

1 OLD FORGE BOROUGH COUNCIL MEETING

2 WORKSHOP

3
4 Old Forge Borough Building
5 314 South Main Street
6 Old Forge, Pennsylvania

7 Tuesday, April 3, 2018

8 7:00 p.m.

9
10 MEMBERS PRESENT: ROBERT SEMENZA, CHAIRMAN
11 JOSEPH FERRETT, COUNCIL MEMBER
12 RUSSELL RINALDI, COUNCIL MEMBER
13 RICHARD NOTARI, COUNCIL MEMBER
14 LOU FEBBO, COUNCIL MEMBER
15 JAMES HOOVER, COUNCIL MEMBER

16 ALSO PRESENT:

17 MARYLYNN BARTOLETTI - BOROUGH MANAGER
18 WILLIAM RINALDI, ESQ.-SOLICITOR
19 MAYOR ROBERT LEGG
20
21
22

23 Smith Reporting Service
24 Janet E. Smith
25 570-650-0753

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1 P-R-O-C-E-E-D-I-N-G-S

2 CHAIRMAN SEMENZA: Good evening.

3 Welcome to the April 3rd, 2018 Old Forge Borough
4 Council work session.

5 I'd like to start the meeting with the
6 Pledge of Allegiance.

7 (Pledge of Allegiance.)

8 CHAIRMAN SEMENZA: Once again, welcome to
9 Old Forge Borough work session. Tonight we're going to
10 do something a little different.

11 I'd like to start roll call, please, like
12 I always forget.

13 MS. BARTOLETTI: Councilman Febbo.

14 MR. FEBBO: Here.

15 MS. BARTOLETTI: Councilman Ferrett.

16 MR. FERRETT: Here.

17 MS. BARTOLETTI: Councilman Hoover.

18 MR. HOOVER: Here.

19 MS. BARTOLETTI: Councilman Notari.

20 MR. NOTARI: Present.

21 MS. BARTOLETTI: Councilman Rinaldi.

22 MR. RUSSELL RINALDI: Here.

23 MS. BARTOLETTI: Councilman Lenceski.

24 Absent. Councilman Semenza.

25 CHAIRMAN SEMENZA: Here. Last year

1 around this time, Old Forge Borough dedicated the field
2 on Sibly Avenue to a fellow Councilman of ours, Tony
3 Pero.

4 Tonight we have the family of Tony here.
5 I'd just like to say a couple things. In 1997 and
6 '98, a total of 13 properties were bought out by PEMA,
7 FEMA. And the Borough took ownership of them
8 properties.

9 That's when Tony had the insight to turn
10 that property to a multi-purpose field. Tony went to
11 work going to State officials for grants to make what
12 we see here today possible. In 2004, construction
13 started. And a few years later the field was a
14 multi-purpose field.

15 But Tony continuously worked to make it
16 better and better. He worked on the
17 Scranton/Wilkes-Barre Red Barons for donations of
18 equipment, like the portable backstop we see there.

19 You know, Tony, he was first elected in
20 1990 and served until 2014. He gave countless hours to
21 the community he loved so much, never wanting anything
22 in return.

23 You know, although Tony is not here to
24 accept this, he's definitely looking down smiling on
25 everybody. And every time we drive down Sibly Avenue,

1 that field is going to bear the name with this plaque,
2 Anthony Tony Pero Park.

3 At this time, I'd like to call his wife
4 up to accept the plaque, Gloria.

5 MRS. PERO: On behalf of the Pero family,
6 thank you very much. It's truly an honor. I'd like to
7 thank personally everyone that was involved. Thank
8 you.

9 CHAIRMAN SEMENZA: Once again, welcome to
10 Old Forge Borough Council meeting. The purpose of
11 tonight's meeting is to accept the agenda for our --
12 what's the day of our meeting?

13 MS. BARTOLETTI: 17th.

14 CHAIRMAN SEMENZA: April 17th Council
15 meeting. Go down the table, Council Members, to see if
16 they have anything to address. We'll hear from our
17 department head to see if they have anything for the
18 agenda.

19 We have a public sign-in sheet, if
20 anybody would like to address Council. At this time,
21 I'm going to go to Paul Papi.

22 MR. PAPI: Everything is good in the DPW.
23 I don't have any problems. Everything is on schedule
24 for the season.

25 CHAIRMAN SEMENZA: Any questions for

1 Paul?

2 MR. NOTARI: I have a question for Paul,
3 maybe Marylynn as well. Mary, the portable batting
4 cage, has that been delivered?

5 MS. BARTOLETTI: Everything is here. As
6 soon as the weather gets a little better, we'll get
7 everybody together to start trying to install
8 everything. It's all in the basement right now.

9 MR. NOTARI: The golf stuff is here too.

10 CHAIRMAN SEMENZA: Anybody else?

11 MR. FERRETT: Paul, that snowstorm that
12 we recently just had only called for one to three
13 inches with sunshine to come out in the afternoon. Is
14 there any reason why we use salt? Is there any reason
15 why we wouldn't have the plows down just to save money
16 and everything?

17 MR. PAPI: We salted only the hills early
18 in the morning. At 5:30, we I got in, it was ice and
19 the hills were very slippery.

20 MR. FERRETT: They didn't salt no roads?

21 MR. PAPI: No, just the hills.

22 CHAIRMAN SEMENZA: Anything else, Joe?

23 MR. FERRETT: No.

24 CHAIRMAN SEMENZA: Anybody else have any
25 questions for Paul?

1 MR. RUSSELL RINALDI: One question.

2 Paul, I know we brought it up a couple months back, but
3 it was wintertime.

4 Winter Street, remember we were talking
5 about where the two sewer grates meet, where it
6 gullies?

7 MR. PAPI: Yeah.

8 MR. RUSSELL RINALDI: Right at the bottom
9 of the church.

10 MR. PAPI: Yes.

11 MR. RUSSELL RINALDI: And you said the
12 only way to fix it would be to cut it out.

13 MR. PAPI: Yeah.

14 MR. RUSSELL RINALDI: Is that correct,
15 cut it out -- but we have to wait for the hot plant is
16 open, correct?

17 MR. PAPI: Yes.

18 MR. RUSSELL RINALDI: Because just that I
19 talked to one or two residents and I'm not sure if they
20 called the office or not. Over on -- in the middle of
21 Winter Street, I don't know if anybody did call. But
22 that was the information I related to them, and I just
23 wanted to make sure it was correct information.

24 MR. PAPI: Yep.

25 CHAIRMAN SEMENZA: Okay.

1 MR. NOTARI: I've seen some complaints
2 as well on that. Is there any way we can put a sign
3 there to, I don't know, drive slow or --

4 MR. PAPI: I'll go check it out tomorrow.
5 And I'll do what I can.

6 MR. NOTARI: I drove by. And, again,
7 it's --

8 MR. PAPI: To saw cut, I'll take a look
9 at it tomorrow.

10 MR. NOTARI: I realize it's bad. I also
11 think people that travel that road probably know it's
12 there. I know the complaints that have been being made
13 are from local residents.

14 I think it's a worthy complaint.
15 However, maybe some signage, you know, if we can't fix
16 it as best that we think needs to be fixed, maybe
17 there's some signage that, you know, be careful or some
18 kind of, I don't know, dip in the road or something
19 like that.

20 MR. PAPI: We can use cold patch. It
21 would be a lot better than the sign. It's only going
22 to be temporary, a couple weeks.

23 MR. RUSSELL RINALDI: Until we get to cut
24 it out and fix it the correct way.

25 MR. NOTARI: I don't even know what you

1 can do, except raise the road.

2 MR. PAPI: Let me look at it again.

3 MR. RUSSELL RINALDI: That's all I have.

4 CHAIRMAN SEMENZA: Anybody else? Thanks,
5 Paul. Steve, zoning, code enforcement.

6 MR. BIERYLA: The only thing I have on
7 the agenda for Planning coming in on Thursday is going
8 to be the car wash for that extra building that they
9 put in.

10 Prime Mobility did send Paul and myself a
11 sketch of their land development up there for post.
12 But nothing has been submitted formally to Dave or
13 myself.

14 So, that might be an unknown pop-in for
15 questions for Planning on Thursday. But, other than
16 that, we have nothing on the -- nothing else on the
17 agenda.

18 CHAIRMAN SEMENZA: Any questions for
19 Steve?

20 MR. HOOVER: Steven, that property over
21 there on Keyser Avenue, what's the status of that?

22 ATTORNEY RINALDI: Is that Keller? I
23 filed a complaint and due an answer. Supposedly, he's
24 cleaning it up and he's supposed to send us an action
25 plan.

1 I don't know if he moved anything around
2 up there. I know I drove by the other day and --

3 MR. BIERYLA: Moved a lot of stuff from
4 his property to Gilchrist property up in the front,
5 which is an illegal land development.

6 And the Siegfried property behind it,
7 he's putting more equipment back there. There's no
8 deed description for easements or boundary separations.
9 So, we just need a good court date so we can iron it
10 out and start attacking the other.

11 MR. HOOVER: I was home the other
12 morning, about 10:30 in the morning and, boy, there was
13 racket for about two hours. I called Bobby up just to
14 let him know. I didn't call you up. But even Easter
15 morning, he had something going on over there.
16 Smashing things or banging things together.

17 If I can hear it, I know the people on
18 the Casey Avenue --

19 MR. BIERYLA: The hours on Sunday are 10
20 to 6. So, if it was before that, you know what I mean?
21 But it's still an issue. We need a court date for a
22 Judge to do anything.

23 I have been in contact with Chuck Rogers
24 from DEP. There was a disgruntled employee who got
25 fired. And he turned them into DEP and specified where

1 certain material was buried. So, I'm waiting on a
2 report from them.

3 He said he would testify on behalf of the
4 Borough as far as the disposal of waste and everything
5 in the ground and where it is. And we just need a
6 court date.

7 CHAIRMAN SEMENZA: Bill.

8 ATTORNEY RINALDI: Why don't you get me
9 that report? Because that would help me get a court
10 date quicker.

11 MR. BIERYLA: He didn't get me a report.
12 I notified him -- start over. The disgruntled employee
13 came in but I wasn't here. I was out on the road.

14 I called him up. He told me that he had
15 called DEP. I, in turn, called Chuck Rogers and told
16 him -- gave him the employee's number.

17 He spoke with the employee. He had an
18 inspector on-site the same day. And whatever the
19 employee had told him about where they had discarded or
20 buried different items, he said he would get a report
21 back to me. But I don't have that report as of today.

22 CHAIRMAN SEMENZA: Bill, this is a
23 question for you, possibly, and Steve. How long has
24 this been going on for, Steve?

25 MR. BIERYLA: He was cited down at the

1 magistrates, I believe 10 days for the \$500.00 fine. I
2 believe the day was November 16th.

3 CHAIRMAN SEMENZA: Of '16?

4 MR. BIERLYA: 2017.

5 ATTORNEY RINALDI: He appealed it.

6 CHAIRMAN SEMENZA: There's been issues on
7 this property a lot longer than that, right?

8 MR. NOTARI: Going through the process.

9 CHAIRMAN SEMENZA: I understand. The
10 residents of Old Forge are suffering from noise
11 complaints, possibly contamination of the ground.
12 Can't we do anything to emergency court hearing?

13 ATTORNEY RINALDI: He appealed it and we
14 filed a complaint. So it's down at the courthouse. I
15 didn't get an answer to the complaint, but we did file
16 the complaint. That's what we have to do. Any appeals
17 we get, we have to file it.

18 CHAIRMAN SEMENZA: I get the process
19 there. But, I mean, I'm just trying to look for a way
20 to --

21 MR. BIERLYA: He was found guilty down at
22 the magistrates and then appealed that to county court.
23 And Bill has filed the injunction.

24 And, legally, we're at a standstill.

25 ATTORNEY RINALDI: Let me see if I can

1 get a quicker date to move it along.

2 CHAIRMAN SEMENZA: See what you can do.
3 Got to stop sooner or later.

4 MR. NOTARI: Can we get a stop work
5 action on that property?

6 ATTORNEY RINALDI: I don't have any
7 authority to get one.

8 CHAIRMAN SEMENZA: Who has the authority
9 to get one?

10 ATTORNEY RINALDI: Steve can issue a stop
11 work. But he's not constructing anything, so that's a
12 little different.

13 He received a violation that he's using
14 the property in violation of the ordinance, which is
15 what we went after him for.

16 MR. BIERYLA: All work related to and
17 specific to the ordinance, he was supposed to cease and
18 desist, which means, the scrap yard, no cutting, no --

19 CHAIRMAN SEMENZA: I thought that was
20 determined a long, long time ago.

21 MR. BIERYLA: Dismantling of equipment.
22 And if he continues --

23 CHAIRMAN SEMENZA: I thought we determined
24 that a long, long time ago. Haven't we?

25 MR. BIERYLA: That was -- no.

1 MR. FEBBO: Could you do that?

2 MR. BIERLYA: So that was as of December
3 -- well, it started. I mean, it was cease and desist
4 all operations as of November 27.

5 He's a \$500 dollar a day fine since that
6 time.

7 MR. FEBBO: So what's the next recourse?

8 MR. BIERLYA: Court, county court.

9 ATTORNEY RINALDI: He appealed it.

10 MR. RUSSELL RINALDI: He's paying \$500 a
11 day?

12 ATTORNEY RINALDI: No. Ultimately, he
13 could.

14 MR. BIERLYA: And when he gets to county
15 could, ultimately, he could.

16 MR. FEBBO: What do we do from now until
17 time we go to court to have him stop operating over
18 there?

19 MR. BIERLYA: He has a cease and desist
20 order.

21 CHAIRMAN SEMENZA: He doesn't care.

22 ATTORNEY RINALDI: See if I can get the
23 court to expedite it and see if they'll have a hearing
24 date for an order.

25 I mean, the last time we went through

1 this, he ended up going to jail, so.

2 CHAIRMAN SEMENZA: Criminals get away
3 with more with the law. It's a shame.

4 MR. HOOVER: Dave, are the hours Saturday
5 10 to 6 also?

6 MR. BIERYLA: No. It's a little more
7 lenient. I'd have to go look in my office. I'll let
8 you know.

9 CHAIRMAN SEMENZA: Anybody have any
10 questions for Steve, anything else? Thanks, Steve.
11 Dave, engineer's report.

12 Do you have anything for the agenda?

13 MR. LOPATKA: Well, there's a couple
14 things. I don't know if it's necessarily for the
15 agenda. Just topics we can discuss now.

16 One of my bids -- I did talk to Pride
17 Mobility, the engineer who is doing the plans, talked
18 to him on the phone. Kind of explained to me the plan
19 a little bit. And actually said he was going to make a
20 submission. At this point, he hasn't.

21 I mean, really not a lot we can do until
22 he actually makes a complete submission. I mean, I
23 talked to him about it and told him what the potential
24 concerns were, so that he can incorporate them into the
25 plan.

1 But, at this point, until we get a
2 complete submission, we can't do a formal review. So,
3 I did talk to him.

4 I actually received the contract
5 documents, which I'll forward on to Marylynn, for the
6 Corcoran Street project.

7 He has bonding and the contract and
8 everything signed. We need to get it signed by the
9 Borough and get him the contract back and then issue
10 notice to proceed. So, I'll talk with you afterwards
11 on that.

12 The project at the DPW, we did some cost
13 estimating. And we kind of feel that being that the
14 cost come in under the number you need to bid it, three
15 quotes, instead of putting it through a bidding
16 process, so we can do that at any time.

17 If you guys want to let us know who you
18 want us to go through, we can send it out.

19 MR. FEBBO: Need three bids or quotes?
20 It's going to be over 10 or 20?

21 MR. LOPATKA: Over 10. So we need three
22 written quotes. I think, what's the requirement,
23 20,100 or something?

24 MS. BARTOLETTI: 19.

25 MR. LOPATKA: So, 19,5. Our costs

1 estimation, including contingency, gets us close to
2 that. Doesn't really go over it. So, I take it,
3 should come in underneath that number. So this don't
4 have to go through the whole process.

5 MR. HOOVER: You think we should get two
6 quotes of the contractors that are going to be working
7 in town?

8 You have Popple and you have TSC.
9 They're already working in town.

10 MR. LOPATKA: Whoever you guys want me to
11 send it to.

12 MR. HOOVER: Maybe not have to charge the
13 mobilization fee or something like that to do it. I
14 don't know.

15 MR. LOPATKA: I mean, you guys tell me.

16 CHAIRMAN SEMENZA: And if them three
17 quotes come in over 19, 5, then --

18 MR. LOPATKA: We'd have to bid it if they
19 come over 19,5.

20 MR. FEBBO: Earthworks.

21 MR. LOPATKA: I think they usually get --
22 everything goes through. And if you want me to send to
23 the two that are going to be in town.

24 MR. HOOVER: I think it's a shot.

25 MR. LOPATKA: Get something out to them

1 tomorrow so we can get a number back.

2 MS. BARTOLETTI: Steve, I have a question
3 for you. You said about Pride Mobility. Steve, the
4 guy who has been in and out, who I guess is a neighbor
5 up there, back in today.

6 MR. BIERYLA: John Irving.

7 MS. BARTOLETTI: Yeah. He said he has
8 concerns about work being done, as well as the
9 neighbors.

10 So, if we don't have any plans yet, what
11 are they doing up there? I'm just curious.

12 MR. LOPATKA: I don't know. I mean, what
13 they could be doing at this point --

14 CHAIRMAN SEMENZA: Clearing the property.

15 MR. LOPATKA: I don't think they can
16 clear until they have a permit. If they don't have a
17 permit, they shouldn't be clearing.

18 What they could be doing is borings for
19 the -- where they're putting the building, they usually
20 do borings to tell them what's under there.

21 They could be doing some infiltration
22 testing. But they shouldn't be doing site clearing
23 until they have their NPDES permit.

24 So, I haven't been up there. Nobody told
25 me anything was going on. I can take a look.

6 So most people along Abington Street and
7 Wood Street that see everybody with the hard hats and
8 surveying their whole property so they know their
9 boundaries as to where they have to be. And even the
10 submission that they have submitted, they have the
11 necessary stakes between an I1 zone and an R2 zone and
12 R1 zone, that's the same way as I specified down with
13 Verastro when they knocked down the hill in the
14 springtime, put some kind of planting or fence up to
15 separate the boundaries.

19 MR. LOPATKA: On top of that, this whole
20 project, according to them, is within Old Forge
21 Borough. So, I think they're trying to distinguish
22 that line to make sure that what they're doing is in
23 the Borough.

25 MR. LOPATKA: I think that was all that I

1 had. So, I will get plans out to those three
2 contractors and give them a week or so to get a price
3 back. There's not a lot to it. Shouldn't take long to
4 get the numbers back.

5 If they come back high, we'll have to
6 bid. I don't think they will. Pretty simple. We're
7 not doing any asphalt cuts or anything. The pipe is
8 only about three-feet deep. So, it shouldn't be a huge
9 number.

10 CHAIRMAN SEMENZA: Any questions for
11 Dave?

12 ATTORNEY RINALDI: Dave, do we have to
13 talk about Grace Street?

14 MR. LOPATKA: We do. Exactly what you
15 want to do there, I guess is the question. Because of
16 the fact that it came back and there's other sanitary
17 sewer hooked on to that line, originally, we were doing
18 a separation.

19 So, if we're not separating it, to me, it
20 doesn't seem like we need to go as far. We don't need
21 to take that one house off it. We're going to take off
22 the job.

23 And we also don't need to do the work
24 down at the intersection, at the intersection of First
25 and Grace Street because that was kind of another area

1 where we were doing the separation and tying it in.

2 Honestly, if we're going to do it now,
3 it's not that. We can put the inlets in on Main and
4 the two in the parking lot, and then tie it in to that
5 pipe, instead of, you know --

6 MR. FEBBO: Talking about a 36-inch pipe
7 or going down --

8 MR. LOPATKA: No. The existing pipe that
9 runs back behind the baseball field, it's tying into
10 that, instead of doing any of the work downstream or
11 any of the sewer work coming out of that, that one
12 house we were going to separate off.

13 CHAIRMAN SEMENZA: Basically, what we're
14 still going to do is put the inlet on Main Street to
15 catch that water.

16 MR. LOPATKA: Right.

17 CHAIRMAN SEMENZA: Run that pipe down
18 through them two properties.

19 MR. LOPATKA: Yes.

20 CHAIRMAN SEMENZA: And tie into the
21 36-inch line.

22 MR. LOPATKA: Back of those properties
23 and tie into that line.

24 MR. FEBBO: Would that be the same price?

25 MR. LOPATKA: No, no. It will be a

1 change. So, I'll get the --

2 CHAIRMAN SEMENZA: Roughly, how much was
3 the cost for taking that sewer line off that house,
4 Stacchiotti, 10 or 12,000, maybe a little more?

5 MR. LOPATKA: Going to be similar to
6 that. Put a manhole in, go all the way around the
7 house and put a bunch of pipe in.

8 I'll send them the change and have them
9 get the new number back.

10 CHAIRMAN SEMENZA: Okay.

11 ATTORNEY RINALDI: Between now and the
12 regular meeting when we got to vote on the change
13 order, maybe we can iron out what we're going to do.

14 MR. LOPATKA: Yeah. Based off what the
15 change would be, I'll give you guys a revised plan to
16 show exactly what's going to be done as opposed to what
17 we originally had.

18 CHAIRMAN SEMENZA:: Anybody have any
19 other questions for Dave on that or anything else?

20 MR. NOTARI: One question. Have we had
21 any contact with the pavers for down around Apollo and
22 Eisenhower?

23 MR. LOPATKA: They have actually called
24 me. Well, two people, I talked to Tony Cresanti who is
25 the engineer for the authority, who called me and asked

1 me what, you know, how the whole payment was working.

2 And I said, I believe it was worked out
3 between the solicitors how that payment was going to
4 work. So, at this point, we need to get the paver
5 there to do the work.

6 And then, actually, what we would
7 probably need to do is amend our contract. Not so much
8 to have them pay you guys, but the whole reason they're
9 not bidding because you're going to allow them to
10 utilize the contract we already had in place for
11 paving.

12 So, what we should do is actually amend
13 our contract to do that.

14 ATTORNEY RINALDI: Or they can contract
15 with them. I was leaving it up to them how they want
16 to do it.

17 MR. LOPATKA: Well, you might want to
18 contact the solicitor again, because it didn't sound
19 like they know what they're supposed to do.

20 CHAIRMAN SEMENZA: This is what I said
21 from day one, back then, I said, something is going to
22 happen at the end and is going to get all mixed up.
23 And here we go.

24 MR. LOPATKA: No. They want to move
25 forward with it.

1 CHAIRMAN SEMENZA: I hope they do. All
2 of a sudden they don't know what the payments are,
3 what's going to happen. This is all determined back
4 then.

5 MR. FEBBO: Who would be in touch with
6 who?

7 CHAIRMAN SEMENZA: Bill, could you get in
8 touch with somebody there to find out what's going on?

9 ATTORNEY RINALDI: I think the issue is
10 the paving company, first they had a reluctance to do a
11 contract with them.

12 Then they said maybe do it. So I was
13 waiting for them to make up their mind what to do. If
14 they want to do a contract with LHVSA or do a change
15 order with us and then --

16 MR. LOPATKA: I think the only way for
17 them to do it, without them going through a whole
18 bidding process, is for us to amend our contract.

19 ATTORNEY RINALDI: Whichever.

20 CHAIRMAN SEMENZA: Piggyback off our
21 paving.

22 MR. LOPATKA: Correct.

23 CHAIRMAN SEMENZA: I get that.

24 MR. LOPATKA: That's the only way to do
25 it the right way.

1 CHAIRMAN SEMENZA: What I'm is saying is
2 and I said it from the start that they flip flop back
3 and forth for months and years and who owns what and
4 this, that and the other thing. I'm just afraid it's
5 going to come back and bite the Borough in the
6 rear-end. That's what I'm afraid of.

7 MR. LOPATKA: I hope not. I can make a
8 call, if you want. I don't know if Bill wants to call
9 the solicitor.

10 ATTORNEY RINALDI: I talked to their
11 solicitor. He's all ready to go.

12 MR. LOPATKA: Supposed to talk to the
13 director because he doesn't know what's going on.
14 Apparently, he's the one that called Tony Cresanti.

15 CHAIRMAN SEMENZA: Who's the director?

16 MR. LOPATKA: Pat Padula.

17 CHAIRMAN SEMENZA: Bill, Pat Padula knows
18 what's going on or no?

19 MR. LOPATKA: Had Tony call me to find
20 out what was going on.

21 CHAIRMAN SEMENZA: Pat Padula knows
22 what's going on.

23 MR. LOPATKA: So, yeah.

24 CHAIRMAN SEMENZA: Okay. Anybody have
25 anything else?

1 MR. RUSSELL RINALDI: Quick question for
2 Dave. And, Joe, I don't want to steal your question,
3 because you brought it up a couple times, about the tar
4 paving program.

5 Did we move any forward on it? Remember
6 Joe has been asking a couple times about it. I was
7 waiting to see if you asked about it. That's why I
8 asked about it.

9 The patch paving program, you're talking
10 about going around the streets. Right?

11 MR. FERRETT: Yes.

12 MR. RUSSELL RINALDI: Did we have a plan
13 or was it discussed any further?

14 MR. LOPATKA: At this point, no, it
15 hasn't. No, we haven't. I mean, Joe brought it up.

16 MR. RUSSELL RINALDI: I didn't want --
17 like I said, I didn't want to steal his question but he
18 didn't ask it. So that's why I looked at him first,
19 then to you.

20 MR. LOPATKA: At this point, we haven't
21 moved forward with what you wanted to do it exactly. I
22 know it was discussed back and forth.

23 MR. RUSSELL RINALDI: Right. I know.
24 That's why. Maybe we'll discuss it through the paving
25 committee.

1 MR. FERRETT: Yeah. I was going to say,
2 after this meeting, Jimmy and you are on my committee,
3 want ot sit down because my turn comes up, something I
4 want to recommend and want to meet with you two guys
5 before the next meeting comes so we can make a
6 recommendation just what we wanted to do with
7 everything.

8 MR. RUSSELL RINALDI: Sounds good.

9 MR. FERRETT: We can talk about that at
10 the same time.

11 MR. RUSSELL RINALDI: Okay. Sounds good.
12 Thank you. Dave, I'll wait until we have a meeting
13 with Jimmy and Joe. Thank you. That's all I have.

14 CHAIRMAN SEMENZA: Anybody else?
15 Anything for Dave? All right.

16 MR. RUSSICK: Going back to the housing
17 development, ultimately, HUD has the authority down at
18 that housing. So, you should get in touch with the
19 Philadelphia office to make sure --

20 CHAIRMAN SEMENZA: And we have.

21 MR. RUSSICK: -- that they're doing what
22 they're supposed to be doing up here in Lackawanna
23 County.

24 CHAIRMAN SEMENZA: We have.

25 MR. RUSSICK: Because they're involved.

CHAIRMAN SEMENZA: We have. And you've been at the meetings that went back and forth.

MR. RUSSICK: Talked to the people in Philadelphia.

CHAIRMAN SEMENZA: Washington, I talked to also.

MR. RUSSICK: They answer to Philadelphia. So, if it's not by their guidelines, you guys might be holding the bag.

CHAIRMAN SEMENZA: I know, Joe. Chief.

CHIEF DUBERNAS: Two things. The traffic study for the 100 block of Butler Street for the no parking on the one side, next to Roy Williams, that will be for the meeting. And the hiring of the part-timers.

And with that, I'm trying to see when you are available to do interviews.

CHAIRMAN SEMENZA: Chief, when are you doing that traffic study? Have you done it?

CHIEF DUBERNAS: I started a little bit of it. There's an issue with the one driveway. I might just have to be able to put no parking from that driveway to the corner because there's a house that's -- the driveway actually comes out on Butler Street.

So, it might have to go from that end of

1 this guy's property to the top of where it enters
2 Garber Street, make a no park from here to the corner
3 because cars parked in between there, you can't go down
4 the alley, can't go around Garber Street.

5 So, I got to find a notice. That guy
6 uses his driveway all the time for his garages. The
7 other day when I was there, there was a Pontiac parked
8 in the driveway.

9 I'm not sure if that's an everyday thing,
10 because he won't be able to park his car. Like, the
11 way the car is parked on the end, he won't be able to
12 get out.

13 MR. JUROSKY: Talking about Main Street
14 and Butler. John Jurosky. Chief, you talk about Butler
15 and Main, that driveway.

16 CHIEF DUBERNAS: The house is on Butler
17 and Main, yeah.

18 MR. JUROSKY: Yes, that house is vacant.

19 CHAIRMAN SEMENZA: They're using that
20 driveway, basically, as a --

21 MR. JUROSKY: The garage in that driveway
22 because the house is vacant.

23 CHIEF DUBERNAS: But I have to still find
24 out. I can't go by that.

25 CHAIRMAN SEMENZA: Right.

1 CHIEF DUBERNAS: The second thing is the
2 hire -- doing the interviews on the part-timers. I'm
3 not sure what --

4 CHAIRMAN SEMENZA: We'll set up --

5 CHIEF DUBERNAS: I'm not sure if you want
6 to do it the Monday before the meeting.

7 CHAIRMAN SEMENZA: Chief, how many
8 applications did you get?

9 CHIEF DUBERNAS: A bunch there.

10 CHAIRMAN SEMENZA: Get the committee
11 applications.

12 CHIEF DUBERNAS: Yeah, I'll get them.

13 CHAIRMAN SEMENZA: So we can review them.
14 At that time, we'll set up interviews.

15 CHIEF DUBERNAS: After the meeting,
16 30-second executive, I'll fill you in on what's going
17 on.

18 MR. HOOVER: Chief, can't we get that
19 Ford Explorer moved off Garber Street? Explorer that's
20 parked there.

21 As you're on Butler Street and make the
22 left to come down, there's that Ford that's right there
23 between the corner and that first house's driveway; am
24 I right? Keith, am I right?

25 MR. LESHINSKY: Keith Leshinsky. The

1 vehicle was moved. From my understanding, from the
2 last meeting that it was broke down there. And that's
3 why it was there, facing the wrong way.

4 It's back today. I just took a picture.
5 It's not there now. But when I got home two hours ago,
6 it was parked in the same spot, facing the wrong
7 direction.

8 MR. HOOVER: It's been there off and on.

9 CHIEF DUBERNAS: When I went by there,
10 there was no cars there.

11 MR. HOOVER: Every time I come by that
12 Main Street, I look up and see if it's there. And it's
13 there more times than it isn't.

14 MR. JUROSKY: Do you want to see it?

15 MR. HOOVER: No. I believe you. I
16 believe you.

17 MR. JUROSKY: Not only that, there's a
18 pickup, a Jeep there.

19 MR. HOOVER: If they move the Ford first,
20 it will be easier for people to make that left.

21 MR. JUROSKY: To see.

22 CHIEF DUBERNAS: With the no parking from
23 that property line to the corner, be able to see all
24 the way down the hill.

25 MR. HOOVER: Right. Absolutely. That

1 will make a big difference down that street.

2 ATTORNEY RINALDI: Do you want to do
3 that?

4 MR. HOOVER: I think we should.

5 CHAIRMAN SEMENZA: Is that your
6 recommendation to put no parking from there down,
7 Chief?

8 CHIEF DUBERNAS: Well, if somebody has to
9 park their car for that business there, they could
10 still park across the street, but it's way down the
11 road.

12 CHAIRMAN SEMENZA: Chief, could you have
13 by April 17, could you have a traffic study done so we
14 can go forward and --

15 ATTORNEY RINALDI: If he does the traffic
16 study and goes forward, I got to do the order and
17 advertise it and pass it.

18 CHAIRMAN SEMENZA: All right. Have that
19 for our regular meeting.

20 CHIEF DUBERNAS: I got to find out who the
21 property is in to give you the guidelines from the
22 alleyway up.

23 CHAIRMAN SEMENZA: Any other questions
24 for the Chief? Thanks.

25 MR. RUSSELL RINALDI: Two. I'm sorry.

1 First one, how many part-timers are you looking to
2 hire? On the average, how many do you think we need?

3 MR. RUSSELL RINALDI: Was gonna -- four
4 this time around for now.

5 MR. RUSSELL RINALDI: Are we looking for
6 four that are ready to come in and go right out?

7 CHIEF DUBERNAS: Right.

8 MR. RUSSELL RINALDI: No training? Have
9 all their stuff?

10 CHIEF DUBERNAS: Three of them are ready
11 already. The one is not. But the other three will be
12 able to go on the road. They don't have to go through
13 the STO program. They have quite a few years on.

14 The only thing they need is the streets.
15 They run the same computer system as us, everything.
16 So, it will save us a lot of money.

17 MR. RUSSELL RINALDI: The training, the
18 money, the man hours, all that?

19 CHIEF DUBERNAS: Right.

20 MR. RUSSELL RINALDI: That's all I have.

21 CHIEF DUBERNAS: Do you have another one?

22 MR. RUSSELL RINALDI: No. Just how many
23 and if we're looking to do it that way. I know we
24 talked about that in the past.

25 CHIEF DUBERNAS: Right.

1 CHAIRMAN SEMENZA: Thanks, Chief.
2 Bill, solicitor's report. Anything for the agenda,
3 Bill?

4 ATTORNEY RINALDI: Once you know where
5 the project is, then I should have those easements
6 completed. There's just two issues on those.

7 Other question is, do you want me to have
8 the zoning officer send out that draft letter now that
9 it's springtime to the residents up at Rosemont? Could
10 everybody hear me?

11 CHAIRMAN SEMENZA: Yes.

12 ATTORNEY RINALDI: Do you want me to have
13 Steve send that out the way it was drafted a month or
14 two ago about the rain gutters?

15 MR. NOTARI: I thought the letter looked
16 fine. You have my approval.

17 CHAIRMAN SEMENZA: Yes.

18 MR. HOOVER: Me too.

19 ATTORNEY RINALDI: I'll get that to you,
20 Steve. All right?

21 MR. BIERYLA: Okay.

22 ATTORNEY RINALDI: And that's it. That's
23 all I have. Two things in executive session with
24 regards to some litigation. But you're already having
25 a meeting, so bring it up then.

1 CHAIRMAN SEMENZA: Anybody have any
2 questions for Bill?

3 MR. FERRETT: Did you say we're having an
4 executive session afterwards?

5 ATTORNEY RINALDI: I asked for one, yeah.

6 MR. FERRETT: I'll question you in
7 executive session.

8 CHAIRMAN SEMENZA: Anybody else? Thanks,
9 Bill. Mary. Borough manager's report, please.

10 MS. BARTOLETTI: Okay. One thing that I
11 want to bring up is that our park staff started up last
12 Monday.

13 And, obviously, they have a lot of work
14 to do. And some of the park equipment at Marian Street
15 and Miles Street, as we know, has had some damage or
16 worn out a little.

17 So we have the specialist coming in
18 tomorrow. And what they will do is go over every bit
19 of equipment, check and see what's broken, what can't
20 be used, what has to be replaced, if there's nuts and
21 bolts or whatever that are missing.

22 And then what they will do is give us an
23 inventory list of what we need to order. We'll order
24 it. And then we'll have this company come back because
25 they're specialists, as I said. And then they will do

1 all the installing and fixing everything. So
2 everything will be perfect again.

3 So, Larry and Paul are going to help me
4 tomorrow when the guy comes. And that's all I really
5 wanted to mention tonight, only because we have had
6 some concerns about some of the stuff that's broken.

7 VOICE: I was there Saturday and the
8 slides are broke. Clear bubble that you can look
9 through.

10 MS. BARTOLETTI: Over the Fall and the
11 winter, really took a beating. We have some kids, you
12 know, who like to hide in there when it gets dark and
13 do damage, which is unfortunate.

14 So, hopefully, once we get it all fixed
15 up, come up with a solution and it won't happen
16 anymore.

17 CHAIRMAN SEMENZA: I'd like try to look
18 into this year getting some security lights there.

19 MS. BARTOLETTI: I think we're ready for
20 that.

21 CHAIRMAN SEMENZA: Anybody have any
22 questions for Marylynn?

23 MR. NOTARI: Mary, the equipment at
24 Miles, are you saying it's being vandalized or --

25 MS. BARTOLETTI: Marian Street there's a

1 couple pieces that are very beat up. That is
2 definitely due to vandalism.

3 MR. NOTARI: And that's older equipment.

4 MS. BARTOLETTI: Yes. But Miles Street
5 is very new. And the only thing that's a problem at
6 Miles Street is there's one apparatus that, for some
7 reason, seems to be having a little bit of a problem.

8 So, we're going to have them come and
9 check it all out, to see if it's something that needs
10 to be adjusted or something broke or whatever. That
11 piece may actually still be under warranty.

12 And then the rest of it, because some of
13 the pieces are so big, God forbid if something is loose
14 or whatever, it can become very dangerous.

15 MR. NOTARI: That was just my question.
16 I know it's new apparatus at Miles.

17 MS. BARTOLETTI: Absolutely. What's good
18 about it is they go over every little thing. Some
19 things that we may not notice a problem, they'll
20 immediately notice.

21 And, you know, I think it's definitely
22 worth it to get that done. Anybody else?

23 CHAIRMAN SEMENZA: Anybody else? Thank
24 you, marylynn. At this time, go around the table to
25 see if any Council members have anything. Mayor,

1 anything to address Council?

2 THE MAYOR: Two things, a gentleman, I go
3 by there every day on the way home and it's clear, I
4 don't know if he's playing games or not but we're
5 checking on it. We really are.

6 I'd like to get on the agenda for the
7 next meeting, a gentleman wants to come and talk about
8 the home town heroes, Rick Maluccio is here and John
9 didn't show up. So I'd like to get that on the agenda
10 for two weeks from tonight.

11 CHAIRMAN SEMENZA: They would like to
12 come and speak?

13 THE MAYOR: Yes.

14 CHAIRMAN SEMENZA: We don't need to put
15 them on the agenda. Sign in.

16 MS. BARTOLETTI: Sign in.

17 MR. NOTARI: Speak tonight if you'd like.

18 THE MAYOR: Wait until after. I don't
19 want to speak. Do you want to?

20 VOICE: John will take it.

21 THE MAYOR: I'll compound on it .

22 MR. HOOVER: What are you here for then?

23 THE MAYOR: Wants to be.

24 CHAIRMAN SEMENZA: Councilman Febbo.

25 MR. FEBBO: No. I think we covered

1 everything that I was interested in.

2 CHAIRMAN SEMENZA: Councilman Notari.

3 MR. NOTARI: I guess I should have asked
4 Attorney Rinaldi this before, have we heard anything
5 from Ransom Township on approval for the pagnotti
6 property?

7 ATTORNEY RINALDI: It's on for their next
8 meeting. I spoke to Fred Rinaldi, which should be
9 ready for us if not at the May meeting, in our April
10 meeting, the next meeting.

11 MR. NOTARI: I'm just curious.

12 ATTORNEY RINALDI: It's in their
13 pipeline.

14 MR. NOTARI: I want to say their meeting
15 was last night.

16 ATTORNEY RINALDI: Maybe they approved
17 that and just didn't hear yet.

18 MR. NOTARI: Okay. Thanks. That's all I
19 have, Mr. Chairman.

20 CHAIRMAN SEMENZA: Councilman Rinaldi,
21 anything?

22 MR. RUSSELL RINALDI: Yeah. The only
23 item I have is, going off of what you said about
24 lighting at Marian Street Park, I know we talked about
25 it for a few years. I think we should discuss it

1 further to do some type of camera system down at Miles
2 Street Park.

3 I don't know how much we're going to
4 spend or anything. I just priced a camera system for
5 my business and it's only around \$1,800.00. It's a
6 state of the art, see in the dark.

7 I mean, it's a really good system. I
8 mean, if we got it for the park and got 12 cameras,
9 that's what I'm getting. If we need a couple more,
10 double it 36 hundred dollars, I mean.

11 MS. BARTOLETTI: Believe it or not, Miles
12 Street is the easy one. Marian is the harder one.

13 MR. RUSSELL RINALDI: If we can get them
14 over there too.

15 CHAIRMAN SEMENZA: I'd like to get them
16 in all parks.

17 MR. RUSSELL RINALDI: They're all
18 night-vision cameras. They're crystal clear. You
19 could zoom. You could zoom right in on them. You can
20 zoom right to someone's license plate and see
21 Pennsylvania. That's how clear they are. They're
22 great.

23 MR. NOTARI: Could we have our security
24 company come in and give us an estimate?

25 MS. BARTOLETTI: Absolutely.

1 MR. NOTARI: In terms of lighting, is
2 there any way that the poles that run through the
3 Marian Street Park, is there any way PPL could put
4 lights up there for us or --

5 MS. BARTOLETTI: I don't think we've ever
6 asked them about putting them on their poles or
7 anything. I know we do have the capability, when the
8 park is being built, everything is run underground, so
9 that when we were ready to actually install lights,
10 everything would be ready to go. Now, that's been a
11 couple years.

12 MR. RUSSELL RINALDI: A couple big
13 spotlights, like you're saying.

14 MR. NOTARI: On those poles. That might
15 help us. Maybe they would even do it for no cost.

16 MS. BARTOLETTI: We can contact and see.
17 I don't see why not.

18 MR. NOTARI: Would you do that, please?

19 MS. BARTOLETTI: Yes.

20 MR. NOTARI: If they tell us no, should
21 we try to get an estimate then for lighting in certain
22 areas of that park?

23 MS. BARTOLETTI: We have to do something.
24 We definitely have to do something because you know how
25 it is. It's significant stuff. That's when the stuff

1 happens.

2 And the fact we don't have --
3 technically, we don't have electricity there. There's
4 no power or anything. You know, that's where all the
5 problems come in with the cameras and the whole bit.

6 MR. NOTARI: Maybe the school could help
7 us out in exchange.

8 VOICE: We have no money.

9 CHAIRMAN SEMENZA: Anything else? No.
10 Councilman Ferrett, anything?

11 MR. FERRETT: Yes. Once again, I have to
12 mention, Mr. Chairman, is the fact that we mentioned it
13 one time before about a maintenance program for the
14 town and everything, being that we're spending so much
15 money on the roads and everything.

16 I honestly surely think that what we
17 should do is come out with a good maintenance program
18 where we can do most of the work ourselves in-house.

19 And, by doing that, we can go to work and
20 purchase our own tar bucket, hire three people, go
21 through a summer program where it's not going to cost
22 us very much money.

23 I think if Council is very much
24 interested in doing this, at our next meeting, I would
25 like to make a recommendation.. And I will be meeting

1 with our committee to come up with some important
2 issues that we think should be done and everything.
3 And then it will be up to Council whether they want to
4 go through or whether they want to go through with it.

5 CHAIRMAN SEMENZA: Joe, why don't you
6 meet with your committee, come up with some cost, what
7 it's going to cost, you know, the program is going to
8 be. And then --

9 MR. FERRETT: I have some idea what
10 direction we can go in and everything. But before we
11 say anything, it's best if I meet with our two members
12 on our committee so we can come back and make a
13 recommendation on what we think, what the committee
14 thinks. And then it's up to Council to make a decision
15 whether they want to go through with the program or
16 they don't want to go through with the program.

17 CHAIRMAN SEMENZA: April 17 is our next
18 meeting. Come to Council with the recommendation.

19 MR. FERRETT: Yeah. Put that on the
20 agenda.

21 CHAIRMAN SEMENZA: Thank you, Joe.
22 Anything else?

23 MR. FERRETT: No.

24 CHAIRMAN SEMENZA: Councilman Hoover.

25 MR. HOOVER: Where do we stand with the

1 position with for the sewer?

2 CHAIRMAN SEMENZA: Going to have a brief
3 executive session afterwards to talk about that.

4 MR. HOOVER: Okay. And Corcoran Street,
5 Dave, we're going to see storm behind the curb up
6 there, next week, start the concrete sidewalks, grass.
7 Not going to do nothing with the street. Street is
8 done.

9 MR. LOPATKA: This contract, once we get
10 it signed, get a notice to proceed. Hopefully be out
11 there pretty quick.

12 MR. HOOVER: Okay.

13 MR. PAPI: I don't want you to forget
14 about up on top of Bridge Street, we have the same
15 problem that we have on Corcoran with the water
16 company's line right on top of our sewer.

17 And it broke last year. We fixed it as
18 best we could. We couldn't do a real good job, the
19 normal job because of the waterline being in the way.

20 MR. HOOVER: That's right at the
21 interaction, isn't it, Paul?

22 MR. PAPI: Yeah. Bridge Street up like 2
23 or 300 feet.

24 MR. HOOVER: I know there's a permit in
25 because Steve Yoslinski gave me this. There's a permit

1 into PennDOT for us to put 350 feet in there, water
2 main and six services or something like that.

3 I know the permit is in but it takes
4 forever.

5 MR. PAPI: We can't get to our sewer
6 line.

7 CHAIRMAN SEMENZA: Is that where they did
8 the project?

9 MR. PAPI: Right at that corner up, Bob.
10 Okay, so.

11 CHAIRMAN SEMENZA: Briefly remember that.

12 MR. NOTARI: Is that Joey Nocera's house?

13 MR. PAPI: Across the street.

14 CHAIRMAN SEMENZA: I have nothing. I'd
15 like to thank the Pero Family for coming in tonight.
16 It was an honor for me to present that to you more
17 because your husband presented my dad with his field
18 sign. And, you know, touches me here. Thank you.

19 MS. BARTOLETTI: Just looking at the
20 picture the other day.

21 CHAIRMAN SEMENZA: Thank you. And I have
22 nothing else. At this time, going go to public comment.
23 Is anybody on the sheet? John.

24 MR. JUROSKY: Once again, that same
25 garbage, there was all that garbage and tires behind

1 that garage that hasn't been moved yet.

2 And, once again, we talked about that
3 corner, that white SUV. On the other corner is an
4 abandoned vehicle. The mechanics -- that gray car
5 hasn't been moved in two months and he's 15 feet from
6 the intersection.

7 And, like, just three cars there who has
8 -- one car that hasn't been moved in six months,
9 lacking inspection. That car is lacking inspection is
10 right next to the intersection.

11 You know, like, and all that garbage.
12 I'm just afraid this guy is going to take off and leave
13 all the tires there.

14 CHAIRMAN SEMENZA: Steve, did you take a
15 look at the tires up there? Did you get a chance to
16 get up there?

17 MR. BIERYLA: I did speak with Ronnie.
18 He said he was going to have them removed. I'll get
19 back on it again this week.

20 CHAIRMAN SEMENZA: And if nothing moved,
21 we'll forward it and get on --

22 MR. BIERYLA: Yes.

23 CHAIRMAN SEMENZA: I don't know what the
24 process is, but whatever it is.

25 MR. BIERYLA: Violation notice. Move on

1 the ordinance.

2 CHAIRMAN SEMENZA: Chief, as for cars.

3 CHIEF DUBERNAS: There's a process of
4 abandoned vehicles.

5 CHAIRMAN SEMENZA: You're in the process
6 with the abandoned vehicles?

7 CHIEF DUBERNAS: There is. Usually takes
8 about 4 to 6 weeks. That's from PennDOT. They get a
9 certification of the title and everything.

10 MR. JUROSKY: They run the garage. That
11 gray car in the corner, the wrecker dropped that car
12 off, left the car there for the garage and the people
13 came back and took their stuff.

14 CHIEF DUBERNAS: We can ask Ronnie Coles
15 to move them. They're being there to be worked on. If
16 they're not, they're just abandoned, then we have a
17 process we have to go through.

18 CHAIRMAN SEMENZA: I mean, you can run a
19 business parking vehicles on the street that -- I mean,
20 I don't know.

21 CHIEF DUBERNAS: I don't know. That's an
22 inspection station. If their car is there --

23 CHAIRMAN SEMENZA: I understand that. But
24 you can use the public street as your personal parking
25 lot for your garage?

1 CHIEF DUBERNAS: Been like that for years
2 and years.

3 CHAIRMAN SEMENZA: I'm saying, Bill,
4 could you use the public street as a parking for your
5 business?

6 ATTORNEY RINALDI: Call me tomorrow and
7 see if we can't figure something out, Chief.

8 CHAIRMAN SEMENZA: Something has to be
9 done.

10 MR. HOOVER: Do they park them around the
11 corner, going up Garber on the right-hand side there?

12 MR. LESHINSKY: The inspection has been
13 up for moths. There's a Hyundai Sonata that's been
14 there for a year. Been there since last summer. The
15 car is clearly abandoned, clearly abandoned.

16 The plate sticker is up. And like I
17 said, okay, you want to run a commercial business, keep
18 it on your business property, Garber Street is not
19 commercial. Don't park your cars up on Barber Street.

20 I pay \$4,000.00 a year in taxes. And if
21 I park my car like that, I'm going to get a ticket.
22 This guy has got cars that are abandoned all over the
23 place. Why isn't he getting tickets?

24 MR. JUROSKY: Starting to bring it to
25 your attention.

1 CHIEF DUBERNAS: I know Kimble has the
2 one on Garber Street and already started the process.

3 MR. LESHINSKY: How about throwing a
4 ticket on it, Chief, on the abandoned vehicles?

5 CHIEF DUBERNAS: No. We towed them. We
6 have a special salvager that we have to call to have
7 them removed. We tow them out. They don't get
8 ticketed. They get towed.

9 MR. LESHINSKY: Couldn't you put a ticket
10 to put a rush on it and say, obviously --

11 CHIEF DUBERNAS: If it's abandoned,
12 doesn't come back to an owner, me putting a ticket on
13 it, it's not going to get paid until we go through a
14 salvager of PennDOT and then we tow it.

15 We use Anthracite Auto. That's our
16 salvager.

17 MR. JUROSKY: Chief, what we're trying to
18 tell you, these cars belong to that garage. Okay?
19 People came and dropped the car off.

20 CHIEF DUBERNAS: They don't belong in the
21 garage. Still belong to an owner.

22 MR. JUROSKY: But they couldn't afford
23 the bill or whatever. And the guy kept the car. Even
24 that one on the corner of Butler and Garber.

25 CHIEF DUBERNAS: If he takes the car, he

1 has to have a certified title saying that he owns the
2 vehicle now, whoever the name of the garage, I'm not
3 sure Roy Williams or --

4 CHAIRMAN SEMENZA: Any way to hurry this
5 process up?

6 MR. FEBBO: Run the VIN Number.

7 CHAIRMAN SEMENZA: Any way to this
8 process can speed it up a little bit?

9 MR. NOTARI: It's up to PennDOT.

10 CHAIRMAN SEMENZA: I know. But any
11 pressure on him to speed it up a little bit.

12 MR. RUSSELL RINALDI: I think to clarify
13 your question is, can't you just go up there and put
14 the ticket on it? You could, but the car doesn't
15 belong anybody.

16 If it was cars that were being moved and
17 parked on the wrong side of the road, then you can go
18 and ticket those.

19 If he goes up and tickets it, it's just
20 going to sit there abandoned and ticketed. The process
21 he's taking is with our police officer, who handles the
22 abandoned vehicle, they run them.

23 And once they come back with no owner, no
24 registration, no nothing, then he sends them up there
25 and gets towed.

1 If it sits up there ticketed --

2 MR. LESHINSKY: And that's what John is
3 pointing out.

4 MR. RUSSELL RINALDI: Just going to sit
5 there abandoned, ticketed for three weeks until we get
6 information back and then we're going to tow it with
7 the ticket basically on it.

8 But the ones that are there, maybe today
9 there parked on one side of the road illegally and then
10 tomorrow and then not, then on Thursday, those are the
11 ones you can ticket.

12 MR. LESHINSKY: I understand that.

13 MR. JUROSKY: But what we're saying is
14 this guy is having these cars towed on the street, left
15 on the street, then if he works on them, he works on
16 them. If he doesn't work on it, he doesn't work on it.
17 But they're out of inspection, out the plate too and
18 left there.

19 If somebody left a car -- two junk cars
20 in front of your house, you'd be awful pissed off.

21 MR. RUSSELL RINALDI: Where do they go
22 after they're left there? Just sitting there?

23 MR. JUROSKY: Sitting there. Mechanic
24 has them.

25 CHIEF DUBERNAS: They're abandoned.

1 That's where we have to go through PennDOT.

2 MR. RUSSELL RINALDI: That's the process
3 that the Chief is going through to have them towed.

4 MR. JUROSKY: A tow truck comes and drops
5 them off. A guy doesn't come up and say I'm going to
6 leave my car there and walk away. A tow truck comes
7 and drops these cars off.

8 And Ron may not be working on them for a
9 month to two months. Maybe an auction car or whatever.
10 Or why should a car that has no inspection or no plate
11 just sitting in front of a guy's house for two months?

12 MR. RUSSELL RINALDI: I think that's what
13 the solicitor is going to check tomorrow. If the car
14 is parked on the street legally, could it sit there?

15 MR. JUROSKY: It's not legally. It's
16 illegal. Right next to the intersection.

17 MR. LESHINSKY: The other one don't have
18 a sticker.

19 MR. RUSSELL RINALDI: If it's illegal,
20 then, no, I don't think it should be on the street.

21 CHAIRMAN SEMENZA: My main concern is,
22 it's a business owner using a public street for his
23 business for parking cars. Could it be done, Bill, is
24 what I want to know?

25 ATTORNEY RINALDI: I mean, I could park

1 my car on any street here.

2 MR. LESHINSKY: Unregistered, uninspected
3 vehicle?

4 MR. FEBBO: Got to have a tag.

5 CHAIRMAN SEMENZA: He's dropping them
6 there.

7 MR. NOTARI: But the Chief has to prove
8 it's an abandoned vehicle.

9 CHAIRMAN SEMENZA: Russell's restaurant is
10 having a --

11 MR. NOTARI: I understand. If it's an
12 abandoned vehicle, that's different. But the Chief has
13 to go through a process to prove that vehicle is
14 abandoned.

15 CHAIRMAN SEMENZA: Right.

16 MR. NOTARI: I cannot like my neighbor
17 and not like the way he has the car parked in front of
18 his house and say, well, that car is abandoned.

19 CHIEF DUBERNAS: Say if he works on it a
20 little today and doesn't work on it again for two
21 weeks, that's his commercial business. That's a
22 mechanic shop. That's why you find a car without an
23 inspection sticker, maybe it needs brakes, this.

24 He's doing whatever he have could. I
25 can't afford to have all this at one time. Here's a

1 hundred dollars.

2 CHAIRMAN SEMENZA: So he could just leave
3 the car in the street though is what I'm saying. Is
4 that legal?

5 CHIEF DUBERNAS: I don't know. It's been
6 like that longer than I've been living.

7 CHAIRMAN SEMENZA: I understand how long
8 that's been like that for. Now there's residents being
9 --

10 MR. LESHINSKY: Taxpayers.

11 CHAIRMAN SEMENZA: Taxpayers being
12 burdened by it. Basically, what I'm saying is, I mean,
13 is it legal? Is it not legal? Could we do anything
14 about it? Could you not?

15 MR. FEBBO: Shouldn't take what he can't
16 handle.

17 CHAIRMAN SEMENZA: Exactly, Councilman
18 Febbo. Exactly what I'm getting to.

19 MR. LESHINSKY: I think the point that
20 John is trying to bring up that he's hitting on but not
21 clarifying it is that it was because of the garage that
22 those abandoned vehicles were brought there.

23 It wasn't the choice of, like, Bob, if
24 you wanted to park your car you were getting rid of and
25 wanted to abandon it and brought it up on my street and

1 parked it there until it ran out, that's legal. You're
2 absolutely right. Everybody is right.

3 But this is part of the business. They
4 bring it to the business. He parks it up there. Oh, I
5 can't fix. Take all your stuff out of it and leave it
6 on Garber Street, which is not commercial. Leave it on
7 Butler Street, which is not commercial.

8 These are two streets that are not
9 commercial that are being inundated with vehicles from
10 a commercial business that he's just putting cars
11 anywhere he wants.

12 He's parking them the wrong way. He's
13 causing a disruption with the way the vehicles are
14 parked driving up and down that hill. I know it's hard
15 to catch him.

16 And if -- Rich, if you think you're going
17 by my word to say that just that we're saying it's
18 abandoned because we feel like that, I don't know -- I
19 got better things to do tonight.

20 MR. NOTARI: I'm not. But I think you
21 need to understand that there's a process. That -- I'm
22 not saying that you're just coming in here saying
23 they're abandoned.

24 I believe they are abandoned. But you
25 have to realize too that there's a process that the

1 police department has to go through to determine that
2 they were abandoned.

3 CHIEF DUBERNAS: We're taking somebody's
4 property.

5 MR. NOTARI: Plain and simple. So that
6 process has started, according to the Chief.

7 MR. JUROSKY: If they don't have an
8 inspection sticker on their car --

9 MR. NOTARI: Doesn't matter. It doesn't
10 matter if there's not a license plate. It doesn't
11 matter --

12 MR. JUROSKY: This is going on for six
13 months.

14 MR. NOTARI: Just been alerted to that
15 problem. So he's taking care of that problem as quick
16 as he can.

17 That's what I think you need to
18 understand. There is a process. And he's going
19 through the process.

20 CHIEF DUBERNAS: We don't make the
21 process. PennDOT does.

22 MR. NOTARI: We don't make the rules.

23 MR. JUROSKY: We want to bring it to your
24 attention.

25 MR. NOTARI: We're glad you did. I've

1 driven by and I've seen that car parked the wrong way a
2 few times.

3 CHIEF DUBERNAS: In touch with PennDOT
4 for a title so we can take it.

5 MR. LESHINSKY: Is there something that
6 you -- the procedure that you follow, is it possible
7 that you can supply me with that?

8 CHIEF DUBERNAS: Yeah, the salvage title,
9 we have to apply for. We have to notify and send the
10 certified mail. Within ten days, it comes back. Then
11 Officer Kimble, who does them, has to apply to the
12 State to show that we could not make contact who with
13 the current owner is.

14 And when it comes back from there, we
15 apply to the State to get the salvage title. And we
16 get the salvage title, we contact Anthracite Auto in
17 the City of Scranton where they come and they sign off,
18 because they're taking somebody's property.

19 And we got to submit that paperwork back
20 to --

21 CHAIRMAN SEMENZA: Right. And what I was
22 saying before, what I was saying before, what I was
23 asking, is there any way we can hurry up the process?

24 I'm not saying get it done tomorrow. I'm
25 saying, when you submit the paperwork, there's always,

1 okay, do that tomorrow. Is there any way you can say,
2 listen, we need this done?

3 CHIEF DUBERNAS: No. Kimble is usually
4 on top of it.

5 CHAIRMAN SEMENZA: I get it. There's
6 always a lapse in time, day or two.

7 CHIEF DUBERNAS: Once we notify the
8 tower, you know what I mean?

9 CHAIRMAN SEMENZA: He might take two
10 days. I'm saying, could you get on it any way you
11 could and say, we need this done for these guys, could
12 you get this taken care of quick?

13 CHIEF DUBERNAS: The inspection sticker
14 could be up. We run the tag and the tag is valid,
15 abandoned vehicle.

16 We can be in the middle of the process
17 and somebody and call up and on-line --

18 CHAIRMAN SEMENZA: Illegally parked car,
19 can't we tow an illegally parked car?

20 CHIEF DUBERNAS: Not illegally parked.
21 Parked legal.

22 MR. JUROSKY: No, it isn't.

23 CHIEF DUBERNAS: We can ticket them. But
24 that's the thing. If somebody -- if we start the
25 process on and get the letter, somebody can go on-line

1 and register the car. Guess what? It's over and done
2 with. Can sit there for another year.

3 MR. NOTARI: Whole problem, we have a
4 business in a residential area. That's our problem
5 right now.

6 And either we need to find a way to --
7 another way to help these people, other than the way
8 we're attempting right now.

9 CHIEF DUBERNAS: Is there any property
10 behind the garage, can he pull the car behind the
11 garage?

12 MR. JUROSKY: That's what we're saying,
13 if he gets rid of the tires, all the junk, the junks
14 cars he has there, they use that section for his
15 business. But he has no regard for the residents of
16 those streets. He doesn't care.

17 CHAIRMAN SEMENZA: Steve is going to get
18 on that.

19 MR. JUROSKY: We approached him many
20 times. We don't want to come to Council. Many times I
21 talked to the guy. I go, at least when it snows, have
22 to have consideration. He doesn't care.

23 Can't make it up the hill when it snows,
24 he laughs at you. That's where I drew the straw.
25 Okay? He has no regard.

1 And need to solve the whole problem and
2 be a good neighbor. But he doesn't care.

3 MR. NOTARI: Steve, are there any
4 ordinances, other ordinances that we can attack this
5 through and get creative?

6 MR. BIERLYA: I will look into it.

7 MR. FEBBO: Is there a garage ordinance
8 or a car lot?

9 CHAIRMAN SEMENZA: Keep going to do our
10 best to get it settled for you, hopefully sooner than
11 later.

12 Do you have anything else to address
13 Council? No. Steve, you'll look into that.

14 MR. BIERLYA: Yes.

15 CHAIRMAN SEMENZA: Chief, keep on that.
16 Thank you. At this time, the Chair would entertain a
17 motion to adjourn.

18 MR. NOTARI: Make that motion.

19 CHAIRMAN SEMENZA: Motion on the floor by
20 Councilman Notari.

21 MR. HOOVER: I'll second.

22 CHAIRMAN SEMENZA: All in favor.

23 (Chorus of ayes.)

24 CHAIRMAN SEMENZA: Ayes have it.

25 (Whereupon, at 7:56 p.m, the hearing was concluded.)

CERTIFICATE

I hereby certify, as the stenographic reporter,
that the foregoing proceedings were reported
stenographically by me, and thereafter reduced to
typewriting by me or under my direction; and that this
transcript is a true and accurate record to the best of
my ability.

BY: 

Janet E. Smith, Court Reporter