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1	OLD FORGE BOROUGH COUNCIL	
2	OLD FORGE, PENNSYLVANIA	
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5	IN RE: COUNCIL WORK SESSION	
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9	APRIL 2, 2019	
10	7:00 P.M.	
11	OLD FORGE MUNICIPAL BUILDING	
12	314 SOUTH MAIN STREET	
13	OLD FORGE, PENNSYLVANIA	
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17	COUNCIL MEMBERS:	
18	OGGNOTE HEHBERGY	
19	ROBERT SEMENZA, PRESIDENT JOSEPH FERRETT	
20	RUSSELL RINALDI LOUIS FEBBO	
21	RICK NOTARI JAMES HOOVER	
22	MICHAEL LETTIERI WILLIAM RINALDI, ESQUIRE, SOLICITOR	
23	MARYLYNN BARTOLETTI, BOROUGH MANAGER	
24		
25	Mark Wozniak Official Court Reporter	
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1	MR. SEMENZA: Good evening, ladies
2	and gentlemen. Welcome to the Old Forge
3	Borough Council meeting. I'd like to start
4	the meeting with the Pledge of Allegiance.
5	(The Pledge of Allegiance was
6	recited.)
7	MR. SEMENZA: Roll call, please,
8	Bill.
9	ATTY. RINALDI: Mr. Febbo?
10	MR. FEBBO: Here.
11	ATTY. RINALDI: Mr. Notari?
12	MR. NOTARI: Present.
13	ATTY. RINALDI: Mr. Lettieri?
14	MR. LETTIERI: Present.
15	ATTY. RINALDI: Mr. Rinaldi is
16	absent. Mr. Hoover?
17	MR. HOOVER: Here.
18	ATTY. RINALDI: Mr. Ferrett?
19	MR. FERRETT: Here.
20	ATTY. RINALDI: Mr. Semenza?
21	MR. SEMENZA: Here.
22	ATTY. RINALDI: The mayor's here,
23	I'm here, and Marylynn will be in.
24	MR. SEMENZA: Once again, welcome to
25	the April 2nd work session for the Old Forge
	II

Borough Council. The purpose of tonight's meeting is to set the agenda for our April 16th regular council meeting. I'll go to our department heads, see if they have anything for the agenda. I'll go down the table, see if counsel has anything to address.

Paul Papi is not here tonight. At this time I'll go to Steve. Steve, do you have anything for the agenda?

MR. BIERYLA: I do not. We have a planning meeting coming up, and I believe Birchwood Estates is coming for a subdivision plan. But other than that --

ATTY. RINALDI: They submitted?

MR. LOPATKA: That wasn't a formal submission.

MR. SEMENZA: When is the planning meeting?

MR. BIERYLA: This Thursday, if council wanted to come to the meeting.

MR. SEMENZA: Anything else, Steve?

MR. BIERYLA: No.

MR. SEMENZA: Anybody have any questions for Steve?

MR. NOTARI: Because of another borough matter I took a drive down Foundry Street today. At the end of Foundry there seems to be a lot of construction equipment. Can you take a look and see if it's -- I mean, we're kind of attacking a lot of issues in town regarding junkyards. So I don't know if they're all licensed or running or registered, but would you take a look and see. I mean, if we're going to attack other places in town we better be thorough and be all over. Thank you.

MR. SEMENZA: Anything else, Councilman?

MR. NOTARI: No.

MR. SEMENZA: Anybody else? Steve, it's getting to the time you're going to be going nuts with --

MR. BIERYLA: My plate is getting full already. I have to give Bill four hearings with Mr. Seig, and there's probably going to be in May, I would imagine, another four with different letters that I sent out for no compliance.

MR. SEMENZA: Any update on the

Perone property?

MR. BIERYLA: Well, 120 days. He's good until June sometime. Somewhere in June.

MR. SEMENZA: I don't have anything else. Dave, engineer's report. Do you have anything for the agenda?

MR. LOPATKA: I did mention to you that I sent those plans out to get an actual real cost for the community center drawing. I should be getting that back any day. I'll get that to you and Marylynn so everybody can get it.

Bill, I got a set of drawings for the church. You can get that signed and finalized.

I met Joe up at Pride.

MR. SEMENZA: I met him also.

MR. LOPATKA: To me, just looking at it grade-wise it looks like there's definitely something you can do to alleviate that problem in that one area, the swale along the road.

MR. SEMENZA: I'm not sure how far Pride Mobility's property goes, but it has

to go to that makeshift dirt road going through there. Correct? People aren't going to be able to drive to the swale if they put a swale there. Correct?

MR. LOPATKA: No, the swale actually was started before -- well, actually if you're going up Wood, from here up Wood, it would be just after it. You kind of want to start it just beyond where that comes out.

I mean, all the water seems to accumulate right there, and it gets to a certain point height-wise and then it starts crossing the road.

MR. SEMENZA: Could you reach out to them, see if they'd still do it. They got all the equipment there. All it is is riprap.

MR. LOPATKA: Yeah.

MR. SEMENZA: This issue is it's coming off their property. I don't see why they wouldn't do it.

MR. LOPATKA: I'll look at the map.

I'll reach out to Reilly and have them talk
to them.

MR. SEMENZA: If anybody doesn't

know what we're talking about, Wood Street, the Pride Mobility property across from Jim Serino's house. He's getting some dirt washing, water washing across the road, making the road a mess there. Dave suggested a swale.

MR. LOPATKA: Parallel with the road. Their swale is deep enough on that side of the building that you could easily run the swale into it.

MR. FEBBO: Was this a problem in existence before Pride?

MR. LOPATKA: I think there were probably some issues. There's a low spot in the road right there.

 $$\operatorname{MR}.$$  SEMENZA: I don't think it was as bad. I've never seen it like it's been explained to me.

MR. LOPATKA: We went up there right after it rained and there was a puddle there. The water was starting to go across the road.

MR. SEMENZA: They seem like they're pretty good guys. Maybe they'll help. See what they say, Dave. Anything else?

Marylynn, the plans. MS. BARTOLETTI: I talked to them Showed the plans. Everyone here except Joe and the mayor saw them. So far, so good. I think everybody liked them pretty much the way they are. That should be it. MR. SEMENZA: Anybody have any MR. LETTIERI: Dave, we don't have any plans for the building next door? We don't. At this point we're trying to solidify that plan, and then we talked about that, to start moving on to what's going to happen over It would be better off --MR. LETTIERI: We talked about coordinating at the same time. MS. BARTOLETTI: Remember from when the police were going to move in the basement? Jason had to do up a plan of a centralized work area that he wanted and

So what we want to do is take that plan and put it into the upstairs of that

building. So we have to do some design work on the lower floor, the main level, but the upstairs plan is kind of there.

upstairs plan is kind of there.

MR. LOPATKA: It's going to have to be tweaked. I think the program to set it up is similar to what was talked about for downstairs. It would be worth it for you to

do them at the same time because you're going to get a better price.

MR. SEMENZA: We have all the cubicles for it?

MS. BARTOLETTI: Yes.

MR. SEMENZA: Anything else?
Anybody else? Thanks, Dave. Bill,
solicitor. Do you have anything for the
agenda?

ATTY. RINALDI: Planning is going to be presented with the final subdivision plans for the church Thursday, so the final approval by council will be at the next.

I'll do what we need to do to make a determination on heart and lung benefits for the chief at the next meeting.

I talked to Dave about surveying the Project 70 land. That's all I have.

MR. SEMENZA: Anybody have any questions for Bill? Thanks, Bill.

ATTY. RINALDI: It will be a final approval and close the next day or the day after, so I'll have everything in one package at the next meeting. The 90 days ran so we have to redo it.

MR. SEMENZA: Thanks, Bill. Marylynn?

MS. BARTOLETTI: I don't really have anything for the agenda.

MR. SEMENZA: Anybody have any questions for Marylynn?

MR. NOTARI: Are the parks open?

MS. BARTOLETTI: The parks are open.

MR. FEBBO: How did we make out with help?

MS. BARTOLETTI: Right now Frank is working and Larry is working. We have an advertisement in the paper for more help.

One of the guys who worked a few hours last year didn't come back this year. So for now we have two working.

MR. FEBBO: Is Larry going to stay with us?

MS. BARTOLETTI: Yes.

MR. NOTARI: We're going to add a third person?

MS. BARTOLETTI: Yes, to replace Ron, who worked last year.

MR. SEMENZA: I know last year we got locks.

MS. BARTOLETTI: They're all ready to go.

MR. SEMENZA: So we can kind of keep control.

MS. BARTOLETTI: We have them.

MR. NOTARI: For the parks?

MS. BARTOLETTI: Yes.

MR. SEMENZA: Anything else?
Thanks, Marylynn. We'll go down the table
now. Mayor?

MAYOR LEGG: Mr. Chairman, the only thing I have is the 27th of this month is cleanup day, so I'd like to see if we can get as many people as we can. I'm going to see Mr. Gatto. Last year he promised the Leo Club and cheerleaders and we had eight people show up. Lou, myself and Russ.

MR SEMENZA: I'll be out of town

that day.

MR. LETTIERI: Me as well.

MR. SEMENZA: Councilman Febbo?

MR. FEBBO: Nothing.

MR. NOTARI: I have nothing.

MR. LETTIERI: Rick, scheduling with the school board?

MR. NOTARI: I haven't been able to get in touch with Brian Guida, who is the new chairman of that committee, so I'm going to reach out to Brian Rinaldi, see if he can get us together.

MR. SEMENZA: Councilman Ferrett?

MR. FERRETT: Nothing.

MR. HOOVER: I have nothing.

MR. SEMENZA: Myself, last night we had an executive session for real estate. We spoke about the remodeling of the borough building and Marylynn mentioned that we might even use the LGI of the school or something for some meetings. I did speak with John Rushefski today. Marylynn is going to take care of it from there. Everything will be good.

Another thing is, I know in the past

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we talked about tablets for counsel members. Everybody still interested? Okay. myself.

ATTY. RINALDI: Set up a borough e-mail, because all e-mails are subject to the right-to-know law.

MR. SEMENZA: It's going to be borough use only. You'll have a borough e-mail attached. Use it for borough business only.

I spoke with a gentleman, I believe his last name was Grande, and he wants to use lower Pagnotti for a speed and conditioning, like a three-day course down there for speed conditioning. I kind of put him off because I wanted to talk to Marylynn before I said anything to him. But I just wanted to let council know that it won't interfere with any --

MR. FEBBO: Who's he representing? MR. NOTARI: Himself. Probably Charlie Grande.

MS. BARTOLETTI: Is this something that's only open to Old Fore kids?

MR. SEMENZA: No, it will be open to

We

I guess it will be. They didn't 1 anyone. 2 say no. MS. BARTOLETTI: Normally the travel 3 teams I usually say no to everyone. 4 5 MR. SEMENZA: It's not a team. 6 can limit it, then. We can tell him it can 7 only be for Old Forge. MR. LETTIERI: When does he plan on 8 9 doing this? MR. SEMENZA: He's working with 10 11 Schuback so it doesn't interfere with his 12 He's going work around junior 13 football. MR. FEBBO: Is there an age limit? 14 15 MR. SEMENZA: I didn't get too much info on it because I didn't want to get into 16 17 a conversation with him. I wanted to speak with Marylynn before. Obviously they need 18 19 proof of liability insurance and the whole nine yards and he does that. I'm going to 20 21 put him in contact with her. 22 MR. NOTARI: Do our youth 23 organizations provide proof of insurance and 24 liability? MS. BARTOLETTI: Yes, everyone does. 25

Anyone who uses the field has to provide insurance.

MR. NOTARI: If junior football is involved, it would probably make more sense for them to just sponsor the clinic.

MS. BARTOLETTI: I think this guy is kind of doing it on his own.

MR. FEBBO: Do they have a fee?

MR. SEMENZA: I'm sure they do

charge for it.

MS. BARTOLETTI: Is it something that he is charging for? Do we in turn charge a fee for use of the field, or besides having proof of insurance, provide a certificate of insurance to us? We have to have a certificate of insurance, but do we charge a fee for something like that?

Usually when people use our fields and everything it's always not for profit.

MR. FEBBO: You've got to be careful with that. You don't want to open a can of worms.

MR. SEMENZA: Marylynn, I'm going to have him call you. You talk to him. Then next meeting you can update everybody on the

information on it.

MS. BARTOLETTI: That's good. Maybe he has a flyer or whatever that he's planning on using.

MR. SEMENZA: Do you have anything?

MR. HOOVER: That water project

going on on Moosic Road, as we get closer to

Main Avenue it's going to get crazy.

Leeward is going to come here and ask if

they can have a police car somewhere maybe

help with the traffic. They'll pay for the

policeman. I'll pay for the policeman.

They're going to ask for a cop to be there

just to maybe direct traffic. We're going

MR. SEMENZA: Could we just shut a state road down?

to have to stop when it gets up to Main

Avenue and maybe ask the state if we can

close it down on a Sunday, do it on a

Sunday, something like that.

MR. HOOVER: I can with the correct detour signs. I have to make up a detour plan for them. We may go out to Main Avenue a little bit. It's about eight foot out in the middle of the intersection.

MR. SEMENZA: Russ?

MR. RUSSELL RINALDI: No, I'm good.

MR. SEMENZA: That's it. Chief Dubernas isn't here. Mayor, anything to report for the police?

MAYOR LEGG: I've been here after work every day with Buggy and Kimbal, on the phone with them and the chief constantly.

So we have it pretty much under control.

I'd rather have the chief back. In due time.

MR. SEMENZA: I'll go to public comment.

MR. JUROSKY: Can you tell me the update? It's seems like it got a lot worse.

MR. HOOVER: I happened to drive by Sunday. Sunday was really bad. It made me turn around and drive up because you could only get one car up. If a car was coming down you wouldn't be able to fit two cars there. Butler. He had actually four cars parked in front of his place where you couldn't get by, plus there's a Mercedes sitting up around the corner for about a week that I know of with smashed windows.

MR. JUROSKY: That was dropped off. Probably the last two months he rolled ten cars down the hill. You guys told him not to do it and he still does it. Then the garbage packer had a tough time getting up the street with that Mercedes there. It's tough. A fire truck I'm not sure.

MR. HOOVER: Whose blue car is that on the corner?

MR. JUROSKY: I'm not sure. Probably the apartment housing.

MR. HOOVER: Then you have that Comcast van, then another car, Jeep, in front of that.

MR. JUROSKY: I must be a pain in the ass and I do agree with you. My son-in-law got in an accident at that corner three weeks ago. I was hoping one of my family would not get in an accident there and he did. Myself, last year I saw four accidents. I just pray there's not a bad accident.

MR. HOOVER: The way it is right now, if there was a fire up there I don't believe you would be able to get a fire

truck around the corner. That blue car is right there on the corner, the Mercedes is in front of the other house.

MR. SEMENZA: What he's doing is he's playing a chess game moving cars. You know, I go up here one day and I see cars there. I go up there the next day and the cars are moved.

MR. JUROSKY: I gave the chief and Steve a list of cars there about two months ago. There's two cars at the stop sing, a Volkswagon and a white SUV. They're parked there on the road for four months. Okay? You talk about junkyards. This is going to end up a junkyard in a residential neighborhood. There's two cars parked at that stop sign at Butler and Main for four months.

If he gets rid of those junks and parked his vehicles there, not up on Garber, on Butler, that's the only thing I'm saying.

And I tried to talk to this guy. We almost got in a fight. I go please, just work with us. You were told you're not allowed to roll the cars down the hill. He

goes I don't care. So that's why I gave it two months, to see if hopefully it worked itself out, but it's getting worse. I heard his son got denied at planning and now he's taking it all out on us, the neighbors.

MR. NOTARI: Why can't we put permit parking on those streets?

ATTY. RINALDI: I don't think you really need permit parking. All you need to do is he got his letter from the zoning hearing officer. If he's still in violation he goes to the magistrate and they fine him for parking cars on the street for his business.

MR. LETTIERI: Why is this not happening, though?

ATTY. RINALDI: You have to wait. He's got 30 days to appeal.

MR. SEMENZA: So he's going to appeal it in 30 days.

ATTY. RINALDI: Well, he hasn't appealed it.

MR. BIERYLA: That's gone.

MR. SEMENZA: What step are we in

now?

ATTY. RINALDI: You see a car there go down and file one. He'll get the message. It will start costing him money.

MR. BIERYLA: This is the first I'm hearing this. I haven't heard any complaints from anybody.

MR. SEMENZA: I've been up there a few times, and it seems like when I was up there he's playing a chess game with cars.

That's what it seemed like to me. Why don't you start frequenting yourself up there, please. I know you got a lot on your plate.

MR. BIERYLA: Would I make a letter as to parking cars for service on the road? Because to be there and to know what cars are what is like everything else.

ATTY. RINALDI: I think you have enough witnesses here to drag down and say we saw it get dropped off, we saw it move on the lot, we saw it move off the lot.

Doesn't belong to anybody on the lot.

MR. SEMENZA: Nick, when you're on dayshift take a ride up, with the mayor's permission. If you see a truck going off a rollback, being parked on the road, let

Steve know.

MR. BIERYLA: What I would ask is somebody call and at least let me know, because then I know what I'm specifically looking for. Then when I write the letter or the citation for Mr. Seig I can address the exact issue.

ATTY. RINALDI: If you look under that section of the zoning ordinance it says parking cars off premises for a -- whatever the business is. All cars for the garages have to be on site. I would just say parking cars off site.

MR. SEMENZA: He's using the street for his parking for his business. Can't do it.

MR. NOTARI: Mr. Mayor, can you ask
Officer Kimbal to share that list with
Steve?

MAYOR LEGG: Absolutely.

MR. NOTARI: That was Steve will know which cars at least we're investigating, see what the story is. Can you get an update for Officer Kimbal --

MAYOR LEGG: I'll give him a call

first thing in the morning.

MR. FEBBO: Do those cars have tags on them?

MR. JUROSKY: Yes, but you can't tell because the new law.

MR. FEBBO: What about inspection stickers?

MR. JUROSKY: I think they are.

ATTY. RINALDI: If he says I'm not working on that car, fine. Send the chief and get it out of there. I'm sure he's not going to tell the truth.

 $$\operatorname{MR}.$$  BIERYLA: I'll write the letter and forward it to you.

ATTY. RINALDI: Bring the neighbors down.

MR. SEMENZA: Thanks, Steve.

MR. LESCHINSKY: I come to this meeting, I know you guys understand and believe us and are trying everything you can to help us. My neighbor told me a week or two ago -- he was all frantic because there's a car parked there right now that you can't make a right onto Garber without missing it. It was just dropped off a

rollback. A white Mercedes. There was another Hyundai that was dropped there. You can barely squeeze through. I don't know how our garbage truck made it today. I was waiting to see if there was going to be an accident or our garbage didn't get picked up.

I couldn't wait to come to the meeting. I invited the whole town to come to the meeting because you guys give us such a great opportunity to talk to you. I know that you guys are backing us. You're doing everything you can.

number for him and the chief came and said he's not going to -- whose job is it?

Because if they don't want to do their job

I'll do it. If he doesn't want to write the letter, I'll write the letter. If the chief doesn't want to give the ticket I'll run for chief.

From this point on you guys are telling somebody to do something. They're not doing it. It's going on seven months.

MR. JUROSKY: They're doing it now.

MR. LESCHINSKY: The chief told him I'm not writing this ticket because I don't know. I drive up and down that street every day. That's like slapping us in the face like we're liars. We're doing this just for fun. We got nothing better to do than come down and interrupt a zoning meeting or council meeting with this silly stuff and this guy's going to continue to do this over and over and over again.

So that was my thing today, to come and find out whose job is it now. Is it Mr. Bieryla's to write the letter or the citation?

MR. SEMENZA: He's going to write the letter to take him to Seig's. But since we had him in the meeting a few months back I kind of thought maybe he would have gotten the idea and the picture, this is how it is and this is what our ordinances are and you've got to obey the ordinances of the borough.

I don't know if you were here when we said the 30 days are up and Steve is going to go forward --

to be c

MR. LESCHINSKY: I knew he was going to be cited.

MR. SEMENZA: He's going to take care of it from that point on. As for the traffic violations, you'd have to talk to the mayor about that. That's under the police.

MR. LESCHINSKY: It's turning into a junkyard and I got cars parked on my corner with the wheels sticking out in the road where you could barely fit by with garbage bags on the windows. It's going to get worked on one of these days, so he's using the roadways and the thoroughfares, which is against the rules.

MR. JUROSKY: Sometimes he'll double park a car by his garage with the hood up and work in the middle of the street. He's mad at all of us, so he's going to prove a point now.

MR. LESCHINSKY: I have nothing against a guy making a buck, but come and talk to he neighbors. Give us a deal on inspections. Come and plow our street.

Work with us. You're in the neighborhood.

That's the bad thing. He's in a residential neighborhood. He don't care about letters, about council meetings. I've talked to a lawyer but I said council's on my side, on our side. Just that you understand he's in violation. He said there's other routes you can take.

MR. SEMENZA: When he starts getting hit in the pocket with violations maybe he'll start cleaning up, I hope.

MR. LESCHINSKY: I appreciate it.

MR. NOTARI: Is it against the ordinance for a tow truck to drop off a car that can't run on a street, yes or no?

ATTY. RINALDI: It's against our ordinance to have a garage and park the cars you're work on out in the street. I don't know about specific dropping --

MR. NOTARI: Can we ask the neighbors, when they do see a drop off, send it to the police or the zoning officer. Get pictures. Even if you call and leave a message on the machine, at least then there's a record of when this is happening.

MR. SEMENZA: Okay. If nobody else

has anything, at this time the chair is going to entertain a motion to adjourn. MR. FEBBO: I'll make that motion. MR. SEMENZA: By Councilman Febbo. All in favor? (Unanimous. Meeting adjourned.) 

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I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 28 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 **120** [1] - 5:2 **16th** [1] - 3:3

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2[1] - 1:9 2019[1] - 1:9 27th [1] - 11:19 28 [1] - 29:6 2nd [1] - 2:25

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