

1 OLD FORGE BOROUGH COUNCIL

2 OLD FORGE, PENNSYLVANIA

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4
5 IN RE: COUNCIL WORK SESSION
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9 OCTOBER 3, 2017

10 7:00 P.M.

11 OLD FORGE MUNICIPAL BUILDING

12 314 SOUTH MAIN STREET

13 OLD FORGE, PENNSYLVANIA
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18 COUNCIL MEMBERS:

19 ROBERT SEMENZA, PRESIDENT

20 JOSEPH LENCESKI, VICE-PRESIDENT

JOSEPH FERRETT

21 RUSSELL RINALDI

LOUIS FEBBO

22 RICK NOTARI

WILLIAM RINALDI, ESQUIRE, SOLICITOR

23 MARYLYNN BARTOLETTI, BOROUGH MANAGER
24
25

Mark Wozniak
Official Court Reporter

1 MR. SEMENZA: Good evening, ladies
2 and gentlemen. Welcome to the October 3rd
3 work session of Old Forge Borough Council.

4 (The Pledge of Allegiance was
5 recited.)

6 MR. SEMENZA: Once again, welcome to
7 the October 3rd work session of Old Forge
8 Borough Council. The purpose of tonight's
9 meeting is to set the agenda for our regular
10 council meeting, which will be October 17th.
11 We'll hear from our department heads, see if
12 there's anything for the agenda. We'll go
13 down the table, see if council has anything
14 to address.

15 There's a public sign-in sheet if
16 anybody from the audience would like to sign
17 in. Paul Papi, DPW?

18 MR. PAPI: I don't have anything.

19 MR. SEMENZA: Anybody have any
20 questions for Paul? Roll call, please.

21 MS. BARTOLETTI: Councilman Brown is
22 absent. Councilman Notari?

23 MR. NOTARI: Present.

24 MS. BARTOLETTI: Councilman Febbo?

25 MR. FEBBO: Here.

1 MS. BARTOLETTI: Councilman Ferrett?

2 MR. FERRETT: Here.

3 MS. BARTOLETTI: Councilman Rinaldi?

4 MR. RUSSELL RINALDI: Here.

5 MS. BARTOLETTI: Councilman

6 Lenceski?

7 MR. LENCESKI: Here.

8 MS. BARTOLETTI: Councilman Semenza?

9 MR. SEMENZA: Here. Steve?

10 MR. BIERYLA: Nothing at this time.

11 MR. SEMENZA: Anybody have any
12 questions for Steve?

13 MR. NOTARI: How is the Perrone
14 thing going on Orchard Street? Was he
15 served? What did we do? We made the
16 decision.

17 MR. BIERYLA: I'm going to file with
18 Teddy.

19 ATTY. RINALDI: He was served. I
20 got copy of it.

21 MR. NOTARI: He has 30 days to
22 appeal?

23 ATTY. RINALDI: Thirty days to
24 appeal.

25 MR. NOTARI: How many days does he

1 have to actually begin whatever he's going
2 to do?

3 ATTY. RINALDI: He's got between ten
4 and 60 days from -- no, 30 days from the
5 hearing we made the findings of fact. We
6 issued the order. Thirty days, he's got, to
7 appeal. Any decision by council is 30 days.

8 MR. NOTARI: He has 30 days to
9 appeal, but how many days does he have to
10 begin either tearing the building down or
11 remodeling it?

12 ATTY. RINALDI: Ten days and
13 complete it within 60. So upon receipt of
14 the notice. He got the certified mail, you
15 get the card back, he's got ten days to do
16 something.

17 MR. NOTARI: Either way he would
18 need to come in for a permit. Right?

19 MR. BIERYLA: Without a doubt, yes.

20 MR. SEMENZA: Anybody else? Thanks,
21 Steve. Dave, engineer's report, please.

22 MR. LOPATKA: Just quick, actually
23 we were talking a little bit about the
24 housing authority last meeting. I talked to
25 them again today. I have to actually get

1 them, like, one or two more pieces of paper.
2 I think the certificate of insurance and
3 something else that he has to send to HUD.
4 That's still being worked through, and
5 supposedly they're still doing it. But I
6 don't have any final verification at this
7 point.

8 ATTY. RINALDI: I can add to that
9 that their solicitor told me he was told by
10 the whole housing authority get this done,
11 make sure Pennsy comes back. So he's on
12 notice to get that done.

13 MR. LOPATKA: I gave him the
14 information. I e-mailed it directly to him,
15 whatever he asked me for today. So I don't
16 think there's anything else holding it up on
17 his part.

18 MR. SEMENZA: So the ball's in his
19 court.

20 MR. LOPATKA: That's that. I have
21 the surveyor working on shooting property
22 corners for East Grace because we need
23 easements, and I'm getting together -- I
24 don't have it finished, but the Corcoran
25 Street. You guys have to put that out for

1 bid. That's pretty much what I've got on
2 the table right now.

3 We are supposed to be having a
4 meeting with the architect with regard to
5 the building.

6 MS. BARTOLETTI: Possibly Thursday
7 of this week or next week?

8 MR. LOPATKA: I don't know. Shoot
9 an e-mail out to them.

10 MS. BARTOLETTI: I did. I'm waiting
11 for an answer back.

12 MR. LOPATKA: I don't remember
13 getting one.

14 MS. BARTOLETTI: I'll resend it
15 tomorrow.

16 MR. LOPATKA: That's all that I have
17 for now.

18 MR. SEMENZA: Anybody have any
19 questions for Dave?

20 MR. NOTARI: I saw Smith Street
21 redone. Is the paving project finished?

22 MR. LOPATKA: I did call and talked
23 to them about Winter and Amity from last
24 year, and he said when they come back to do
25 the housing project -- before they come back

1 I'm going to look at it and show them what
2 the issue is.

3 MR. RUSSELL RINALDI: Those couple
4 houses on the corner?

5 MR. LOPATKA: Yes. I talked to him
6 about it and put him on notice there.

7 MR. RUSSELL RINALDI: The one
8 driveway is puddling bad. It's a sheet of
9 ice.

10 MR. NOTARI: At the end of Winter.

11 MR. LOPATKA: There is actually an
12 inlet there which, if they grade a little
13 bit, all the water would go to the inlet.

14 MR. RUSSELL RINALDI: We looked at
15 it last year.

16 MR. LOPATKA: I was talking to him
17 prior to the paving project. I don't know
18 if he bypassed it. I asked him about it and
19 they didn't do anything with it, so I told
20 him about two weeks ago again. So I'm going
21 to meet him prior to them coming back in to
22 do anything for the housing authority.

23 MR. FERRETT: What about the roads
24 on the paving project? The bid was only
25 \$447,000. About a change order.

1 MR. LOPATKA: That would be up to
2 you guys whether or not we wanted to add
3 something to it.

4 MR. FERRETT: What do you mean?
5 There's a motion in the books that we do a
6 \$600,000 paving project. That's what every
7 councilman voted on, and the bid only come
8 in at 447. So are we not entitled to a
9 change order to come up with the \$600,000?

10 MR. LOPATKA: You guys tell me if
11 you want to add roads.

12 MR. FERRETT: Bill, what's the legal
13 position on this matter?

14 ATTY. RINALDI: You guys have to
15 tell him what roads you want to add, he
16 tells the contractor.

17 MR. FERRETT: Well, he knows all the
18 roads because he picked the roads out.

19 ATTY. RINALDI: That's up to council
20 to say do it. He's waiting to hear.

21 MR. FEBBO: What about the ten
22 percent?

23 ATTY. RINALDI: That can be worked
24 out.

25 MR. LOPATKA: As long as what you're

1 doing isn't liquid fuels money. The above
2 and beyond stuff. So you can add them.
3 Tell me what you want to add. I can show
4 you. We measured a bunch of extra roads
5 that we took off. If you need to add them,
6 tell me.

7 ATTY. RINALDI: One meeting to
8 approve them and hopefully they can get them
9 done.

10 MS. BARTOLETTI: What's the
11 deadline, October 31st?

12 MR. LOPATKA: From PennDOT's
13 standpoint it is. Last year they paved up
14 until Christmas because of the weather. The
15 plant will stay open but PennDOT has their
16 deadline.

17 MR. FERRETT: My point, what I'm
18 trying to say, is that we originally got in
19 a position where every councilman
20 automatically voted 100 percent to do
21 \$600,000 paving. So that's already on the
22 books. Now, since the bids went out and we
23 only came in with 440, why are we not
24 entitled to put a change order in to get
25 this?

1 ATTY. RINALDI: You are entitled to
2 do it but you guys have to pick the streets.

3 MR. FERRETT: He already has the
4 streets.

5 MS. BARTOLETTI: Can you do all of
6 them? You guys have to tell him of the ones
7 that are left over on your list. If there's
8 ten streets and you can do three you have to
9 tell him these are the ones I want to add
10 on.

11 MR. FERRETT: I understand what
12 you're saying, but if you recall very
13 distinctly there's people sitting at this
14 council table said let the engineer pick the
15 streets out, whatever streets it is, and
16 that's what we done. We went around -- the
17 committee went around, he picked the streets
18 out that he thought was necessary, and the
19 remaining streets, whatever money's
20 available, that's up to him to say council,
21 I think these streets or four streets are
22 the next streets that should be picked out.

23 MR. LOPATKA: I can tell you what
24 the next four are, but it's not up to me to
25 decide whether to spend your money. You

1 guys have to tell me.

2 MR. FEBBO: Tell us what four
3 streets.

4 MR. RUSSELL RINALDI: I think Joe's
5 just saying what ones would you recommend.

6 MR. LOPATKA: I'll get the list.

7 ATTY. RINALDI: Either way, you guys
8 have to say okay, here's the list of the
9 changes. Approve it.

10 MR. LOPATKA: Whatever I can do
11 based off the numbers.

12 MR. SEMENZA: Could you get that to
13 us?

14 MR. LOPATKA: Yes, I'll e-mail that.

15 MR. FERRETT: I want to make sure
16 there's some progress going forward and
17 everything. I don't care what streets are
18 picked, who picks the street. Doesn't
19 bother me.

20 MR. LOPATKA: I remember when we did
21 this we put it high which ones we thought
22 were better.

23 MR. FERRETT: That's why we left it
24 up to you and everything. I really think a
25 change order should go right in place

1 without any question or doubt because it's
2 already on the books already to go ahead and
3 do it.

4 MR. LOPATKA: You have to tell me to
5 proceed and I can do that.

6 MR. FEBBO: For the sake of time,
7 because you're talking about the weather and
8 everything else --

9 ATTY. RINALDI: It's got to be next
10 meeting.

11 MR. FEBBO: Or can you recommend
12 four roads to Marylynn and then just tell
13 us?

14 MR. LOPATKA: Maybe there's five or
15 whatever we can do.

16 MR. FEBBO: Can we preapprove that?

17 MR. SEMENZA: Get it to Marylynn and
18 she'll get it to every council member.

19 MR. LOPATKA: You guys approved the
20 \$600,000. We would just put together a
21 change order. The change order I can put
22 together.

23 MR. SEMENZA: By the 17th.

24 MR. LOPATKA: I will send Marylynn a
25 list of the streets and what we think fits

1 under that number tomorrow.

2 MR. SEMENZA: All right. Anybody
3 have anything for Dave? Thanks, Dave.
4 Chief, you're up.

5 CHIEF DUBERNAS: I have nothing for
6 the agenda. Just a couple things. The
7 civil service list is now in effect. It was
8 certified on Friday, the 29th. The list is
9 up.

10 Our one car will be back Friday that
11 was hit.

12 Friday at 6:30 Officer Bernardi is
13 receiving an award at the courthouse for
14 CIT. He was the officer that won it for the
15 whole entire northeast region of
16 Pennsylvania. Out of six counties, he was
17 the one that was the recipient of the award.

18 MR. SEMENZA: Great. Anybody have
19 any questions for the chief?

20 MR. NOTARI: Chief, is that list
21 posted?

22 CHIEF DUBERNAS: It's up there since
23 Friday. It has to be posted. It's good for
24 one year, then you guys can ask the civil
25 service for another extension up to a year

1 from Friday, the 29th.

2 MR. LENCESKI: What was the award
3 for?

4 CHIEF DUBERNAS: CIT. It's for,
5 like, mental health delegates for crisis
6 intervention. It came out approximately
7 eight, nine years ago. The city of Scranton
8 adopted it ever since that incident that
9 happened with the Brenda Williams shooting
10 up there in the city of Scranton. They came
11 out with this CIT program. Pretty much a
12 majority of the officers in the area have
13 it. Almost every office in our department
14 has it.

15 MR. NOTARI: Can we promote that a
16 little bit, get a picture once he gets the
17 certificate? Maybe with you and him and put
18 it on Facebook and maybe send it to the
19 Tri-Boro.

20 MR. SEMENZA: All council, mayor.

21 MR. NOTARI: Maybe at the next
22 meeting we can bring him in.

23 CHIEF DUBERNAS: He'll be here.

24 MR. SEMENZA: Have him come to the
25 17th meeting. Anybody have any questions

1 for the chief? Thank's, Chief. Bill,
2 solicitor's report?

3 ATTY. RINALDI: I don't have
4 anything really coming up for the next
5 meeting that I can think of right now.

6 MR. SEMENZA: Anybody have any
7 questions for Bill?

8 MR. FERRETT: Bill, I got to ask you
9 one question. It sort of bothers me a
10 little bit because of the fact that I'm just
11 wondering whether we're going to get into
12 the same position we got into with the
13 Rosemount situation. On October 16th, this
14 hearing date that you got up in the
15 courthouse --

16 MR. SEMENZA: The 17th.

17 MR. FERRETT: Whatever it is. Is
18 this judge going to go to work and threaten
19 these council people that they got to raise
20 their hand and say now, this is what I want
21 you to do and you's all got to agree to this
22 and everything? Because I'll tell you
23 something, I'm not in favor of paying this
24 guy this money, what he got and everything.

25 ATTY. RINALDI: That's why we're

1 doing a hearing.

2 MR. FERRETT: I understand that, but
3 what did Minora do the last time? He made
4 everybody raise their hand and they all got
5 scared and said yes, okay.

6 ATTY. RINALDI: He's going to take
7 evidence from both sides. He wants to make
8 sure all councilmen are there. He put down
9 two or three days for the hearing.

10 MR. FERRETT: This is a disgrace,
11 that we got to go through this kind of stuff
12 to pay for something like this that we don't
13 have to be paying for which is no fault of
14 our own. So somebody better do something.
15 Something better go on. You're going to
16 have to maybe drag me out of my house or put
17 me in jail because I'm not going through
18 these type of deals like this. This don't
19 make sense.

20 ATTY. RINALDI: I'm not going to
21 drag you but a sheriff might.

22 MR. SEMENZA: That's it, Joe?

23 MR. FERRETT: Go ahead.

24 MR. NOTARI: Bill, any update on the
25 police contract?

1 ATTY. RINALDI: Did they get copies
2 of my last letter? I sent the letter, as we
3 discussed, and have not heard. I sent it to
4 Dave Solfanelli and he hasn't heard from
5 them. He said he would forward it to the
6 department and we're waiting.

7 MR. SEMENZA: Anything else?
8 Anybody else? Marylynn, you're up.

9 MS. BARTOLETTI: I don't really have
10 anything to discuss tonight.

11 MR. SEMENZA: Anybody have any
12 questions for Marylynn?

13 MR. NOTARI: Mare, how's the website
14 coming?

15 MS. BARTOLETTI: Real good. It's
16 probably going to be completely active the
17 next week or so.

18 MR. NOTARI: Excellent.

19 MR. SEMENZA: Anybody else? Thank's
20 Marylynn. Go down the table, see if any
21 council members have anything to address.
22 Councilman Notari?

23 MR. NOTARI: No, nothing at this
24 time.

25 MR. RUSSELL RINALDI: I have no

1 items, but I just want to share with council
2 an incident that happened last week with
3 Chief Dubernas -- it was a good one -- and
4 two of ours officers.

5 Friday morning I'm sitting at work
6 with my brother. We get a phone call from
7 his wife saying there's somebody on our back
8 porch, Bob. I don't know. Some kid came to
9 the door, he seemed out of it. He was
10 looking for Lafayette Street. I said I
11 don't know where that is, can you please get
12 off my property, so he did.

13 About a minute later me and my
14 brother Bobby go for a ride, see the kid
15 walking on Main Street. He seems to be a
16 little bit out of it. We pull over, we ask
17 the kid if he's all right, this and that.

18 Make a long story short, I called
19 the police because something just seemed
20 off. Chief Dubernas pulls up with Officer
21 Buggy and Officer Kimbal, they go through
22 the procedures with the kid and they're
23 asking him his name and doing their
24 investigative work.

25 Next thing you know Officer Kimbal

1 asked the kid if he has anything on him, do
2 you have any weapons on you, any dangerous
3 things on you or anything, he said no, no.
4 I guess he asked him for his ID, and when he
5 went to take his wallet out of his pocket
6 his shirt popped up and here comes a gun.
7 Not drawn, just Officer Kimbal saw the gun.
8 When he saw it he reached and he grabbed the
9 gun off of him. The kid goes to take off --
10 and it's going to sound funny in the
11 beginning but it really wasn't. It was
12 pretty scary.

13 Chief Dubernas, I'll going to tell
14 you, he reacted so fast. I mean, so quick.
15 He grabbed the kid, apprehended him right
16 down to the ground, right on top of him.
17 The kid was trying to get away. The other
18 officers came over as well and they helped.
19 I told him if he needed me to I was going to
20 run over there but he had it perfect. I'm
21 going to tell you, he had it perfect.

22 The kid had a stolen gun, loaded
23 gun. I mean, God knows what he was going to
24 do with it or could have. But I'm going to
25 say Officer Kimbal, Officer Buggy, and

1 especially Chief Dubernas, they did a
2 fantastic job. If you saw the way he
3 handled this kid -- and he wasn't a small
4 kid. You got right on him and you did
5 great, and I just want them to be aware of
6 that. It could have turned so bad for a few
7 people. Great job. We want to thank him
8 for that. That's all I have.

9 MR. FERRETT: Nothing.

10 MR. FEBBO: Nothing.

11 MR. LENCESKI: Nothing.

12 MR. SEMENZA: And I have nothing.
13 Joe Moniak, you're up.

14 MR. MONIAK: Well, I just want to
15 find out if anything was done recently from
16 the last meeting. Okay? Now, Mr. Febbo
17 told me that they treated me and this and
18 that and all that kind of stuff, so what I'm
19 getting at, when I got home I thought about
20 this stuff. How, you know, he said that I
21 was given more privileges or whatever word
22 you want to use, and I got a question for
23 you. Did I ask to put a sign by Wansacz?

24 MR. FEBBO: What sign are you
25 talking about?

1 MR. MONIAK: Did Joe Moniak ask to
2 put that sign there?

3 MR. FEBBO: I don't know what you're
4 talking about.

5 MR. MONIAK: You said I asked for
6 privileges.

7 MR. FEBBO: Joe, I believe what I
8 said was you ask for a lot of things, more
9 so than the rest of the community. I, too,
10 when I left here I thought about it. I go
11 by your street, Joe. You are the center of
12 the bulls eye in the town, meaning that
13 where you live it's a busy, busy road. I
14 think that we, the council and the chief and
15 the police, have done everything possible to
16 try to alleviate the problem. But again,
17 because of where you do live -- there are
18 other sections of town that have the same
19 problem you have. Maybe not to the extent
20 that you have.

21 But again, I think anything that you
22 have come in here and asked council for or
23 the chief for or the police for they've
24 tried to address.

25 Consequently, there are no real

1 simple answers to what your problems are.

2 MR. MONIAK: You're done talking,
3 I'm going to talk. Okay. Chief Dubernas
4 was supposed to come down. This is going on
5 for three months. When Channel 28, Bob, you
6 said they're working on it. Something's
7 going to be done. Nothing's been done
8 since. Chief Dubernas was supposed to come
9 down -- when I got time to come down and put
10 the lines there at least for VASCAR or
11 whatever. Okay? Nothing. Dave is waiting
12 for Jason to give him permission, I guess,
13 to go down and check with the stop sign.

14 Back last year Mr. Ferrett and the
15 mayor, we talked in the office and he
16 mentioned about the stop sign there, and
17 nothing's been done yet with the speeding.
18 I'm just asking one of you guys to come down
19 there and sit right up -- Bob --

20 MR. SEMENZA: Joe, I understand, but
21 listen. First of all, me sitting on your
22 front porch watching traffic go by is not
23 going to change a thing about the speeders
24 on your street.

25 MR. MONIAK: I don't want you to

1 think I'm up here bullshitting.

2 MR. SEMENZA: I'm not saying you
3 are, Joe, lying to us. We know it's a
4 problem. Like I said, Joe, it's --

5 MR. MONIAK: Please do something.
6 That's all I ask.

7 MR. SEMENZA: I wish we could do
8 something all over town, Joe. You can't tap
9 your fingers and make things happen like
10 that, Joe.

11 MR. MONIAK: In three months you
12 made the remark and then the chief said --

13 MR. SEMENZA: In the 16 years I've
14 been living in my house I've been saying the
15 same thing about traffic, Joe. Chief, how
16 many times have I asked you? The other day
17 what did I tell you to do?

18 CHIEF DUBERNAS: Sit on my side of
19 the road.

20 MR. SEMENZA: Where? I said go park
21 in my driveway.

22 MR. MONIAK: Mr. Rinaldi's the only
23 one that didn't jump on the band wagon last
24 week and cut me down.

25 MR. SEMENZA: Joe, we're not cutting

1 you down. You come in week after week --

2 MR. MONIAK: Oh, I'm going to be
3 here week after week.

4 MR. SEMENZA: Right now you have
5 three minutes. That's week after week.

6 MR. MONIAK: What's going to be
7 done, how many tickets were given out on
8 this week and stop sign tickets were given
9 out. I want to know.

10 MR. SEMENZA: I'm not going to go
11 around on the merry-go-round, Joe, every
12 week with this. I'm not -- we are not
13 discriminating against you. You can go to a
14 higher level if you have to, Joe. I'm done
15 with you threatening us that you're going to
16 sue the borough. You come in here week
17 after week, you threaten the police.

18 MR. MONIAK: I'm not threatening
19 anybody. I'm just asking what is going to
20 be done. The chief said when he gets time.

21 MR. SEMENZA: When it happens.
22 There's speeders all over, Joe.

23 MR. MONIAK: Okay. Nothing is being
24 done on Taroli Street.

25 MR. SEMENZA: And nothing is being

1 done on my street.

2 MR. MONIAK: I'm not worried about
3 your street.

4 MR. SEMENZA: And I'm not worried
5 about your street.

6 MR. MONIAK: That's a good attitude
7 to have.

8 MR. SEMENZA: I'm worried about
9 every street in town. Every child on every
10 street in town, Joe. You come in here and
11 think that you should have a privilege. We
12 should be down at your street now. Let's
13 get down there now.

14 MR. MONIAK: No.

15 MR. SEMENZA: That's all you're
16 asking. You come in here, you stomp your
17 feet walking out.

18 MR. MONIAK: And nothing was done.
19 That's all I ask.

20 MR. SEMENZA: Joe, listen --

21 MR. MONIAK: How long does it take?
22 You go for a haircut every month. Right?
23 Or whatever. You go buy a case of beer
24 every week. How long does it take to come
25 down there and do what you got to do?

1 MR. SEMENZA: Joe, how many traffic
2 studies have been done on your street?

3 Chief, how many traffics studies
4 have been down there?

5 CHIEF DUBERNAS: I don't know.

6 MR. MONIAK: Probably none that was
7 legal or done the right way.

8 MR. SEMENZA: So you're saying what
9 we're doing is illegal?

10 MR. MONIAK: I would say that
11 nothing was done legally.

12 CHIEF DUBERNAS: Joe, go to the
13 PennDOT website. The first rule of a
14 traffic study, you can't use a stop sign to
15 enforce speed.

16 MR. MONIAK: It's not for speed.

17 CHIEF DUBERNAS: It is for speed.

18 MR. MONIAK: It's traffic.

19 CHIEF DUBERNAS: You want it for
20 speed. You come back here for months and
21 months --

22 MR. MONIAK: It's traffic.

23 MR. SEMENZA: You keep saying
24 speeders.

25 CHIEF DUBERNAS: We put up signs, we

1 put in crosswalks, we put VASCAR lines --

2 MR. MONIAK: Does Joe Moniak have to
3 take into consideration to put crosswalk
4 signs for the children in front of my house
5 for the bus stop twice a day, right, where
6 none of you's guys put stop signs or
7 crosswalks here and watch children signs.
8 Okay? None of you's. Does Joe Moniak have
9 to come and be -- I thought of these kids.
10 They cross in front of the house every day.
11 Come on. I'm not here to bust chops or
12 nothing.

13 MR. RUSSEL RINALDI: I thought
14 there's crosswalks there.

15 MR. MONIAK: There is. When they
16 put the lines there I talked to him about
17 putting the walks there but there's none.
18 But I understand. Does Joe Moniak have to
19 think that this --

20 CHIEF DUBERNAS: Joe, they don't
21 have to be there. There's 60-some bus stops
22 in Old Forge. Guess what? You're the only
23 bus stop that has crosswalks.

24 MR. MONIAK: PennDOT requires it for
25 a bus stop.

1 MR. FEBBO: So what you're saying is
2 things have happened down there. You're
3 saying we do nothing. You're listing now
4 the things -- stop signs, crosswalks,
5 VASCAR, patrols. You're saying nothing is
6 done and at the same time you're --

7 MR. MONIAK: No, the three months of
8 when Channel 28 interviewed Bob and the
9 chief nothing has been done as far as speed.

10 CHIEF DUBERNAS: That's false.

11 MR. MONIAK: If the lines are put
12 there and the stop sign to break the traffic
13 coming down, fine. You're going to get
14 people going through stop signs, but not
15 when they're coming up from --

16 MR. SEMENZA: Joe, there's been many
17 traffic studies done there, and every
18 traffic study that's been done there proved
19 that a stop sign shouldn't be put there.

20 MR. MONIAK: No, I have to disagree
21 with you.

22 MR. SEMENZA: Joe, experts have done
23 it.

24 MR. MONIAK: Experts have done it?
25 Give me who they were and when they were

1 done.

2 MR. SEMENZA: Chief Dubernas.

3 CHIEF DUBERNAS: Chris Goetz. He
4 gave us the paperwork from PennDOT.

5 MR. FEBBO: One at a time.

6 CHIEF DUBERNAS: The first thing
7 under a stop sign, you can't use it to
8 control speed. The second thing, it's a T
9 intersection and you already have two
10 traffic control devices. You have a stop
11 sign on East Grace Street and you have a
12 stop sign on Taroli Street heading west
13 towards Main Street.

14 MR. MONIAK: But there's nothing to
15 stop the traffic midway from going 50 miles
16 an hour. I can see the stop sign in front
17 of my house going to the beer store. That
18 breaks it up. But there's nothing -- like I
19 said, I don't ask -- I'll pay you. I'll pay
20 for an officer.

21 MR. NOTARI: Did you do a speed
22 survey?

23 MR. MONIAK: I live there, guys. It
24 doesn't make sense to me to even say that.
25 I mean, I know 35 miles an hour, what it is,

1 and 25 miles an hour. I'm 67 years old,
2 going to be. I know what speed is.

3 CHIEF DUBERNAS: Joe, nothing
4 satisfies you. It's true. You belittle my
5 police officers when they do go down there.
6 You threaten them well, why did they give a
7 written warning instead of a -- I'm not
8 going to put my officers in that. So they
9 go sit on Susquehanna and Hoover Street.
10 They're not going to sit on your street so
11 you can come out and belittle them.

12 MR. MONIAK: No, no.

13 CHIEF DUBERNAS: You told one of my
14 police officers she belongs in the kitchen.

15 MR. MONIAK: No, I didn't.

16 CHIEF DUBERNAS: I have the written
17 letter in my office. I'll show it to you.
18 So don't belittle my police officers.

19 MR. MONIAK: I never belittled your
20 police officers. Come on. I mean, all I
21 ask is something there to go down to control
22 the traffic. That's all.

23 MR. FEBBO: In your opinion what
24 might that be that's legal?

25 MR. MONIAK: Well, the lines. They

1 run VASCAR or whatever.

2 CHIEF DUBERNAS: There's two sets of
3 VASCAR lines there.

4 MR. MONIAK: They're down the lower
5 end. Right? They pick up speed, they're
6 shifting that vehicle as they're coming up
7 that hill to Moosic Road. I mean, there's
8 nothing there to stop them in the middle,
9 slow it down. If there was lines there and
10 they got arrested or somebody sat there
11 without even arresting anybody, with lines
12 and sat there with a car. But I asked
13 you --

14 MR. SEMENZA: Do they sit there?

15 CHIEF DUBERNAS: Not recently
16 because they've been sitting on Susquehanna
17 and Hoover because my officers have been
18 getting nothing but complaints. They give
19 them a written warning, he comes to the car
20 screaming at them give them a citation.

21 MR. MONIAK: Come on, Jason.

22 CHIEF DUBERNAS: Do you want me to
23 get my officer that does that?

24 MR. MONIAK: If I come and scream,
25 right, it would be more vicious than it

1 would be here.

2 CHIEF DUBERNAS: You're going to get
3 arrested. Joe, I'm done entertaining you.
4 I told you that last week.

5 MR. MONIAK: As long as they're
6 doing their job. That's all.

7 MR. FEBBO: Jason, can you justify
8 putting another set of VASCAR --

9 CHIEF DUBERNAS: I tried to explain
10 to him -- see, he lied. He said I haven't
11 been there in three months. I was there
12 about two weeks ago in my truck. My truck's
13 much higher. So where he wants to put the
14 line -- and all of our cars that run speed
15 and the sedans, so they sit lower to the
16 ground. So it's hard for them to see that
17 first line or second line. It depends on
18 which way the traffic is coming. So it
19 would be the second line if he's going west
20 to east.

21 So I said to him you have to move
22 some of your berm in your yard or paint the
23 pole to get 150 feet there, but I also need
24 a sight distance to see the car coming. I'm
25 not worrying about a sight distance coming

1 from Main Street to Taroli Street. It's the
2 other way coming from Moosic Road because
3 our car's sitting lower. Now you're
4 approaching the intersection. They're not
5 going to be able to clock somebody because
6 in between they have a stop sign.

7 MR. FEBBO: So what he wants doesn't
8 comply with what you can legally do at
9 that --

10 CHIEF DUBERNAS: I don't have a
11 sight distance there for him. I tried to
12 explain that to him.

13 MR. MONIAK: The hill comes down
14 like this. If you can see the line here,
15 right, and you can see the line here, where
16 you're parked there's no -- it's -- you can
17 look at it and see.

18 CHIEF DUBERNAS: Joe, coming from
19 the beer store, coming down the hill they
20 have that long straightaway. You get them
21 coming down the hill, if they're speeding
22 there they're going to be speeding by your
23 house. That's what you're trying to say?

24 MR. MONIAK: This is what I'm trying
25 to saying.

1 CHIEF DUBERNAS: I have to set the
2 VASCAR lines there.

3 MR. MONIAK: I'm telling you this is
4 where they're picking up the speed, though.
5 It's a straight shot.

6 CHIEF DUBERNAS: You pick up more
7 speed going downhill than you do uphill.

8 MR. MONIAK: Coming down the beer
9 store, then they hit the gas pedal going up
10 the hill and they're flying. That's all I
11 ask.

12 MR. FEBBO: Chief, do you feel that
13 your lines are in compliance with what is
14 required?

15 CHIEF DUBERNAS: I have two sets of
16 lines there.

17 MR. MONIAK: But they're down the
18 bottom of the hill where they're not doing
19 any good.

20 MR. FEBBO: If they're within the
21 speed limit at the bottom of the hill, I
22 don't see how they can really be going 60
23 when they go by your house.

24 MR. MONIAK: Oh, believe me. Just
25 come down there and sit.

1 MR. FEBBO: That's the chief's job.

2 MR. MONIAK: I don't know, I'm not
3 here to bust chops or nothing like that.

4 MR. FEBBO: You do a good job of it,
5 though.

6 MR. MONIAK: Could we do something
7 like that? Come down and look and see or
8 have one of these guys come down and look
9 where the crown is there. You can see the
10 line. If you sit here you can see the line
11 here and you can see it here. You're moving
12 your lines from here to here. That's all.

13 MR. FEBBO: I think he just
14 explained why that wouldn't be a valid move
15 for the police cars.

16 CHIEF DUBERNAS: My SUVs don't have
17 VASCAR units in them.

18 MR. MONIAK: But you can still see
19 because that wall is not there.

20 CHIEF DUBERNAS: I'm not talking ab
21 out the wall, I'm talking about your yard.
22 I explained this to you that day, Joe.

23 MR. MONIAK: One of you's gentlemen
24 go down, Jason, and look --

25 MR. SEMENZA: Joe, we have no -- it

1 doesn't matter if I see it or not.

2 MR. MONIAK: Jason, will you come
3 down with me and we'll take a look, and if
4 you say Joe, it's not going to work here or
5 whatever's not going to work here --
6 whatever. Who's laughing here?

7 MR. SEMENZA: Joe, we have your
8 concern.

9 MR. MONIAK: That's all I want to
10 know. Like I said, Jason, try it out. Will
11 you come down and look at it, say it's going
12 to work or not? The last time you said when
13 you get time.

14 CHIEF DUBERNAS: I've been busy. He
15 just told you about an incident. I've been
16 getting crushed, Joe. Pretty much our
17 citations are down all over town because
18 we've been so busy. It's not called Moniak
19 Borough, it's called Old Forge Borough. I
20 have 9,200 other residents that I have to
21 protect, not just Joe Moniak, and I'm sick
22 of you coming in here and harassing me about
23 it and my police officers. If they don't
24 sit there, they don't sit there. They sit
25 somewhere else.

1 MR. MONIAK: You're putting words in
2 somebody else's --

3 CHIEF DUBERNAS: No, Joe. I can
4 give them a whole line of stories about
5 stuff you told -- you blamed my one officer
6 for watching a movie on my computer.

7 MR. MONIAK: But he was watching it.
8 I walked up to the car, there he is on the
9 phone. What, do you think I'm lying?

10 CHIEF DUBERNAS: Yes. We can't
11 watch movies on our computers.

12 MR. MONIAK: On his phone, not a
13 computer. I know a computer from a phone.
14 I'm not stupid, Jason. Don't try to make me
15 stupid.

16 MR. FERRETT: I think we should make
17 a motion to adjourn.

18 MR. SEMENZA: Thank's, Joe. At this
19 time the chair would entertain a motion to
20 adjourn.

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

22 MR. SEMENZA: Motion by Councilman
23 Febbo. All in favor?

24 (Unanimous. Meeting adjourned.)
25

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 37 pages, is a true and correct copy, done to the best of my ability, of same and the whole thereof.

Mark Wozniak
Official Court Reporter

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