
17 with it.

18 MR. RUSSICK: The property  
19 maintenance code.

20 MR. BROWN: Or we can go off the  
21 current one that we have.

22 MR. BIERLYA: You don't have the  
23 2012 property maintenance code.

24 MR. BROWN: What about the one that  
25 we have on our books now that you're

1           registering people for? The one that says  
2           the property has to be registered in the  
3           code.

4                   MR. RUSSICK: You don't have the  
5           tools. I know your code. Adopt the  
6           internationally standard code and it makes  
7           it easy. When you go before the magistrate  
8           you have all the documentation you need.

9                   MR. LENCESKI: How would we go about  
10          adopting the international property  
11          maintenance code?

12                   ATTY. RINALDI: I would suggest you  
13          read it first before you adopt it. There's  
14          a lot of requirements you're going to place  
15          on residents and tenants and landlords. So  
16          read it before you know what you're putting  
17          on top of them.

18                   MR. BROWN: Mr. Russick, you brought  
19          that to our attention back in January. You  
20          gave us a packet about it. I did read  
21          through it. It is a big book.

22                   MR. LENCESKI: Very thorough.

23                   MR. BROWN: What Steve said, like,  
24          taking bits and pieces here. Would that be  
25          more beneficial than adopting the whole

1           thing or would that be more legal, would you  
2           say? That's what I'm thinking of.

3           ATTY. RINALDI: You have to have the  
4           personnel to enforce the whole thing. It's  
5           great for New York City, Philadelphia that  
6           have large apartment structures, that have a  
7           lot of requirements. You're talking about a  
8           borough here, and it was never intended to  
9           be adopted by small communities. That's why  
10          it's an opt in or opt out. That's why I  
11          suggested council read it first before they  
12          decide they want to adopt it so they know  
13          what they're putting on themselves and other  
14          people in the community. There's a lot of  
15          regulation there.

16          MR. FEBBO: What about piecemealing?

17          ATTY. RINALDI: You can adopt  
18          certain parts of it, sure.

19          MR. RUSSELL RINALDI: Bill, as legal  
20          advisor for us would you be able to get us  
21          some information on the best possible code  
22          you think would work for Old Forge Borough?

23          ATTY. RINALDI: There is only one  
24          code and it's big. You have to pay for it.  
25          I think you have a copy of it.

1 MR. BIERYLA: Mr. Lenceski and me  
2 went to the class.

3 MS. BARTOLETTI: We have discussed  
4 this several times, obviously, from Devon,  
5 when you brought it up. I don't know if you  
6 remember, but the reason why it never went  
7 forward is because no one was able to really  
8 agree on the fact of having this burden or  
9 this charge from the outside company put  
10 onto the people who own the apartment. When  
11 we discussed it the last time that's where  
12 it was left off. So we need to pick up from  
13 there.

14 But I just wanted to refresh  
15 memories that that's why it was left off,  
16 because of the decision to put those charges  
17 on the people who own the apartment  
18 buildings.

19 ATTY. RINALDI: That's why the fee  
20 schedule, either you have to adopt the  
21 landlord/tenant. The fees were never  
22 adopted because it was never determined  
23 whether you were going to hire someone. So  
24 that the fees would be enough to cover that  
25 person's salary to do that work.

1 MR. RUSSELL RINALDI: What person's  
2 salary?

3 ATTY. RINALDI: When you first  
4 adopted the landlord/tenant ordinance we put  
5 a -- it wouldn't take effect for some time  
6 because there was a lot of work entailed in  
7 getting a list together. You really have to  
8 do a survey of the whole town and go door by  
9 door. So the fees were never adopted with  
10 that because council didn't know what they  
11 wanted to establish for all the fees, and  
12 the fees would have to cover the costs of  
13 that program, which would be the salary of a  
14 person --

15 MR. RUSSELL RINALDI: If we hired a  
16 part-time person to do it?

17 ATTY. RINALDI: Nobody was sure how  
18 they wanted to implement it at the time.  
19 That's why it was pushed off. The effective  
20 date, I think, was, like, nine months.

21 MR. BIERYLA: The only reason that  
22 got started was because council waived the  
23 registration fees. You couldn't initiate it  
24 without having a fee. Council did waive the  
25 registration fee, and that's how the letters

1 started getting sent out. You couldn't send  
2 them out before that without a fee.

3 ATTY. RINALDI: Even before -- the  
4 registration fee had nothing to do with it.  
5 We pushed off the effective date so that  
6 council could implement how it's going to  
7 work because everybody wanted it enacted but  
8 nobody knew how you were going to make it  
9 work. They just wanted the registration  
10 program but nobody sat down to think it  
11 through how to get that program going. We  
12 suggested you get from the tax collector a  
13 list of all the properties, and you  
14 literally have to go to each property and  
15 see which ones are multi-units, working hand  
16 in hand with Lucille, see how many units she  
17 bills for a residence. But you have to  
18 compile that list before you can go forward.

19 MR. FEBBO: That's what you're  
20 doing. Right?

21 MR. BIERLYA: Yes.

22 MR. LENCESKI: At this time I'd  
23 suggest we move forward. I think we all  
24 spoke enough about this. I think all the  
25 councilmen, councilwoman should look into

1 the international property maintenance code  
2 so we can discuss more about it at our next  
3 work session and have a better idea exactly  
4 what it entails.

5 MS. CORDIANO: So maybe for the work  
6 session, maybe, again, brainstorming because  
7 we're exactly in the same spot we were in in  
8 March. We had the exact same conversation  
9 in March, and yet we've done nothing. So  
10 I'm asking all council members to come to  
11 the work session with your ideas. Do you  
12 want to assign this to a committee, are we  
13 leaning more towards a part-time, are we  
14 leaning more towards an agency. But  
15 everyone needs to come to the table with  
16 ideas and we need to sit here and discuss it  
17 for, like, an hour because we're not making  
18 any progress and we're still where we were  
19 in March.

20 MR. BROWN: Well, in order to set  
21 that topic for the agenda would everybody be  
22 in agreement --

23 MR. LENCESKI: For a work session we  
24 don't need to set it.

25 MR. BROWN: For us, everybody here,