

1 OLD FORGE BOROUGH COUNCIL

2 OLD FORGE, PENNSYLVANIA

3  
4  
5 IN RE: REGULAR MEETING OF COUNCIL

6  
7  
8  
9 FEBRUARY 18, 2020

10 7:00 P.M.

11 OLD FORGE MUNICIPAL BUILDING

12 314 SOUTH MAIN STREET

13 OLD FORGE, PENNSYLVANIA

14  
15  
16  
17  
18 COUNCIL MEMBERS:

19  
20 ROBERT SEMENZA, PRESIDENT

RUSSELL RINALDI

21 RICK NOTARI

JAMES HOOVER

22 MICHAEL LETTIERI

MICHELLE AVVISATO

23 WILLIAM RINALDI, ESQUIRE, SOLICITOR

MARYLYNN BARTOLETTI, BOROUGH MANAGER

24  
25 Mark Wozniak  
Official Court Reporter

1 MR. SEMENZA: I'd like to start the  
2 meeting with the Pledge of Allegiance.

3 (The Pledge of Allegiance was  
4 recited.)

5 MR. SEMENZA: Roll call, please,  
6 Marylynn.

7 MS. BARTOLETTI: Councilwoman  
8 Avvisato?

9 MS. AVVISATO: Here.

10 MS. BARTOLETTI: Councilman Febbo is  
11 absent. Councilman Hoover?

12 MR. HOOVER: Here.

13 MS. BARTOLETTI: Councilman  
14 Lettieri?

15 MR. LETTIERI: Present.

16 MS. BARTOLETTI: Councilman Notari?

17 MR. NOTARI: Present.

18 MS. BARTOLETTI: Councilman Rinaldi?

19 MR. RUSSELL RINALDI: Here.

20 MS. BARTOLETTI: Councilman Semenza?

21 MR. SEMENZA: Here. Good evening,  
22 ladies and gentlemen. We'll start the  
23 meeting with some housekeeping items. The  
24 chair will entertain a motion to approve the  
25 minutes in your packets.

1 MR. RUSSELL RINALDI: I'll make that  
2 motion.

3 MR. SEMENZA: By Councilman Rinaldi.

4 MS. AVVISATO: I'll second that.

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

8 MS. BARTOLETTI: Councilwoman  
9 Avvisato?

10 MS. AVVISATO: Yes.

11 MS. BARTOLETTI: Councilman Hoover?

12 MR. HOOVER: Yes.

13 MS. BARTOLETTI: Councilman  
14 Lettieri?

15 MR. LETTIERI: Yes.

16 MS. BARTOLETTI: Councilman Notari?

17 MR. NOTARI: Yes.

18 MS. BARTOLETTI: Councilman Rinaldi?

19 MR. RUSSELL RINALDI: Yes.

20 MS. BARTOLETTI: Councilman Semenza?

21 MR. SEMENZA: Yes. The next motion  
22 is a motion to approve treasurer reports.  
23 Note that this does not include sewer  
24 accounts.

25 MR. HOOVER: I'll make that motion.

1 MR. SEMENZA: By Councilman Hoover.

2 MR. NOTARI: I'll second it.

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

6 MS. BARTOLETTI: Councilwoman  
7 Avvisato?

8 MS. AVVISATO: Yes.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Yes.

11 MS. BARTOLETTI: Councilman  
12 Lettieri?

13 MR. LETTIERI: Yes.

14 MS. BARTOLETTI: Councilman Notari?

15 MR. NOTARI: Yes.

16 MS. BARTOLETTI: Councilman Rinaldi?

17 MR. RUSSELL RINALDI: Yes.

18 MS. BARTOLETTI: Councilman Semenza?

19 MR. SEMENZA: Yes. The next motion  
20 is a motion to approve invoices for payment.  
21 Note that this does not include sewer  
22 accounts.

23 MR. LETTIERI: I'll make that  
24 motion.

25 MR. SEMENZA: By Councilman

1 Lettieri. May I have a second?

2 MS. AVVISATO: I'll second that.

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

6 MS. BARTOLETTI: Councilwoman  
7 Avvisato?

8 MS. AVVISATO: Yes.

9 MS. BARTOLETTI: Councilman Hoover?

10 MR. HOOVER: Yes.

11 MS. BARTOLETTI: Councilman  
12 Lettieri?

13 MR. LETTIERI: Yes.

14 MS. BARTOLETTI: Councilman Notari?

15 MR. NOTARI: Yes.

16 MS. BARTOLETTI: Councilman Rinaldi?

17 MR. RUSSELL RINALDI: Yes.

18 MS. BARTOLETTI: Councilman Semenza?

19 MR. SEMENZA: Yes. The next motion  
20 is a motion to approve sewer department  
21 financial reports.

22 MR. NOTARI: I'll make that motion.

23 MR. SEMENZA: By Councilman Notari.

24 MR. RUSSELL RINALDI: I'll second  
25 it.

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

4 MS. BARTOLETTI: Councilwoman  
5 Avvisato?

6 MS. AVVISATO: Yes.

7 MS. BARTOLETTI: Councilman Hoover?

8 MR. HOOVER: Yes.

9 MS. BARTOLETTI: Councilman  
10 Lettieri?

11 MR. LETTIERI: Yes.

12 MS. BARTOLETTI: Councilman Notari?

13 MR. NOTARI: Yes.

14 MS. BARTOLETTI: Councilman Rinaldi?

15 MR. RUSSELL RINALDI: Yes.

16 MS. BARTOLETTI: Councilman Semenza?

17 MR. SEMENZA: Yes. The next motion  
18 is a motion to approve sewer department  
19 invoices for payment.

20 MR. NOTARI: I'll make that motion.

21 MR. SEMENZA: By Councilman Notari.

22 MR. LETTIERI: I'll second it.

23 MR. SEMENZA: Seconded by Councilman  
24 Lettieri. On the question? Public input?  
25 Roll call, please.

1 MS. BARTOLETTI: Councilwoman  
2 Avvisato?

3 MS. AVVISATO: Yes.

4 MS. BARTOLETTI: Councilman Hoover?

5 MR. HOOVER: Yes.

6 MS. BARTOLETTI: Councilman  
7 Lettieri?

8 MR. LETTIERI: Yes.

9 MS. BARTOLETTI: Councilman Notari?

10 MR. NOTARI: Yes.

11 MS. BARTOLETTI: Councilman Rinaldi?

12 MR. RUSSELL RINALDI: Yes.

13 MS. BARTOLETTI: Councilman Semenza?

14 MR. SEMENZA: Yes. At this time the  
15 chair is going go to our department heads.  
16 Paul. Everybody has Paul's -- well, we  
17 don't have a zoning report.

18 MR. PAPI: No.

19 MR. SEMENZA: There is no zoning  
20 report. Everybody has the DPW report from  
21 January. Anybody have any questions for  
22 Paul?

23 MR. NOTARI: Paul, I guess with the  
24 lack of storms, knock on wood, we're good  
25 with salt and we're good with everything

that we need for winter?

MR. PAPI: Yes. I don't think we reached our quota yet.

MS. BARTOLETTI: No. We're not even close yet.

MR. PAPI: We're supposed to buy so much every year.

MR. NOTARI: Let's hope it stays  
that way.

MR. SEMENZA: How is everything?

MR. PAPI: We're getting there slowly but surely.

MR. SEMENZA: I have a question on zoning. I was asked about the alley behind Julia's. A lot of garbage in that alley. One of the houses is a vacant house or something. Take a ride up there tomorrow.

MR. PAPI: I think I know the property you're talking about. I got ten calls today. I get kind of overwhelmed. My phone doesn't stop.

MR. SEMENZA: Anybody else?

MR. PAPI: I saw Ronnie Coles today. I gave him another copy of the violation he was served with. He's going to fight it.

1 He's telling me his lawyer is telling him  
2 that the borough can't discriminate against  
3 who's going to use a parking lot. A public  
4 parking lot is a public parking lot for a  
5 spot and he's going to fight it.

6 MR. SEMENZA: Meaning the roadway.

7 MR. HOOVER: But he's not allowed to  
8 park on the sidewalk.

9 MR. PAPI: He wasn't parked on the  
10 sidewalk.

11 MR. HOOVER: He was yesterday when I  
12 went by.

13 MR. PAPI: When I went by I called  
14 the cops. He was faced the wrong way, but  
15 he gave me a story the car broke down.

16 CHIEF DUBERNAS: That was the white  
17 van? He moved that yesterday for me.

18 MR. PAPI: He said he's going to  
19 fight this tooth and nail. He's going to  
20 appeal the decision at the magistrate.

21 MR. SEMENZA: We have an ordinance  
22 that I believe states 72 hours -- a vehicle  
23 cannot be sitting for 72 hours.

24 MR. PAPI: I'm going to meet him  
25 tomorrow morning. I'm going to measure his

1 building just so I know the exact square  
2 foot and how many parking spots and what  
3 he's supposed to have. Then he's got to get  
4 all the tires out of there.

5 MR. SEMENZA: They're going to need  
6 at least one handicap spot also. Right?

7 ATTY. RINALDI: No, it's more for  
8 how many spaces you need when you're a  
9 garage.

10 MR. SEMENZA: So a garage does not  
11 need a handicap parking spot?

12 MR. PAPI: Well, that one has been  
13 there for 50 years.

14 MR. SEMENZA: But it's changed  
15 hands.

16 MR. PAPI: It hasn't changed use.  
17 It has to change use to go right back to the  
18 new conformity.

19 MR. HOOVER: Is he using it the same  
20 way the other guy used it? The same use?

21 MR. PAPI: Yeah.

22 MR. HOOVER: He doesn't have to make  
23 any upgrades to the building at all?

24 MR. PAPI: No.

25 MR. SEMENZA: When it changed hands

1 from Roy Williams to him he had no kind of  
2 occupancy permit or anything like that?

3 MR. PAPI: Probably got a new  
4 occupancy permit but the use didn't change.  
5 He wouldn't have to upgrade. It's like the  
6 cigar bar.

7 MR. HOOVER: What's the difference?

8 MR. PAPI: That's a change of use.  
9 It went from an office to a cigar bar. You  
10 have to have something to vacuum the air  
11 out.

12 MR. SEMENZA: How is everything up  
13 there?

14 MR. PAPI: Still waiting. I went up  
15 there, gave him all the paperwork he needed,  
16 explained how to fill everything out, told  
17 him he needed three sets of architect  
18 stamped drawings. Haven't heard a word  
19 since.

20 ATTY. RINALDI: I saw the lights on.

21 MR. PAPI: He didn't even fill out  
22 an application and turn it in. I contacted  
23 BIU and they're going to just shut him down.  
24 They have a process. They're going to send  
25 him three letters. One to vacate the

1 premises, and then they take him to court.

2 MR. SEMENZA: Anybody have any  
3 questions for Paul? Thanks, Paul.

4 Dave, what do you have for us?

5 MR. LOPATKA: The only thing I  
6 wanted to bring up again, and I believe it's  
7 on agenda, the new storm water ordinance.  
8 Other than that, I don't have anything other  
9 than we're meeting, I believe, next week on  
10 the building.

11 MR. SEMENZA: That's one thing I'm  
12 not going to stress enough that we need to  
13 move. This needs to move. It's way, way,  
14 way too long.

15 MR. LOPATKA: They actually have a  
16 redo done. They kind of wanted to verify  
17 it.

18 MR. SEMENZA: Are they dragging  
19 their feet here a little bit?

20 MR. LOPATKA: No, they're looking at  
21 it. Basically the best fit.

22 MR. SEMENZA: I just don't want  
23 another year to pass or another month to  
24 pass. We've been waiting on this so long.  
25 The last time was the architect we were

1                   waiting on. We waited for six months.

2                   MR. LOPATKA: I'll stay on them.

3                   MR. SEMENZA: So tell them council  
4 is on you about proceeding with this.  
5 Anybody else have anything for Dave?  
6 Thanks, Dave. Chief?

7                   CHIEF DUBERNAS: I'm not sure,  
8 really, what went on in January, but I can  
9 give you an update since February 3rd.  
10 We've been busy, especially with this  
11 crystal meth and dealing with people high on  
12 methamphetamine. Just myself, I went to at  
13 least a half-dozen calls, somebody was high  
14 on methamphetamine. And it's not just one  
15 person. It's probably about four or five  
16 actors and they're all high on  
17 methamphetamine.

18                   So we've been in contact with the  
19 Lackawanna County District Attorney's Office  
20 and the drug task force, so you'll see all  
21 different rotations all hours of the night.  
22 I've been having a couple guys come out,  
23 some in plain clothes, some in regular  
24 uniforms, to do enforcement on it. It's  
25 paid through the task force.

1           The list for the part-timers that  
2           are going to be reactivated for the 2020  
3           year, the only one that's not on there is  
4           Matt Brown. I'll go check him again to make  
5           sure. I checked him early today, he was not  
6           on there, still not certified.

7           Then the list to higher new  
8           part-timers from the interviews the other  
9           day.

10           MR. SEMENZA: Right before we do the  
11           motion go check. Thanks, Chief. Anybody  
12           have any questions?

13           MR. NOTARI: But will we be able to  
14           add if he gets his certificate as the year  
15           goes on?

16           MR. SEMENZA: We can add it then.  
17           Anybody else? Thanks, Chief. Bill?  
18           Everybody has Bill's report. Anything to  
19           add?

20           ATTY. RINALDI: One new thing to add  
21           on. The 307 Keyser Avenue property, there's  
22           going to be a quiet title action filed by  
23           Mr. Zupko to have clear title, get rid of  
24           that land which is getting taxed to a person  
25           at the house where the tree fell down. So

1 he can get that property all his own.  
2 They're going to name the borough just to  
3 notify us. But that's the only addition I  
4 have for today.

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

7 MR. NOTARI: Bill, have we or can we  
8 send a letter to Mr. Ciuccio regarding  
9 Pittston Avenue and Angela Drive?

10 ATTY. RINALDI: Sure. Ironically,  
11 he actually did reach out to his lawyer  
12 because I had another matter with his lawyer  
13 last week, and he said I got a call from  
14 Mr. Ciuccio looking for deeds to get done,  
15 but he said he's still working with the  
16 borough.

17 MR. SEMENZA: I did speak with him.  
18 He definitely will consider it. He wants to  
19 talk about a few other properties he owns  
20 with the borough. So I'm waiting for him to  
21 call me back on that, unless it goes through  
22 his lawyer, Bill.

23 ATTY. RINALDI: If I hear something  
24 I'll let you know.

25 MR. NOTARI: My second question is

1 on the borough fees, the packet. Is that  
2 packet available through e-mail? Can you  
3 make me a copy of it, regarding the code  
4 sections that we have to set fees by  
5 resolution.

6 ATTY. RINALDI: That packet probably  
7 goes back two years. I don't know where it  
8 would be now.

9 MS. BARTOLETTI: I'm not sure. I  
10 don't know that I ever had that.

11 MR. SEMENZA: Are you looking for a  
12 fee schedule?

13 MR. NOTARI: Yes. It's on the  
14 second page.

15 MR. SEMENZA: I don't believe we  
16 ever set a fee schedule.

17 MR. NOTARI: No, we haven't, but  
18 that's what -- bill went through the borough  
19 code to see where we need to set fees. I'd  
20 like to start looking through that packet.  
21 In addition to that, I ask Marylynn to have  
22 our supervisors, zoning and code  
23 enforcement, planning to come up with  
24 administrative costs so we can start moving  
25 forward on some of our ordinances that are

1 not enforced because we don't have fees.  
2 That's all I have.

3 MR. SEMENZA: Anybody else? Thanks,  
4 Bill. Marylynn?

5 MS. BARTOLETTI: Okay. First, you  
6 all have my financial reports. Does anyone  
7 have any questions? Okay. In your packets  
8 tonight, there are four members of the  
9 planning commission that have terms that are  
10 about to expire, and also people have  
11 presented letters that they would like to be  
12 reappointed. I'm not sure if you want to do  
13 that tonight or not but it's in your  
14 packets.

15 Your iPads are in and they're  
16 getting programmed. Probably within the  
17 next month you'll be able to start using  
18 them.

19 There is a grant that's going to be  
20 coming up. It's through VCNR. It's for  
21 recreation. What I was thinking -- we had  
22 talked about this -- is using it to try to  
23 do a master site plan of Pagnotti. So if  
24 they choose our grant they will finance a  
25 master plan, and then you can go back next

1 year and they would finance part of whatever  
2 you plan on doing after they come up with a  
3 design for you. So that's due in April, so  
4 we're going to see about getting an  
5 application in for that. But I think that's  
6 a good place to go, especially with that new  
7 land we acquired.

8 MR. NOTARI: Marylynn, so that site  
9 analysis, do we need to -- for you to apply  
10 that grant do we need to tell them exactly  
11 what we're looking for?

12 MS. BARTOLETTI: Well, here's how it  
13 goes. The person who meets with you to give  
14 you ideas about what you can do and you  
15 can't do with their grant money, I've  
16 already met with her at Pagnotti Park. She  
17 feels because it's so big, the problems with  
18 the access road and accepting the park and  
19 the fact we've added on a lot more area now,  
20 they feel the best thing to do is have a  
21 company actually do a site plan for us and  
22 do a big plan and try to come up with better  
23 ways to use the area that we have. So they  
24 would pay for that.

25 Then the next year when the grants

1 are open again, then you would have to go  
2 back and ask them for money to help finance  
3 the plan that they put together for us.

4 MR. NOTARI: I was wondering if we  
5 had to tell who is going to do the site plan  
6 what we needed, what we wanted there.

7 MS. BARTOLETTI: You'll actually  
8 have a company that will do that then.  
9 They'll give us the money for it. It's a  
10 company that you bring in that actually  
11 specializes in planning parks and all that  
12 type of stuff. But they feel that that's  
13 the best way to go. I don't think they'll  
14 give us any grant money if we don't go that  
15 route because they feel that it's not put  
16 together very well.

17 MR. PAPI: Would they pay for  
18 paving?

19 MS. BARTOLETTI: Probably not. If  
20 they do, it would be something that would be  
21 a couple years down the road for us to put  
22 together and plan because that's part of the  
23 problem. They don't feel the access to the  
24 park is friendly. That's all I have.

25 MR. SEMENZA: Anybody have any

1 questions for Marylynn? At this time I'm  
2 going to go into public comment. Keith?

3 MR. LESHINSKI: Listen, I'm in here  
4 slamming my door, stomping my feet. I know  
5 it's unfortunate. I know the borough is in  
6 a terrible mess and it's not anybody's  
7 fault. It's like an emergency room in here.  
8 But if you guys could be me or be with me  
9 and drive down my street every day and know  
10 how I feel every day, because everybody is  
11 away from it at a certain time and certain  
12 point and you don't know.

13 I'm glad to hear that's going and  
14 I'm glad he's fighting tooth and nail. I  
15 would love to -- I called poor Mr. Papi on  
16 his day off and he told me shut up and leave  
17 me alone, don't bother me. I'm with my  
18 wife. Mr. Papi, one thing. You did tell me  
19 that when they were going to have that  
20 hearing that we were going to be allowed to  
21 go and you didn't call me.

22 MR. PAPI: I didn't remember.

23 MR. LESHINSKI: Okay. Is there a  
24 way -- Mr. Rinaldi, is it inappropriate for  
25 the public to go?

1                   ATTY. RINALDI: No, you can go.

2                   MR. LESHINSKI: I want to be a  
3 witness. This has to be brought across.

4                   ATTY. RINALDI: We have the  
5 pictures.

6                   MR. LESHINSKI: When the chief came  
7 up the other day -- and I've called the  
8 police in the past -- and the chief's been  
9 out. But I sat and I waited. I'm that old  
10 guy that I used to hate when I was a kid. I  
11 sat and waited in my car for over an hour  
12 and nobody came. And I was told by a police  
13 officer that if I called the non-emergency  
14 number, that if that call gets logged in  
15 that that call has to get logged out. That  
16 means that if an officer gives a ticket they  
17 have to call the comm center, say I gave a  
18 ticket to that vehicle for that phone call  
19 that came in an hour ago, a half-hour ago,  
20 and I sort of asked the chief and he sort of  
21 gave me --

22                   CHIEF DUBERNAS: We don't notify  
23 comm center if we give tickets or not.

24                   MR. LESHINSKI: Look, Chief, when I  
25 asked you the other day when I was sitting

1 next to you -- remember?

2 CHIEF DUBERNAS: Yesterday.

3 MR. LESHINSKI: Sitting right next  
4 to you. I was told by another police  
5 officer -- maybe I'm wrong. Am I wrong?

6 CHIEF DUBERNAS: Well --

7 MR. LESHINSKI: Do you have to log  
8 out a call that you receive from a  
9 non-emergency number?

10 CHIEF DUBERNAS: Well, it depends on  
11 how it comes in. A non-emergency, if they  
12 dispatch us, yeah, we'll clear it out and  
13 we'll tell them we're clear. We don't have  
14 to tell them we gave a ticket.

15 MR. LESHINSKI: No, not that you  
16 gave a ticket, but you would have to say  
17 this is Chief Nick from Old Forge and I  
18 tended to that call. Correct?

19 CHIEF DUBERNAS: It depends. You  
20 just click on the thing and put back in  
21 service and just type a narrative. A  
22 parking complaint we'll close out  
23 immediately. They won't get it. We're on  
24 patrol. I created the call yesterday  
25 because it came from Mr. Hoover. I created

1 the call on the computer.

2 MR. LESHINSKI: Then that brings me  
3 back to my madness. How come it had to come  
4 from Mr. Hoover? And I know you can't  
5 answer that, but how come it had to come  
6 from Mr. Hoover to call the police for a car  
7 parked illegally on a street? Dangerously  
8 wrong. If I parked that way I'd have ten  
9 tickets. I'll guarantee you. I sat there  
10 for an hour and nobody came. I guess they  
11 don't have to clear it out.

12 CHIEF DUBERNAS: Yesterday was 20  
13 minutes from when he texted me. I was tied  
14 up with our computer guy.

15 MR. LESHINSKI: Do you want to see  
16 the video of the day I sat there? You're  
17 arguing with me. If you want to dispute  
18 it -- I'm not arguing, but if you want to  
19 dispute the other time that I did it, that I  
20 called the police, that I sat there for over  
21 an hour, and I took a video of my dash -- my  
22 clock on my dashboard and I sat there and I  
23 listened to music, and I waited for a cop to  
24 come and they never came. I mean, I don't  
25 know if you're disputing that or you're

1 saying --

2 CHIEF DUBERNAS: I'm not. Listen,  
3 from last Monday on I don't know what went  
4 on -- what went on for the last 11 months.  
5 I can't answer you.

6 MR. SEMENZA: If I called 342-9111  
7 and I say this is Bob Semenza, I'm on Edith  
8 Street, at my house, I need a police officer  
9 from Old Forge Borough to come to my  
10 house -- it's not an emergency but I want a  
11 cop to come to my house, they call you, you  
12 get there whenever you get there. Do you  
13 have to call comm center back and say I'm  
14 here, this call is taken care of or  
15 whatever? Is that what you're asking?

16 MR. LESHINSKI: That's what I was  
17 told.

18 MR. SEMENZA: Is that what happened?

19 CHIEF DUBERNAS: They'll clear out  
20 on the computer --

21 MR. SEMENZA: Do they have to? Do  
22 the cops just, say, go there, talk to me and  
23 just leave and then --

24 CHIEF DUBERNAS: Another lady,  
25 confusion, dialed the 342-9111. She wanted

1 to report somebody broke her door. So the  
2 officer called her on the phone -- sorry,  
3 was on patrol. Ten minutes later the lady  
4 called back and said no police officer ever  
5 showed up. Well, when they get the dispatch  
6 the officer came back to the building to  
7 call her because she said I just want to  
8 make a report. She never said she wanted to  
9 see a police officer. She wanted to make a  
10 report, so the guy was coming to the station  
11 to call her.

12 MR. SEMENZA: I get that. What I'm  
13 saying is, even though I'm not calling  
14 emergency, when the cop gets to my house and  
15 he leaves is he calling comm center back, I  
16 was just at Bobby Semenza's house,  
17 everything is good? Do they have to notify  
18 them?

19 CHIEF DUBERNAS: Not all the time.

20 MR. SEMENZA: So there's times they  
21 don't.

22 MR. LESHINSKI: I was misled.

23 CHIEF DUBERNAS: If it's a  
24 non-reportable call they'll put it on their  
25 activity log.

1 MR. HOOVER: How does the complaint  
2 person know that anybody was there?

3 CHIEF DUBERNAS: It will allow us to  
4 do whatever. Spoke to Mr. Semenza, spoke to  
5 whoever. They can type a narrative and then  
6 it will go clear. It will show. So if she  
7 calls back and says well, the police weren't  
8 here yet, they will be, like -- that's what  
9 happened to the other officer. Well, he  
10 cleared ten minutes ago from there.

11 MR. SEMENZA: Will comm center see  
12 that?

13 CHIEF DUBERNAS: Yes.

14 MR. SEMENZA: So they are basically  
15 notified whether it's on the computer or a  
16 phone call back to comm center saying this  
17 call's cleared out.

18 CHIEF DUBERNAS: Yes.

19 MR. SEMENZA: One way or the other.

20 MR. LESHINSKI: There is a record.  
21 That's all I wanted. That's what I was  
22 told.

23 CHIEF DUBERNAS: Some people like to  
24 write the stuff down.

25 MR. SEMENZA: When he called, what

1 date was that?

2 MR. LESHINSKI: That was the 27th of  
3 last month.

4 MR. SEMENZA: He called, a cop never  
5 showed up.

6 MR. LESHINSKI: 2:25 in the  
7 afternoon.

8 MR. SEMENZA: But the cop never  
9 showed up. Could you go back in our  
10 computer and see if it was ever cleared out?

11 MR. LESHINSKI: That's what I was  
12 told. If they don't respond that officer  
13 can be reprimanded for not clearing out that  
14 call -- for not responding to that call. I  
15 can call the garbage man and say you missed  
16 my house and they can say no, we were there.  
17 No, you weren't. And I don't want to be  
18 misled by this other officer that told me  
19 this. That was that.

20 MR. SEMENZA: Chief, please check  
21 that. I want to know when you check it. If  
22 it is, officers need to start getting  
23 written up if they didn't do follow-up  
24 protocol.

25 CHIEF DUBERNAS: I gave everybody on

1 council --

2 MR. NOTARI: Before you go to your  
3 next point, if it's a non-emergency call  
4 they don't have to get there on their shift.  
5 Right?

6 CHIEF DUBERNAS: Yes.

7 MR. NOTARI: Unfortunately, they  
8 weren't there in that hour, but that doesn't  
9 necessarily mean they weren't there at all.

10 CHIEF DUBERNAS: They were tied up.  
11 It could be a shift change.

12 MR. NOTARI: I'm not making any  
13 excuses, but it is possible. Right?

14 CHIEF DUBERNAS: I'll check.

15 MR. NOTARI: As long as it's a  
16 non-emergency.

17 MR. LESHINSKI: I see the cars all  
18 over town all day long.

19 MR. NOTARI: I don't disagree with  
20 that.

21 MR. SEMENZA: Chief, I want to know  
22 what went on in that time frame. If there  
23 was an act of robbery somewhere going on --

24 CHIEF DUBERNAS: I'll check it.

25 MR. LESHINSKI: But it was just a

1 point. And that van that you got turned  
2 around, that was like that for two weeks or  
3 three weeks.

4 CHIEF DUBERNAS: He said it doesn't  
5 drive.

6 MR. LESHINSKI: He's a mechanic.

7 CHIEF DUBERNAS: Some of the guys  
8 pushed it yesterday.

9 MR. LESHINSKI: Good.

10 MR. NOTARI: I kind of feel the way  
11 the neighbors feel. If it's parked the  
12 wrong way it's his responsibility to figure  
13 out a way to park it the right way. I don't  
14 care if it has four flat tires, I don't care  
15 if there's no engine in the thing. He's got  
16 to figure it out.

17 MR. LESHINSKI: Mr. Papi, in the  
18 thing that we started in the beginning, that  
19 you can't use roadways, allies or  
20 thoroughfares to drop cars by a tow truck, I  
21 have on video a guy telling me, from Rogers  
22 Towing -- and they're supposed to be banned  
23 from the borough if they do it, if they get  
24 caught doing it. Rogers Towing dropping a  
25 car at night with no lights on it -- I have

1           it on my phone -- telling me that Ron told  
2           me to drop the car here so he can push it  
3           down the hill. I think that that would be  
4           something that should be told to the  
5           magistrate.

6                     Another thing, blocking that  
7           sidewalk, our magistrate is handicapped, and  
8           that's one of the secondaries besides the  
9           kids on our street that have to come out  
10          around that car, and on a blind corner. I  
11          pull around that corner five, ten miles an  
12          hour. If there's a kid in the street --  
13          it's only ten feet from the corner, 15 feet  
14          where they have to walk around the car. The  
15          sidewalk is blocked because Ronnie uses the  
16          house across the street to park cars that  
17          don't run, that don't have plates on them,  
18          that don't have stickers on them. Whatever  
19          the case may be. There they are.

20                    The fact is that our magistrate  
21          would be -- I'm sure he'd be totally upset  
22          with that, and that bothers me. I don't  
23          even have kids and it bugs me.

24                    MR. JURISKY: Across the street from  
25          my house there's a young couple with three

1 small girls. Every morning the lady walks  
2 these three girls down to the bus stop and  
3 back home. God forbid one of those little  
4 girls gets hit. This guy does not give  
5 three shits. It scares me.

6 MR. SEMENZA: I get that.

7 MR. HOOVER: Chief, this is going on  
8 now since I've been here, three years. The  
9 last year has Ronnie Coles been ticketed for  
10 anything up there at all?

11 CHIEF DUBERNAS: Yes, several times.  
12 Parking tickets --

13 MR. SEMENZA: I was actually with  
14 Jason a few times that he ticketed him.

15 CHIEF DUBERNAS: I went around the  
16 whole neighborhood one day and gave parking  
17 tickets for everybody.

18 MR. LESHINSKI: You ticketed a guy  
19 that lives there --

20 THE CHIEF: He was parked wrong,  
21 wasn't he? Got a ticket.

22 MR. LESHINSKI: So the papers that I  
23 gave you yesterday, my wife works for a  
24 windshield place. She's able to do VIN  
25 numbers and tricks with computers and with

1 phones that you and I don't know how to do.  
2 Chief, the numbers that you punched in on  
3 that license plate on that Mountaineer, did  
4 that come back on a GMC?

5 CHIEF DUBERNAS: Yes, it did.

6 MR. LESHINSKI: Was it on a GMC?

7 CHIEF DUBERNAS: No.

8 MR. LESHINSKI: So how come the  
9 plate wasn't taken off of it and it wasn't  
10 towed?

11 CHIEF DUBERNAS: The driver of the  
12 car, the owner, had the pink slip --

13 MR. LESHINSKI: How do you know when  
14 you were sitting with me?

15 CHIEF DUBERNAS: Because I went to  
16 Ronnie Coles.

17 MR. LESHINSKI: You were sitting  
18 with me.

19 CHIEF DUBERNAS: When I left you I  
20 went to Ronnie Coles and spoke to the  
21 mechanic.

22 MR. LESHINSKI: You told me that it  
23 was a legal vehicle.

24 CHIEF DUBERNAS: It was.

25 MR. LESHINSKI: How did you know?

1           You knew? You knew that here was a pink  
2           slip down in Ronnie's shop?

3           CHIEF DUBERNAS: No, I went over and  
4           I talked to Ronnie.

5           MR. LESHINSKI: When you were  
6           sitting with me you told me it was a legal  
7           vehicle.

8           CHIEF DUBERNAS: It was illegal  
9           until I got the --

10          MR. LESHINSKI: No, you said it was  
11          a legal vehicle, and you knew that before  
12          you went and seen the pink slip. Before you  
13          saw it you knew it was legal when it was  
14          sitting on the truck right in front of us,  
15          sitting on the corner. The police chief  
16          punched it in and it came back illegal and  
17          it came back wrong --

18          CHIEF DUBERNAS: It didn't come back  
19          illegal.

20          MR. LESHINSKI: It came back with an  
21          invalid tag to an invalid vehicle. It was a  
22          valid tag to a GMC. The truck was a Mercury  
23          Mountaineer. That's wrong, is it not?

24          CHIEF DUBERNAS: No, it's not. You  
25          want to be a police officer --

1 MR. LESHINSKI: Oh, please.

2 CHIEF DUBERNAS: You could do your  
3 investigation work. I'm not arguing with  
4 you anymore. I have to go check on my  
5 computers.

6 MR. LESHINSKI: You knew that it was  
7 an illegal vehicle before you went down  
8 there. You knew it. There's a paper called  
9 an MV-1, and that's the paper that you get  
10 that you would do a pink slip on that you  
11 get when you go and you want to keep your  
12 plate for your car. The chief didn't see  
13 that. The chief looked at it, he mumbled to  
14 me. I don't know what the chief's doing or  
15 what he did. God forbid, if he would do  
16 that what else would he do? Okay? But he  
17 didn't know. He didn't know. He mumbled  
18 GMC to me. That license plate was on a  
19 Mountaineer.

20 And he did not talk to Ronnie Coles  
21 before he did that. He talked to Ron Coles  
22 after. You just heard him say on the record  
23 that he knew that it was a legal plate on a  
24 legal vehicle. It was not a legal plate on  
25 a legal vehicle. All right? So did Ron get

1 a ticket for that? No, Ronnie didn't get a  
2 ticket for that. He went and checked on it  
3 for him. Okay, police have discretion to do  
4 what they want and to be nice to who they  
5 want, and that's a God-given right to them.  
6 They can do whatever they want.

7 He also let him turn the van around.  
8 He also let him take the cars that were  
9 blocking the sidewalk off the sidewalk. He  
10 also let him move anything else that was  
11 illegal at that time. And he just lied just  
12 now. Just lied just now to you guys, to the  
13 council.

14 And I've been fighting for three  
15 years, since Russell was president of this  
16 council, and I got signs and you guys backed  
17 me up and you went, and Steve did what he  
18 could do, and Mr. Pappy, it sounds like he's  
19 fighting this, and Mr. Rinaldi's going to do  
20 what he can do. I was so glad to hear that  
21 I didn't know what to say, if I was going to  
22 even say anything to you when I came in  
23 here. I wasn't going to even open my mouth.  
24 Now I got a dry mouth. I didn't even know  
25 what to say because you were handling it,

1 finally.

2 The Mayor's not here. I don't have  
3 a mayor to talk to. The chief's not doing  
4 what he's supposed to do, right in front of  
5 me. Who do I talk to? Who do I go to?

6 CHIEF DUBERNAS: What didn't I do?

7 MR. LESHINSKI: I'm not talking to  
8 you.

9 MR. RUSSEL RINALDI: What are you  
10 saying that the chief lied about?

11 MR. LESHINSKI: The chief punched in  
12 the license plate while I was sitting next  
13 to him and said that that plate and that  
14 vehicle are legal. It was a license plate  
15 that you can see comes back to a GMC, which  
16 is one of Ronnie's other vehicles.

17 MR. RUSSELL RINALDI: The license  
18 plate didn't belong on that vehicle?

19 MR. LESHINSKI: That's correct.

20 MR. RUSSELL RINALDI: But the  
21 license plate was legal. So it's not legal  
22 because the plate isn't registered to that  
23 vehicle?

24 MR. LESHINSKI: Correct.

25 MR. RUSSELL RINALDI: But it's still

1 a legal plate.

2 MR. LESHINSKI: After you get the  
3 paperwork, after you see it, unless you can  
4 look through the buildings and know that  
5 he's got it because it doesn't come up on  
6 the computer, does it? Does it? I'm asking  
7 you a question, Chief.

8 MR. RUSSEL RINALDI: Answer my  
9 question first. I'm saying, that's what  
10 you're saying he's lying about?

11 MR. LESHINSKI: To me, yes. He left  
12 that vehicle there when other action should  
13 have been taken on that vehicle, which  
14 Ronnie has been getting away with this with  
15 impunity. He's got tires stacked up, he's  
16 got oil all over the place.

17 Why is he getting away with it? Why  
18 am I still here? Why am I still talking to  
19 you guys about this? I know you guys. I  
20 know that you are good guys. I know that  
21 you have good hearts. Why am I still here  
22 talking about this stupid, little mechanic  
23 shop that's causing so much trouble to a  
24 neighborhood? For all good reasons. Not  
25 because I don't want him to be in business,

1 not because I don't want him to feed his  
2 kids. For none of those reasons.

3 For people not to get hurt and for  
4 our neighborhood not to lose value. I don't  
5 want my house to lose value. You want  
6 people changing oil down the corner at your  
7 house with the cars jacked up and the hood  
8 up in the air, cars are backing out, your  
9 wife is coming home from work? This is not  
10 right. It's not right. Three years. Three  
11 years.

12 And then I get that. That's what I  
13 get. He knew it was legal because he went  
14 down and asked for it after, after he told  
15 me face to face, truck to truck that it's a  
16 legal plate and it's a legal truck. How do  
17 you know? Can you see how much money I got,  
18 Russell, in my pocket? You don't know until  
19 you see. Okay? You don't know until you  
20 see. And if you want to guess at things,  
21 guess at it all you want.

22 MR. SEMENZA: Chief, what was the  
23 fine for his vehicle, the van, that was  
24 parked the wrong way? Is that information I  
25 could have?

1 CHIEF DUBERNAS: It's \$25.

2 MR. SEMENZA: This is an order  
3 coming from me, who's in charge. Every  
4 shift I want a vehicle going there. At  
5 least once every shift. If there's  
6 illegally parked vehicles over there, the  
7 only way he's going to stop doing what he's  
8 doing is if it hits him in his pocket.

9 Paul, I'd ask you to go up there as  
10 much as you possibly can to check out if  
11 he's doing anything wrong with the tires and  
12 the oil or whatever it may be.

13 MR. LESHINSKI: DEP's already been  
14 contacted.

15 MR. SEMENZA: Every shift I want a  
16 cop to go up there.

17 MR. HOOVER: How many tickets did  
18 you give out yesterday?

19 CHIEF DUBERNAS: None. I spoke to  
20 the gentleman.

21 MR. SEMENZA: When he came in here  
22 we told him it needs to stop and that was  
23 it, and here we are another year later. And  
24 I apologize. It's tough. Sometimes things  
25 don't get done. I'm glad you understand.

1 But it happens with way too many things in  
2 this borough. When you try to go the legal  
3 route and take care of things it gets sucked  
4 in by the system. It's a shame.

5 MR. LESHINSKI: So help me, God, I  
6 drove around today with the feeling that I  
7 had in my chest after yesterday. I had  
8 nowhere to go. I had no mayor to complain  
9 to. The police chief -- and he didn't get  
10 any tickets. The guy's been doing it for  
11 three years. And, Chief, I know you've just  
12 been back.

13 CHIEF DUBERNAS: It's my discretion  
14 to give tickets. I don't have to give him a  
15 ticket. I didn't. I went and spoke to him  
16 and asked him to move the car and he did.

17 MR. LESHINSKI: Move the cars off  
18 handicap spot that were blocking the  
19 sidewalk, turn the van around and move the  
20 other car that they went and got the paper  
21 for because they went and moved it right  
22 afterwards, because I took my dog for a  
23 walk. They went and got the paperwork that  
24 they necessarily needed.

25 I'm getting it now. Now I'm reading

1                   your pocket. Now I'm looking in your  
2                   pocket.

3                   CHIEF DUBERNAS: That's not what  
4                   happened.

5                   MR. SEMENZA: Keith, he came in  
6                   front of council, he sat here, and he  
7                   basically said --

8                   CHIEF DUBERNAS: And he's been  
9                   ticketed multiple times.

10                  MR. SEMENZA: -- you know what, I'm  
11                  going to do what I want to do because you  
12                  guys can't stop me from doing it. Basically  
13                  that's what he told us.

14                  CHIEF DUBERNAS: Yesterday I didn't  
15                  ticket because I wanted to speak to him  
16                  because I wanted to talk to him about the  
17                  Mercury Mountaineer that was dropped there  
18                  because he said -- I was window to window  
19                  with him -- that it was up for salvage three  
20                  days ago.

21                  MR. LESHINSKI: Right, it's not fit  
22                  to be on the road.

23                  CHIEF DUBERNAS: I wanted to find  
24                  out what the story was because when I ran  
25                  the tag it shows up a GMC. I wanted to know

1           why this car was just dumped there. He's  
2           telling me that it was up for salvage three  
3           days ago, so I wanted to ask him this. So  
4           when I went to ask him about the blue  
5           Mercury that was sitting on the corner  
6           Ronnie said that's not mine. That's my  
7           mechanic's. And the gentleman comes around  
8           the car and I said to him is this your car,  
9           and he's, like, yeah. I said the tag's  
10          illegal on it, it shows on a GMC, and he's,  
11          like, no, it's completely legal. I bought  
12          it on February 13th from 286.

13                 MR. LESHINSKI: He told me it was  
14                 registered in Laflin.

15                 CHIEF DUBERNAS: The tag does come  
16                 back Laflin. That's where they live. So he  
17                 tells me 286. I'm, like, 286 is out of  
18                 business. He tells me it's the 286 place.  
19                 He doesn't know the name. So I go to his  
20                 car, he has valid insurance, valid  
21                 inspection on it, and he had a valid pink  
22                 slip from PennDOT that says it was  
23                 registered on February 13, 2020. I told the  
24                 guy, buddy, you're going to get pulled over  
25                 for the next three months. Somebody runs

1 the tag they're going to pull you over  
2 because they show on a GMC. He said to me  
3 the orange GMC down at Ronnie's was his  
4 vehicle and it's going to salvage. Okay.  
5 There's no reason for me to tow the car, no  
6 reason to ticket the car. It's a completely  
7 legal vehicle. He has the pink slip,  
8 insurance and inspection on it.

9 MR. PAPI: He was fined \$437 at the  
10 magistrate's last week.

11 MR. LESHINSKI: For three years.

12 MR. HOOVER: That's the one he's  
13 appealing?

14 MR. PAPI: That's what he told me,  
15 he's appealing.

16 MR. NOTARI: He has 30 days to  
17 appeal. Right?

18 MR. PAPI: Right.

19 MR. HOOVER: My question is we  
20 continually fine people that are doing -- in  
21 town we fine people doing things wrong --  
22 Stocki, Ronnie Coles, other people -- and it  
23 seems like every time we go there we don't  
24 do what we're supposed to do. We don't  
25 ticket them, we don't fine them. We just

1 don't do things. I think we have to change.  
2 We have to start treating -- if somebody  
3 does something wrong -- I was there. That  
4 white van should have got -- it's been  
5 sitting there for days.

6 MR. LESHINSKI: Weeks.

7 MR. HOOVER: It should have got a  
8 ticket on it.

9 MR. SEMENZA: He has cars that are  
10 junk up there.

11 MR. LESHINSKI: Tires.

12 MR. PAPI: I'll take care of that  
13 tomorrow.

14 MR. SEMENZA: So basically there's a  
15 junkyard. It's not zoned for a junkyard.

16 CHIEF DUBERNAS: What I saw  
17 yesterday, he had --

18 MR. SEMENZA: We're crucifying one  
19 guy that has a big junkyard and we're  
20 letting little junkyards go?

21 CHIEF DUBERNAS: There's 20 tires.

22 MR. JUROSKY: Maybe 200 tires.

23 CHIEF DUBERNAS: I didn't walk  
24 around the building. That's what I saw  
25 right in front of the door.

1 MR. LESHINSKI: Great investigation.  
2 I'm done. I know you guys all have good  
3 hearts and you all mean well, but if this  
4 continues, and a \$25 ticket after three  
5 years, of the way I feel, the way my heart  
6 feels, the way my legs are shaking right  
7 now, \$25 and then give the guy a break to  
8 turn the van around after we've been  
9 begging -- I've been begging here. Begging  
10 you.

11 MR. JURISKY: Chief, you gave my  
12 neighbors tickets a year ago, two and a  
13 half, parking on the wrong side of the  
14 street, and you told the neighbor I gave you  
15 tickets because of John and Keith.

16 MR. LESHINSKI: And you told me that  
17 my neighbors don't like me. Right, Jay?

18 CHIEF DUBERNAS: I could have. I  
19 don't know.

20 MR. LESHINSKI: There's really a  
21 situation going on in this town. There's  
22 really something going on. There's  
23 leadership sitting here. Something's got to  
24 be done. Something has to be done because a  
25 lot of things are being overlooked.

1           Somebody's got to come in from somewhere. I  
2           called the magistrate's office, I couldn't  
3           get through to nobody. If I got to call the  
4           state police to come in and do it, I'm going  
5           to do it. But something has to be done  
6           because that doesn't run everything. Let me  
7           tell you that right now. It doesn't run me,  
8           and I ain't scared and I ain't worried about  
9           20 tires. I dare any one of you. I'll take  
10          you up there and you count 20 tires and I'll  
11          kiss your elbows.

12                 I'm telling you, Russell, since you  
13          were head of this council, three years, you  
14          got me signs, you did great. There was no  
15          way any other way. Now it's just going to  
16          be oh, just flip your cars around, just turn  
17          that around, just push those tires back a  
18          little bit more.

19                 Just like Stocki. And how many  
20          permits did Stocki not have? I'm sorry,  
21          Steve. I'm sorry, I don't mean it. How  
22          many permits did he not have? How many  
23          things did he not do the right way? How  
24          many times? You had to have a judge come  
25          and go through it with a news crew.

1                   Is that what Old Forge wants? We  
2                   just talked a couple weeks ago, at the last  
3                   meeting, about building up our jewel.  
4                   Right? About building up our borough  
5                   building. And we're going to have this?  
6                   This is what's going to be told to me?

7                   You see it right in front of you  
8                   that that comes back illegal. Doesn't come  
9                   back on the right vehicle. I don't care  
10                  where you are or what you're doing or  
11                  anything else. Is the guy in the car? No,  
12                  he's not. Let's go to his house and we'll  
13                  find him. Let's go look for him and tell  
14                  him hey, you know what? You're going to get  
15                  in trouble for that. Bullshit.

16                 MR. SEMENZA: Keith, we're doing  
17                 what we can do for you. I take personal  
18                 offense to what you said about nothing's  
19                 gotten done since Russell was head of  
20                 council. Russell --

21                 MR. LESHINSKI: I didn't mean that.

22                 MR. SEMENZA: I take offense to  
23                 that. We're going to move on. Andrew?

24                 MR. PISK0: Andrew Pisko. I live on  
25                 Garber Street. I do park my rollback in

1 front of my house. I have absolutely  
2 nothing to do with these vehicles. If  
3 there's 20 tires there I'll never bother you  
4 guys again. There's probably about 200, 300  
5 tires there. It is a nuisance because my  
6 one truck I can't even take up and down the  
7 street. But that's neither here nor there.  
8 But everything he's saying is true.

9 So I would like to know how to get  
10 put on the rotation list in Old Forge. I  
11 own a towing business. Here's the e-mails I  
12 sent to you years ago, months ago. I never  
13 got --

14 MS. BARTOLETTI: No, you sent it to  
15 me months ago, and I told you that when the  
16 chief comes back he'll handle that. I don't  
17 have anything to do with that.

18 CHIEF DUBERNAS: I spoke to him the  
19 other day, I told him --

20 MR. PISK0: He told me about Johnson  
21 Towing.

22 CHIEF DUBERNAS: They're heavy duty.  
23 Give the guy your information. If they  
24 request you they'll call you.

25 MR. PISK0: But why is it the same

1 towing company gets called? Is there a  
2 towing ordinance in Old Forge?

3 ATTY. RINALDI: I don't think we  
4 have one.

5 MR. PISK0: I'm positive there's  
6 not. I've done a lot of research. So  
7 there's no towing ordinance. My mother's  
8 driving through here, she happens to wreck  
9 her car and the officer calls Old Forge  
10 Gulf. Old Forge Gulf responds. If he  
11 doesn't know my mother from Adam he charges  
12 her \$300.

13 Now, let's just say Keith's wife's  
14 driving through. She's a local. Same  
15 scenario, same thing happens. You're a  
16 local. I'm going to charge you \$75. How is  
17 that fair? Every other municipality there's  
18 usually either an exclusive towing, just one  
19 company, like in Wilkes-Barre --

20 MR. RUSSELL RINALDI: You want us to  
21 justify somebody else's business prices that  
22 they charge?

23 MR. PISK0: It's standard practice.

24 MR. RUSSELL RINALDI: We have no  
25 control over that. I'll give you an

1 example. I sell a tray of pizza for \$14.95.  
2 They guy next to me sells it for \$19.95.

3 MR. PISK0: I'm not trying to argue  
4 with you.

5 MR. RUSSELL RINALDI: I'm not  
6 arguing with you.

7 MR. PISK0: It's law.

8 MR. RUSSELL RINALDI: You want us to  
9 tell people what they can charge?

10 MR. PISK0: It doesn't matter what  
11 time of day, no matter what day it is, if  
12 it's an even day, odd day. If the police  
13 have to call a tow truck when there's an  
14 accident, impoundment on a DUI, the police  
15 call Falzone's it's an automatic \$300.

16 MR. RUSSELL RINALDI: Who charges  
17 that?

18 MR. PISK0: Falzone's, but they pay  
19 the city of Wilkes-Barre an exclusive fee to  
20 do that. They're the exclusive tower.

21 Now, my understanding, here in Old  
22 Forge it's even days, Schuback, odd days  
23 it's Billy.

24 CHIEF DUBERNAS: We just call them.

25 MR. RUSSELL RINALDI: We don't get

1 money from them.

2 MR. PISK0: I understand that, but  
3 there should be set rates. I was in the  
4 process of working with Moosic. They said  
5 you need to set your rates. Let's say every  
6 Saturday morning and every Sunday morning my  
7 phone rings off the hook. Do you have my  
8 car, I got a DUI in Moosic. I did this in  
9 Taylor, I did this in Old Forge, do you have  
10 my vehicle, how much do I owe you, and I  
11 don't even have these vehicles. They're  
12 either at Schuback's or up the street.

13 But like I said, there should be set  
14 rates. There should be set rates.

15 MR. RUSSELL RINALDI: We can't tell  
16 somebody what they can charge for their  
17 business.

18 MR. PISK0: Sure you can.

19 MR. RUSSELL RINALDI: No, we can't.

20 MR. SEMENZA: We're not hiring them  
21 as a tower. Those tow companies that are  
22 paying the City of Wilkes-Barre, city of  
23 Scranton, I believe the city of Scranton --  
24 I think they pay them big bucks.

25 MR PISK0: That's fine. What do I

1 have to do to get on the rotation list?  
2 You go to the turnpike website it says  
3 right -- if you break down on the  
4 turnpike -- the towing companies are  
5 contracted to the turnpike. They submit  
6 their rates and they say if we go out  
7 between the hours of 7:00 and 3:00 we charge  
8 this much, and if you want to tow on the  
9 turnpike you have to agree to abide by those  
10 rates. The reason being, if vehicle A comes  
11 through with whatever and you gouge them and  
12 they call the turnpike commission or the  
13 state police and say this guy's trying to  
14 charge me \$375 --

15 MR. RUSSELL RINALDI: Are they  
16 contracted by the turnpike?

17 MR. PISK0: Yes.

18 MR. RUSSELL RINALDI: Are they  
19 contracted by Old Forge? No.

20 MR. PISK0: So if there's no  
21 contract it's just an open agreement you  
22 guys have with the two towing companies.

23 MR. RUSSELL RINALDI: I'm not sure  
24 what the agreement is. I'm just saying we  
25 don't control their prices.