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OLD FORGE BOROUGH COUNCIL
OLD FORGE, PENNSYLVANIA

IN RE: COUNCIL WORK SESSION

AUGUST 4, 2020

7:10 P.M.

EAGLE-MCCLURE HOSE COMPANY
MILWAUKEE AVENUE
OLD FORGE, PENNSYLVANIA

COUNCIL MEMBERS:

- ROBERT SEMENZA, PRESIDENT
- RUSSELL RINALDI
- LOUIS FEBBO
- RICK NOTARI
- JAMES HOOVER
- WILLIAM RINALDI, ESQUIRE, SOLICITOR
- MARYLYNN BARTOLETTI, BOROUGH MANAGER
- FOR SUMMIT TOWER: DAVID SOLFANELLI, ESQUIRE

Mark Wozniak
Official Court Reporter

1 MR. SEMENZA: Welcome to the August
2 4th work session for the Old Forge Borough
3 Council. The purpose of tonight's meeting
4 is to set the agenda for our August 18th
5 meeting. We'll go down the table, see if
6 anybody has anything to address. I'll go to
7 our department heads, see if they have
8 anything for the agenda.

9 At this time we'll go to Paul Papi,
10 zoning/code enforcement. Paul, anything for
11 the agenda?

12 MR. PAPI: I handed everybody --
13 it's in their packets.

14 MR. SEMENZA: Anything besides this?

15 MR. PAPI: No, everything's going
16 smooth.

17 MR. SEMENZA: Okay. Does anybody
18 have any questions on this application for
19 Bell Enterprises for the cell tower on the
20 corner of Marion and Railroad?

21 MR. SOLFANELLI: It's the empty lot
22 next to the power station.

23 MR. SEMENZA: I believe Mariottis
24 own the lot.

25 MR. SOLFANELLI: Bell Enterprises

1 contracted the property for sale to Summit
2 Tower, who is seeking a zoning change, and
3 after that, if successful, to take a special
4 exception under the new zoning to erect a
5 cell phone tower. They are in the business
6 of doing that. They are a very reputable
7 company. I believe the principal of the
8 company has come before council as well as
9 the planning commission just to go over what
10 they were intending to do and answer some
11 questions, things like that.

12 So this is actually the first test,
13 to change the zoning, as I understand it,
14 under the code to be submitted to you and
15 then forwarded to the county and Old Forge
16 planning for recommendations. They get to
17 have 30 days to have a public hearing on
18 whether or not you do issue a zoning change.

19 MR. NOTARI: Bill, who issues the
20 zoning change, council or the zoning board?

21 ATTY. RINALDI: Council, but it goes
22 to planning for recommendation. Then they
23 make a recommendation, they come back and
24 the county makes a recommendation. Then it
25 comes back to council. Council then has to

1 have a hearing on it.

2 MR. SEMENZA: I want to ask a
3 question. I don't know this, and maybe
4 Russell might. Since I've been here
5 nothing's ever been rezoned. Marylynn, are
6 things rezoned often throughout any kind of
7 the boroughs or communities?

8 ATTY. RINALDI: We haven't done one
9 in a while.

10 MR. PAPI: The last one was on Forge
11 and Howard Street. We extended the R-2 zone
12 so the developer could develop it, but he
13 never went forward with it. That was our
14 last zone change.

15 MR. SEMENZA: What was he going to
16 develop it for?

17 MR. PAPI: He was going to put old
18 age retirement homes in, but all he did was
19 reclaim all the soil and get all the coal
20 and disappear.

21 MS. BARTOLETTI: Was that the last
22 time you were the zoning and code
23 enforcement?

24 MR. PAPI: Yes. That was over ten
25 years ago.

1 ATTY. RINALDI: We never did one
2 when Steve was here.

3 MR. PAPI: They're asking for a zone
4 extension, just like they did last time.
5 They're going to bump from the C-2 into the
6 R-2.

7 ATTY. SOLFANELLI: The adjoining
8 land to the south where Insalaco's building
9 and all those properties are, that's
10 commercial. So it would just push it down
11 to encompass our parcel and the two PPL
12 parcels where the power station is. Those
13 are technically there under exceptions.
14 They would more appropriately be in a
15 commercial zone. So that brings them up to
16 standard as well.

17 MR. SEMENZA: So Summit Tower is
18 going buy this piece of property contingent
19 that Bell Enterprises can get the zoning
20 change.

21 ATTY. SOLFANELLI: You're correct.

22 MR. HOOVER: What's the height of
23 the tower going to be?

24 MR. PAPI: I think they say 60 feet.

25 MR. SEMENZA: Sixty-five feet,

1 something like that. So where that tower
2 stands, I don't know if you'll notice or
3 not, Dave, but will that hit any roadway or
4 anything?

5 ATTY. SOLFANELLI: No. It's mapped
6 out on the diagram. I can get the actual
7 blueprints. It's hard to tell as well on
8 the printout. It's paper size. There's a
9 safety zone well within that. The gist of
10 this is really to expand it to make it
11 consistent. It's the only available use of
12 that property, because at this point with
13 the power station there and the easements
14 that run through this property to facilitate
15 the power station there's probably no uses
16 within the R-2 zoning that could even be put
17 there. Basically can't be used.

18 MR. HOOVER: Is there a height
19 restriction? I know somebody tried to put
20 one here before. Couple times.

21 MR. SEMENZA: The last one they
22 came, they tried to put it up on Mountain
23 Road.

24 MR. PAPI: Generally what they try
25 to do, if the tower falls it stays on the

1 property.

2 ATTY. SOLFANELLI: I believe it's a
3 78 foot fall radius for a 60 foot tower.
4 That's reflected on one of the attachments.
5 Technically, I'm just here for the
6 application to be submitted. If we can put
7 this on and get through the 30 days and
8 planning we can conceivably put this on the
9 September meeting, at which point the
10 principals and the engineer could answer
11 those kind of questions before you would
12 make a decision. I don't want to speak out
13 of school in terms of engineering and things
14 like that.

15 MR. PAPI: Bill, doesn't it have to
16 go to zoning for a special exception use?

17 ATTY. SOLFANELLI: It has to get
18 rezoned first, then if that happens we would
19 come back to planning for a special
20 exception for the tower.

21 MR. PAPI: Planning?

22 MR. SOLFANELLI: Planning would do
23 the special exception.

24 ATTY. RINALDI: No, zoning.

25 MR. PAPI: The zoning. Zoning

1 denied our last cell tower and it got
2 approved anyway.

3 MR. NOTARI: Why would we approve a
4 zoning change before it went to zoning?

5 ATTY. SOLFANELLI: Because the
6 special exception is within that zone
7 purpose and zoning can do that. But you
8 can't get to that step until we rezone
9 first. We can't make that request.

10 MR. PAPI: If the zoning gets
11 denied, then it doesn't go for a special
12 exception use.

13 MR. FEBBO: But we want to know why
14 we are going to be changing the zoning.
15 Shouldn't they know why?

16 MR. PAPI: You're changing the
17 zoning if you want the cell tower. Then it
18 would go to zoning to have a hearing.

19 MR. SEMENZA: For what?

20 MR. PAPI: For the cell tower.

21 ATTY. RINALDI: They would have a
22 hearing on the zoning change. They want to
23 change an R-2 to a C-2.

24 MR. LOPATKA: Under C-2 they don't
25 have to get a special exception. They can't

1 get special exception --

2 MR. NOTARI: Why would we make it a
3 C-2 before any of that other stuff is done?

4 ATTY. SOLFANELLI: Under the law
5 that can't be done until we do this. We
6 have to follow that sequence.

7 MR. FEBBO: So that's almost telling
8 zoning that we're approving them for a
9 tower.

10 ATTY. SOLFANELLI: The standard in
11 terms of special exception, a special
12 exception is a recognized use within a C-2
13 zone. It's not within the R-2. So we can't
14 even make the request unless the zoning is
15 changed.

16 MR. FEBBO: We're going to make a
17 zoning change but not saying that we're
18 making a zoning change for a tower.

19 ATTY. SOLFANELLI: Under the
20 application -- and there's a supplement here
21 that explains it in a little more detail.
22 But we say this land is contiguous to a
23 commercial two zone. It's limit is a zero
24 use under its current zoning, and we would
25 expand the boundary. Then the potential

1 uses that are allowed within a C-2 zone
2 would become available, but we'd still have
3 to make the request. If C-2 allows this, we
4 want to do it now because we're in a C-2.

5 MR. FEBBO: I still think it's
6 backward.

7 ATTY. RINALDI: And once it's
8 changed, if it were to change to C-2 they
9 could do anything C-2 permitted on that
10 parcel.

11 MR. FEBBO: Once we make the change
12 they could come back and say well, we
13 qualify under that zoning.

14 MR. HOOVER: They can put something
15 else there other than a cell tower.

16 MR. SEMENZA: That's one of the
17 issues I have.

18 ATTY. SOLFANELLI: We have to come
19 back twice. Once you do this it doesn't
20 mean we get it.

21 MR. SEMENZA: If we change it to a
22 C-2 zone, and just say the property owner,
23 whoever it may be, could be Joe Lenceski, we
24 change the property to a C-2 zone. Now
25 Summit Tower says you know what, we don't

1 want to buy the property. Well, now it's a
2 C-2 zone. They can put whatever they want
3 there.

4 MR. SOLFANELLI: It would be.

5 MR. SEMENZA: But what they couldn't
6 put there in a residential zone. That's why
7 I have an issue of changing a zone for
8 something that might not ever happen. I
9 understand what you're saying, that this is
10 the steps to go forward with.

11 ATTY. SOLFANELLI: It is because
12 there's really no other practical use within
13 the R-2 because of what's been allowed in
14 the past with the cell towers. There's
15 nothing in R-2 that can go. So you
16 basically have a valueless piece of
17 property.

18 MR. PAPI: Plus they're going to
19 make the other two non-conforming conform.

20 MR. SOLFANELLI: Correct. That
21 would bring them into what they're actually
22 doing now.

23 MR. RUSSELL RINALDI: If we send it
24 to zoning, I mean, they could shoot it down.

25 MR. LOPATKA: They could not give

1 the special exception.

2 ATTY. RINALDI: No, if you send it
3 to planning they're going to only recommends
4 you don't have to follow it.

5 MR. LOPATKA: Special exception has
6 to be approved by zoning.

7 ATTY. SOLFANELLI: They could say
8 no.

9 MR. PAPI: They can't use safety as
10 their answer for why they say no.

11 MR. RUSSEL RINALDI: I'm not saying
12 if they would say no or not.

13 MR. PAPI: Last time it changed
14 because the only thing they could say was --
15 everybody was there saying their children
16 were going to be suffering from the cell
17 tower, and that was not allowed. They
18 denied it and it got approved. They went
19 forward to the second court and they got it.
20 The last one we put up on Bridge Street.
21 The zoning board denied it as a special
22 exception use and they appealed it and they
23 won and they put the tower up.

24 MR. NOTARI: The way I'm looking at
25 the property, this cell tower is more than

1 likely going to go on the front part or the
2 Marion Street part of the property, right on
3 the corner?

4 MR. SEMENZA: Look on the second to
5 last page and you'll see the circle.

6 ATTY. SOLFANELLI: I think it
7 doesn't fall under the zoning review, but
8 when it comes to special exceptions one of
9 the conversations would be what are the
10 benefits of using this tower, you get into
11 the issues of band width, particularly now
12 with the mobile location by the high school
13 area and the town in general. Some people
14 could talk to you about the need of the
15 location of tower and what we stand to gain
16 from it.

17 MR. SEMENZA: They came to one of
18 our meetings already. Anybody have any
19 questions for Mr. Solfanelli on this?

20 MR. RUSSELL RINALDI: Paul, what's
21 the tower that's currently there?

22 MR. SEMENZA: There's no tower
23 there.

24 ATTY. RINALDI: The school district
25 has an antenna.

1 MR. HOOVER: It's attached to the
2 building.

3 CHIEF DUBERNAS: It's a 911 center.

4 MR. SOLFANELLI: There's a radio
5 tower.

6 MR. PAPI: There's one attached to
7 the school.

8 MR. RUSSELL RINALDI: But on this
9 property or by this property there's a tower
10 on that. That's a radio tower?

11 MR. PAPI: That's non-conforming
12 because it was put up without a zone change.
13 I don't even know how it got put up, I don't
14 know when it got put up.

15 MR. SEMENZA: That's got to be there
16 35 years. That power plant's got to be
17 there that long.

18 MR. PAPI: That electric station,
19 that's non-conforming, too.

20 ATTY. SOLFANELLI: Public utilities
21 fall under essential services exceptions
22 within the R-2 zoning, but it would
23 otherwise be non-conforming.

24 MR. SEMENZA: Anybody else? All
25 right, Dave. So we'll put this on the

1 agenda for the August 18th meeting.

2 MR. SOLFANELLI: We would have to
3 give planning 30 days to advertise. I think
4 your September 17th or something. Then we
5 can advertise and have the actual hearing.
6 If any neighbors want to come in and voice
7 concerns before you vote.

8 MR. SEMENZA: Will all the residents
9 in that area be notified?

10 MR. PAPI: Anybody within 200 feet
11 of the property.

12 MR. SEMENZA: That's pretty much
13 nobody.

14 MR. SOLFANELLI: Anybody within the
15 zone it would have to be direct notice.
16 There are no residents within the zone, so
17 it would have to be at least a hundred feet.

18 MR. PAPI: It says 200 in the book.

19 MR. NOTARI: There are no residents
20 in the zone?

21 MR. SEMENZA: From the tower or the
22 piece of property?

23 MR. LOPATKA: It should be from the
24 property.

25 MR. PAPI: It would be most of

1 Sussex Street. This side of Sussex Street.
2 I think I counted, like, 40 letters.

3 MR. LOPATKA: You're also changing
4 the PPL property, which is closer to those
5 residents.

6 MR. PAPI: No.

7 MR. SEMENZA: I think you'll hit two
8 houses, 200 feet.

9 MR. PAPI: Go to the end of the
10 property, then walk 200 feet. You can walk
11 right into the back yards of the people on
12 Sussex Street. I walked it off.

13 MR. NOTARI: How about the school?
14 Would we invite a representative from the
15 school?

16 MR. SEMENZA: I think you'd want to
17 let the school know.

18 MR. LOPATKA: It doesn't have to hit
19 the school building, it just has to hit
20 their property.

21 MR. PAPI: It's within 200 feet of
22 the school property.

23 MR. RUSSELL RINALDI: It's within 20
24 feet of the school property.

25 MR. PAPI: We have to wait until

1 next meeting for council and then send it to
2 planning.

3 ATTY. RINALDI: You can move at the
4 meeting to submit it to planning for
5 comment.

6 MR. PAPI: After planning they
7 approve it, then it goes back to council for
8 a hearing?

9 ATTY. RINALDI: No, then you can go
10 to the September meeting. You want to show
11 up at that meeting in between, so it would
12 be the September planning meeting that
13 they'll have it -- you're write, it would
14 be -- the September planning meeting.

15 ATTY. SOLFANELLI: You're going to
16 submit it to them at the next meeting.

17 ATTY. RINALDI: We're going to
18 submit it in two weeks.

19 MR. LOPATKA: You wouldn't meet the
20 30 days, so you have to go October.

21 MR. SEMENZA: The October 20th
22 meeting.

23 MR. NOTARI: The September planning
24 meeting.

25 MR. LOPATKA: When they submit it

1 has to be a 30 day period.

2 MR. SEMENZA: They'll miss the 1st.
3 They have to go to October 6th.

4 ATTY. RINALDI: We're not going to
5 schedule a public hearing until they have
6 it.

7 MR. LOPATKA: So it would be October
8 at the earliest.

9 MR. NOTARI: So September planning
10 meeting is September 3rd.

11 MR. LOPATKA: It won't be that.

12 MR. NOTARI: If they have it for
13 September 3rd, they would then have it 30
14 days because October 1st is a Thursday,
15 which would be their October meeting. Then
16 our work session is the 6th. Then would we
17 be able to have the special hearing before
18 our work session on the 6th?

19 ATTY. RINALDI: Council is the one
20 that's going to have the public hearing, so
21 you're going to get input from planning and
22 you're going to get input from the county.
23 So you can then schedule that hearing.

24 MR. LOPATKA: Which probably won't
25 be until October.

1 ATTY. RINALDI: So you're going to
2 hear it at the work session. That will
3 probably be the October work session.

4 MR. LOPATKA: The August 18th
5 regular meeting you guys can send it to
6 planning, but if they don't have the 30 day
7 time frame to hit the September 1st date for
8 planning they would have to go to October,
9 which would be October 1st. Then planning
10 would make a recommendation to you guys.
11 Then you guys would advertise for your
12 meeting. It would be -- you probably can't
13 do it by the first Tuesday.

14 MR. SEMENZA: That's election day.

15 MR. LOPATKA: Might end up being the
16 20th, the regular meeting, where it would
17 come to you guys for a hearing.

18 MR. SEMENZA: All right. Anything
19 else? Move on. Thanks, Dave. Paul,
20 anything else?

21 MR. PAPI: That's all.

22 MR. SEMENZA: Anybody have any
23 questions for Paul?

24 MR. NOTARI: Did we ever give Pride
25 Mobility an occupancy permit?

1 MR. PAPI: I never did.

2 MR. NOTARI: Last I remember Steve
3 had not. So are they not in that building
4 yet?

5 MR. HOOVER: They never came back to
6 us to tell us what they did.

7 MR. PAPI: They never put their
8 swale in and they're not actually using that
9 entrance and exit. It's all locked off.

10 MR. SEMENZA: They are using it. I
11 witnessed a vehicle come out of there.

12 MR. PAPI: Every time I drove by it
13 was locked.

14 MR. SEMENZA: A neighbor across the
15 street called me numerous times, so I
16 started driving by, driving by and I
17 witnessed a vehicle coming out of there. It
18 wasn't a tractor-trailer but it was a
19 vehicle coming out. Pickup truck.
20 Regardless.

21 MR. NOTARI: That emergency exit?

22 MR. SEMENZA: Out of that emergency
23 exit. It's only a chain link fence. It's
24 supposed to be a blocked --

25 MR. NOTARI: No one was ever

1 supposed to use that.

2 MR. SEMENZA: Right. I don't know
3 what the deal was, but an emergency exit is
4 not to be used.

5 MR. NOTARI: I was just wondering
6 what was going on there.

7 MR. SEMENZA: Paul, will you look
8 into that.

9 MR. PAPI: I don't know if BIU gave
10 the final inspection. I'll find out.

11 MR. HOOVER: Dave could call Joe
12 Durkin, see why they never submitted the
13 occupancy permit. They're in the building
14 over a year now.

15 MR. FEBBO: There's two car lots
16 where Cap's used to be. Two different
17 dealerships working out of there. Did they
18 come in for a permit?

19 MR. PAPI: Yes. They got sign
20 permits, occupancy permits. They're nice
21 guys. They cleaned up all the tires, put
22 them inside of a tractor-trailer. They did
23 whatever I asked them to do. They seem to
24 be real nice guys.

25 MR. SEMENZA: Anything else?

1 MR. FEBBO: No, not for Paul.

2 MR. SEMENZA: Anybody else?

3 MR. SEMENZA: Thank you, Paul. Joe
4 Lenczeski, DPW. Anybody have any questions
5 for Joe? Joe, do you have anything for the
6 agenda?

7 MR. LENCESKI: No, I don't.

8 MR. NOTARI: First off, Pat Revello
9 has a bench he would like to donate for us
10 to put at the Marion Street Park, near the
11 golf nets. It's in his garage. Whenever
12 you have a free moment could you contact him
13 and pick it up and then we'll figure out
14 when we're going to put it in.

15 I talked about putting steps at the
16 Marion Street Park on Railroad Street, on
17 the hill, to make it easier to kind of walk
18 where that walk space is. I know you said
19 you're looking for projects, possibly, for
20 when the fall and winter come. Can we take
21 a look at that, too? I'd say it's probably
22 the back edge of the tennis courts. There's
23 like a middle pathway, then it would come
24 down to Railroad.

25 Then one other thing. How about the

1 dugout at Pagnotti? I know we have been
2 told there were volunteers that would do it,
3 that the school would purchase the needs to
4 put it up. Is that something we could take
5 on?

6 MS. BARTOLETTI: Does that mean that
7 the school is no longer going to fix it like
8 they said they would?

9 MR. NOTARI: Doesn't mean that, but
10 it's been at least a year since we've been
11 told that.

12 MR. SEMENZA: In my opinion, if we
13 keep doing things for the school time over
14 time again they're never going to uphold
15 their part of the deal and just keep taking
16 advantage, taking advantage. I'm sorry to
17 say that, but this always happens to the
18 borough. The borough always gets the --

19 MR. NOTARI: I know, and I don't
20 disagree with you one iota. But I just
21 think that --

22 MR. SEMENZA: There's no baseball
23 season going on right now. Why don't we try
24 to pressure them into it. Like I said, the
25 school uses our fields, we don't ask them

1 for a dime. We give them preference to the
2 fields and we really don't get anything out
3 of it.

4 MR. FEBBO: I think they have the
5 volunteers.

6 MR. NOTARI: Some of the baseball
7 fathers were doing that and they were
8 just -- the school was supposed to buy the
9 materials, and they're waiting for that.
10 I'm not going to argue with you because
11 you're spot on. I just thought I would
12 throw it out there to see if anybody had a
13 change of heart.

14 MR. SEMENZA: And I don't want to
15 sound like that. I just feel like we just
16 keep doing and doing and doing and we never
17 get nothing in return.

18 MR. NOTARI: Lastly, Joe, I've been
19 spending a lot of time at Revello's patio.
20 Cars are coming out of that back lot now
21 that there are apartments on Main Street.
22 There's always been. But there's a lot of
23 traffic coming out of that back lot and
24 they're turning right to go down Grace
25 Street the wrong way. Can you check to see

1 if we can put a no right turn --

2 CHIEF DUBERNAS: There is a sign
3 there.

4 MR. SEMENZA: You have to find out
5 where that starts. Does it start at the
6 street or at the parking lot? I was told at
7 one point in time -- Steve told me that it
8 starts right there at the parking lot. You
9 couldn't make a right.

10 CHIEF DUBERNAS: They come out of
11 Arcaro & Genell's. There's a big sign, no
12 left turn. You can only go right up to Main
13 Street.

14 MR. SEMENZA: But that's their sign.
15 The borough didn't put that up.

16 MR. PAPI: Yes, the borough did put
17 that up.

18 MR. BIERYLA: Steve told me you can
19 make a right.

20 CHIEF DUBERNAS: I sent pictures to
21 the mayor. The ones in the middle are the
22 brand new ones. The ones hanging in the
23 middle of the street.

24 MR. NOTARI: This is somewhere else
25 I'm talking about. When you come out of

1 that back lot at Revello's, the lot behind
2 Revello's. People are coming out and making
3 a right-hand turn there. There's no sign
4 there. So can we put a sign there? Can we
5 check that?

6 MS. BARTOLETTI: It's put the
7 opposite way coming out of Arcaro's, but
8 there's not one coming out --

9 MR. NOTARI: Correct.

10 CHIEF DUBERNAS: If you were coming
11 from behind the American Legion --

12 MR. NOTARI: So we would need a no
13 right turn if it indeed is no right turn.

14 MR. SEMENZA: I don't know where
15 this line starts. How would we figure that
16 out?

17 MR. NOTARI: I always thought the
18 line started at Fallon Street.

19 MR. PAPI: From Fallon Street up.

20 MR. NOTARI: Can we take a look and
21 see if there's somewhere to put a no right
22 turn sign?

23 MR. HOOVER: And there's still cars
24 coming down that one way.

25 CHIEF DUBERNAS: I grabbed an older

1 lady the other day.

2 MR. PAPI: Up on the wire there's
3 signs on both sides.

4 MR. SEMENZA: The bench from Pat,
5 can we possibly purchase a few and have a
6 couple over there? Do you know what kind of
7 bench it is?

8 MR. NOTARI: I think it's like one
9 of those blue ones that he donated to Miles
10 Street. There's one in left field and
11 there's one, I believe, down along the third
12 base line.

13 MR. SEMENZA: Maybe put a couple
14 there. Are there any benches there?

15 MR. LENCESKI: There's multiple
16 benches there. At the access to the tennis
17 court, to the left and the right. Both
18 sides. There's maybe three benches by the
19 basketball court.

20 MR. SEMENZA: Is there room for a
21 bench there?

22 MR. NOTARI: Yes, behind the nets.
23 I'm guessing it's like the one in left field
24 at Miles Street which sit about two or three
25 people.

1 MR. LENCESKI: Not a problem.

2 MR. SEMENZA: Anything else for Joe?

3 MR. RUSSELL RINALDI: Joe, I was
4 contacted by a resident at 114 Hoover. He
5 said he's having a little bit of a water
6 problem with the sewer grate. I think it's
7 either at the corner of his property or
8 across the street. I'm not sure. He just
9 stopped me in passing. I said I'd let you
10 know. If you could just take a run down
11 there, check it out. If you have to, talk
12 to Dave or Marylynn or whoever after that if
13 there's a problem.

14 MR. LENCESKI: I actually did go --
15 I was driving around Smith Street and I did
16 notice on --

17 MR. RUSSELL RINALDI: It's going
18 towards -- coming down Moosic, make a left.
19 It's by the cemetery. I think it's around
20 the corner from the other problem that we
21 had on the other side of the cemetery. It's
22 on the opposite side. Joe Anastassi.

23 MR. LENCESKI: I noticed that.

24 MR. RUSSELL RINALDI: Thank you.
25 Stop by and talk to them about it, check it

1 out.

2 MR. NOTARI: The Lavan property, did
3 we --

4 MR. LENCESKI: I looked at that. I
5 have pictures on my phone right now. My
6 determination is it's not hitting the curb
7 line, it's coming from his neighbor's
8 driveway. And their driveway is depressed
9 and it's going in between the curb and the
10 depression in the neighbor's driveway and it
11 goes in his yard. It's not our curb -- or
12 his curb.

13 MR. PAPI: It seems like the curbs
14 down line up from one side of the driveway
15 to the other.

16 MR. NOTARI: So his neighbor's curb
17 doesn't line up with his curb?

18 MR. PAPI: That's what it looked
19 like to me. I was there in the pouring rain
20 watching it.

21 MS. BARTOLETTI: We wanted to see
22 how it was with water, so the guys were able
23 to check it out today.

24 MR. PAPI: He had two sandbags in
25 his yard.

1 MR. FEBBO: Do we have a fix for it?

2 MR. PAPI: I'd like to meet with the
3 engineer. Looks like the curb doesn't line
4 up to me.

5 MR. SEMENZA: Anybody else have
6 anything for Joe? Joe, today's storm,
7 everything okay?

8 MR. LENCESKI: We had a tree drop in
9 a paper alley, south Milwaukee, onto a
10 house.

11 ATTY. RINALDI: It was taken care
12 of.

13 MR. SEMENZA: I want to ask you a
14 question about paper alleys. That tree was
15 on that paper alley or that unknown property
16 which comes up on the map as basically land
17 left over from the developer, which we
18 constantly pave for these alleys. Who pays
19 for it, the homeowner?

20 ATTY. RINALDI: If it's laid out for
21 the benefit of -- it depends on what year it
22 was laid out.

23 MR. SEMENZA: I'm talking about
24 going forward. It could be a hundred years
25 old, it could be 25 years old. There's a

1 tree on a piece of property that's left
2 over, nobody owns it, per se, and the tree
3 falls on my house. Am I liable for that?

4 ATTY. RINALDI: No. If it's on just
5 paper land that doesn't connect to a street
6 or anything, well, you can't build on it as
7 it's laid out, so everybody that bought a
8 lot in that development owns a piece of it
9 and there's a right to use it. But that's
10 it. It should still be in the name of the
11 subdivider.

12 MR. SEMENZA: When I clicked on that
13 property on my app it says no known owner.

14 ATTY. RINALDI: So that means it
15 must be really old. What development?

16 MR. SEMENZA: It's the street
17 behind. The Project 70 land borders it,
18 that paper alley, then Milwaukee Ave. How
19 do we prevent --

20 ATTY. RINALDI: Talking about that
21 strip that used to connect to Villa?

22 MR. LENCESKI: Coming down South
23 Keyser Avenue, Drake's Lane, take the
24 hairpin turn to Connell's Patch. You make a
25 right and go behind those houses.

1 MR. RUSSELL RINALDI: Was anyone
2 hurt?

3 MR. LENCESKI: No. Dropped power
4 lines. PPL was there.

5 MR. PAPI: No name on Dave's
6 computer.

7 ATTY. RINALDI: I thought we had
8 that surveyed. Is that on our land or not
9 on our land?

10 MR. SEMENZA: What did we have
11 surveyed?

12 ATTY. RINALDI: The Project 70 land.

13 MR. SEMENZA: Not that land. We did
14 the one on the other side.

15 MR. PAPI: Those people that live
16 there always said they have an alley because
17 they all have garages in the back.

18 MR. SEMENZA: I understand they
19 always had an alley, and the alley in
20 between Mira and Andrioni was always an
21 alley, too, but we come to figure out that
22 that was the same thing. Land left over
23 from the developer. It wasn't an alley.

24 Going forward, the paper alleys in
25 the borough, before something happens that

1 the borough's going to end up being liable
2 for how do we stop it?

3 ATTY. RINALDI: It's not our
4 liability there. If a tree falls there --
5 did we plow that?

6 MR. SEMENZA: No. I understand what
7 you're saying, it's not our land, but I
8 don't want to see a resident of the borough
9 get jammed up for no reason, too.

10 ATTY. RINALDI: If it falls on their
11 house their insurance is going to cover it.
12 But I don't know who -- I'm assuming that's
13 just left over from their lot. They might
14 all own a piece of it. When the guy
15 subdivided those lots he left an alley
16 behind them all. Probably each deed says
17 they have a right to use the alley.

18 MR. SEMENZA: My question is are
19 there many pieces of property in the borough
20 like this?

21 ATTY. RINALDI: There's probably
22 more because the borough goes back a
23 hundred-some years. There's probably -- but
24 when with you start maintaining them --
25 like, I know sometimes we pave the alleys,

1 maintaining care of it, we don't own the
2 land. We maintain it.

3 This one here, Marylynn said we're
4 not plowing it.

5 MR. SEMENZA: No, we don't do
6 nothing to it. But there is no owner.

7 ATTY. RINALDI: It would be all the
8 lot owners, technically -- or actually it
9 would be the owner of the property. He
10 still has it in his name. We have to do
11 some research to find it.

12 MR. PAPI: All of Morton Street,
13 Orchard Street, Taroli Street has them.
14 They use them to access their pools, they
15 need work done in their back yard.

16 MR. SEMENZA: Are they all paper
17 alleys?

18 MR. PAPI: It was always called land
19 left over by the developer. They're not in
20 the deeds.

21 ATTY. RINALDI: The deeds might say
22 a right to use a 12 foot strip of land. A
23 lot of them have that.

24 MR. SEMENZA: Anybody have anything
25 else for Joe? That's it, Joe? Thanks.

1 Police chief, Jason Dubernas. Do you have
2 anything for the agenda?

3 CHIEF DUBERNAS: Nothing.

4 MR. SEMENZA: Anyone have any
5 questions for Chief Dubernas?

6 MR. FEBBO: What happened to your
7 problem with the towing?

8 CHIEF DUBERNAS: We got that
9 resolved. He got all his new plates and
10 everything.

11 MR. SEMENZA: Anybody else?

12 MR. NOTARI: My usual every
13 three-month question. Is the ENRAD system
14 being used?

15 CHIEF DUBERNAS: Yes. They just
16 painted all new VASCAR lines all over the
17 place, all new pavement, and they refreshed
18 all our old ones.

19 MR. SEMENZA: Anybody else?

20 MR. RUSSELL RINALDI: Chief, any
21 interest in -- I know we inquired about it
22 before we had some talk about it. Any
23 interest in any type of body cams or cameras
24 for the cars?

25 CHIEF DUBERNAS: I got all the

1 information. I'll trying to apply for a
2 grant. It's, like, between \$30,000 and
3 \$50,000.

4 MR. RUSSELL RINALDI: For all
5 officers?

6 CHIEF DUBERNAS: That's for the
7 officers and the patrol cars.

8 MR. NOTARI: We should look into
9 putting that in the budget for next year if
10 we can.

11 MR. RUSSELL RINALDI: That would
12 have been my next question to council, see
13 how everybody feels about it.

14 MS. BARTOLETTI: There are some
15 grants.

16 MR. SEMENZA: I like the idea of
17 visiting it.

18 MR. SEMENZA: Anyone else? Chief,
19 everybody good? No issues?

20 CHIEF DUBERNAS: Cody and Liz, next
21 week they'll be on their own. They're on
22 the schedule for the end of August. Like, I
23 think the 23rd they start on their own.
24 They're finishing up.

25 MR. SEMENZA: We were also looking

1 into SROs.

2 CHIEF DUBERNAS: I haven't heard
3 anything back from the school. That class
4 is over. They never gave me an answer or
5 nothing. When I talked to Doctor Keating
6 the other day -- as a matter of fact, I have
7 a meeting with her this Friday. I got
8 another grant -- she received a grant when
9 she was with the Scranton School District,
10 but since she came to Old Forge they honored
11 it for her. So we're splitting the grant
12 with Scranton.

13 What she's telling us, it's some
14 type of hybrid schedule they're going to try
15 to start the school year with, pending on
16 what's going on. She's not sure.

17 MR. SEMENZA: How many officers are
18 currently SROs in our department?

19 CHIEF DUBERNAS: Counting them,
20 four.

21 MR. SEMENZA: If we had to shift
22 them into a slot we could.

23 MR. NOTARI: We have four officers
24 certified to be school resource officers?

25 CHIEF DUBERNAS: They got certified

1 from Taylor.

2 MR. NOTARI: We're back now looking
3 to do that?

4 MR. SEMENZA: I don't know.

5 CHIEF DUBERNAS: The school won't
6 give me an answer.

7 MR. NOTARI: Last we left it they
8 were looking to develop their own
9 department.

10 CHIEF DUBERNAS: I can't get an
11 answer from them. I reached out to them in
12 June because there was another SRO school
13 coming up in July. I would have sent two in
14 July and two for August. We would have had
15 more. They never gave us an answer,
16 nothing, because it cost \$500 an officer.
17 They had a grant that could be used for
18 security and I got nothing.

19 MR. SEMENZA: Chief, is it true that
20 if you're not an SRO you can't go into the
21 school nowadays?

22 CHIEF DUBERNAS: No, you can go in
23 the school. You just can't patrol the
24 school. We can go for emergencies. We
25 can't patrol in the school under that new

1 act they came out with.

2 MR. NOTARI: So we can't even put an
3 officer in the school if we wanted to
4 unless --

5 CHIEF DUBERNAS: No, we could
6 because I have four.

7 MR. NOTARI: Unless they were
8 certified.

9 MR. SEMENZA: Correct. That just
10 happened?

11 CHIEF DUBERNAS: Just happened.

12 MR. NOTARI: All part-timers?

13 CHIEF DUBERNAS: One full time,
14 others are part-timer.

15 MR. SEMENZA: Anything else for
16 Chief Dubernas? Thanks, Chief. Bill,
17 solicitor's report.

18 ATTY. RINALDI: So the first thing
19 I'm going to have is a resolution for
20 council to adopt the Pennsylvania Municipal
21 Documents Act. I know once Marylynn starts
22 cleaning out the building there's stuff
23 that's going to probably have to be disposed
24 of. So there's a procedure to go through
25 for that.

1 The second item is I submitted the
2 Project 70 proposed legislation. They need
3 council to pick a project where the proceeds
4 will be set up in a separate account to be
5 used for it. So next meeting if you guys
6 can come up with what the proceeds from the
7 sale are going to be used for.

8 MR. NOTARI: It has to be a
9 recreation project?

10 ATTY. RINALDI: Has to be
11 recreation, yes.

12 MR. SEMENZA: When will it go back
13 to them? Once we vote on that it will go
14 back to them. What's the time frame on
15 their process?

16 ATTY. RINALDI: There's no time
17 frame.

18 MR. SEMENZA: It can sit on their
19 desk for six months?

20 ATTY. RINALDI: It's how much they
21 push it and what else is going on in
22 session. Our state rep would submit it,
23 work in conjunction with their party. The
24 same way at the last one. I think the last
25 one took maybe nine months to finally get it

1 passed. The only information I need left is
2 what the special account is going to be
3 established for.

4 MR. SEMENZA: We have to vote on
5 that at a meeting?

6 ATTY. RINALDI: Once you decide what
7 the project is I'll put it in the
8 legislation to be submitted. You can
9 approve that.

10 Third, you have to accept the
11 resignation of a planning member and
12 possibly appoint a new planning member.

13 Moving the zoning amendment to
14 planning in Lackawanna County.

15 Maybe an ordinance authorizing to
16 borrow. But that's speculating right now.
17 We'll see what happens. The ad would have
18 to go in for that. We really have to know a
19 lot of details. We'll see what transpires
20 in the next few weeks with regards to that.
21 If we can get it done, we'll get it done.
22 That's all I have.

23 MR. SEMENZA: Anybody have any
24 questions for Bill?

25 MR. HOOVER: How's my favorite Judge

1 doing?

2 ATTY. RINALDI: I haven't talked to
3 him other than the transcript I got. It
4 went to Ed today, so that's done.

5 MR. SEMENZA: Marylynn, anything for
6 the agenda?

7 MS. BARTOLETTI: Nothing for the
8 agenda, but just two things that I wanted to
9 point out about the whole building
10 situation. We just touched on this for a
11 second earlier, but keep in mind that the
12 bid process does not include any furniture,
13 and it also doesn't include a security and
14 fire system. Although they're in the plans,
15 we wanted it to be bid out separately. So
16 at some point we're going to have to work
17 on -- right now we have Vector, so I'd like
18 to put out a new system to bid and see what
19 we get. I've had a lot of people requesting
20 to be put on our list for that. Maybe for
21 next meeting we'll have that ready.

22 One other thing that might be on the
23 agenda, the drop bins around town, I know
24 the one at the school is always an issue
25 because everyone sees it. Even though

1 they're closed and they're taped off people
2 keep dumping. I know Paul's been struggling
3 with the one at the school, so he went and
4 actually took two truckloads of stuff that
5 was left there, and by the time he came back
6 again it was all filled up again in just a
7 matter of a few minutes.

8 So I don't know if we can adjust
9 what we have on the books as far as those
10 containers or --

11 ATTY. RINALDI: We did an ordinance.
12 We can fine them.

13 MR. SEMENZA: Can we make them take
14 them out of there during the state of
15 emergency? They're shut down.

16 MR. PAPI: And there's a sign on
17 them saying they are not in service.

18 MR. SEMENZA: Can we get them
19 removed until they're opened back up?

20 ATTY. RINALDI: I have a feeling
21 that that person that used to operate those
22 does not anymore.

23 MR. RUSSELL RINALDI: Can we remove
24 them ourselves?

25 ATTY. RINALDI: The property owner

1 gave them permission. He can revoke it.
2 They don't have leases.

3 MS. BARTOLETTI: I get the
4 complaints that it just looks like another
5 eyesore in town.

6 MR. PAPI: People dumping food
7 there.

8 ATTY. RINALDI: Each of them should
9 have a permit, so wherever they're at the
10 owner can say where's your permit and say
11 you have to remove it if they don't have
12 one.

13 MR. SEMENZA: How many times did you
14 clean up there?

15 MR. PAPI: Once. I told JP this is
16 your job.

17 MR. SEMENZA: So who would get
18 fined?

19 ATTY. RINALDI: The property owner.

20 MR. SEMENZA: Then they have to get
21 fined.

22 MR. NOTARI: Does the school have
23 cameras on that side of the school?

24 CHIEF DUBERNAS: I could find out.

25 MR. NOTARI: Maybe we can see who is

1 dumping and go after them. If there's signs
2 there and things are closed down the people
3 are illegally dumping.

4 MR. PAPI: We got a backhoe. We can
5 move them to wherever we want.

6 MR. SEMENZA: We shouldn't have to.

7 ATTY. RINALDI: You can't just pick
8 it up. It belongs to somebody else and the
9 landowner gave them permission. You can go
10 to the landowner and say I'm coming down
11 here with a citation and go right to the
12 magistrate and issue a citation, up to a
13 thousand dollar fine.

14 MR. SEMENZA: How many do we have in
15 this borough?

16 MR. PAPI: There's only two I know
17 of.

18 ATTY. RINALDI: Or you can say where
19 is your permit. I'm going to give you a
20 fine for that. You can give them two fines.

21 MR. PAPI: See the superintendent of
22 the school?

23 ATTY. RINALDI: If they're the one
24 who gave permission for it on their
25 property, yeah.

1 MR. SEMENZA: There isn't an issue
2 with the one at the VFW on Main Street.

3 ATTY. RINALDI: Chapter 190, Paul.

4 MR. SEMENZA: Contact the school
5 tomorrow, Paul, take care of that.

6 ATTY. RINALDI: Supposed to have a
7 permit and they're supposed to keep it
8 clean.

9 MR. HOOVER: Move it closer to the
10 school.

11 MR. NOTARI: Is it supposed to be
12 there or it is just garbage?

13 MR. PAPI: It's a mixture of fruit
14 cups and the ants were in there. Somebody
15 put in a big box of bubble gum.

16 MR. SEMENZA: Chief, are all our
17 officers aware that it's not open, that drop
18 off box is not open?

19 CHIEF DUBERNAS: I'll make sure.

20 ATTY. RINALDI: Even if you issue a
21 citation you can always withdraw it. A
22 thousand dollar fine, they're going to be on
23 the phone with whoever owns it to say get it
24 out of here or clean it up.

25 MR. SEMENZA: Make a call to them

1 first, Paul, try to rectify it first. This
2 can't keep going on. Every day there's
3 garbage. Cribs, Power Wheels, whatever.
4 All junk.

5 All right, Marylynn, anything else?

6 MS. BARTOLETTI: No, I'm finished.

7 MR. SEMENZA: Anybody have anything
8 for Marylynn? Thanks, Marylynn. Public
9 sign-in sheet. Anybody want to address
10 council?

11 MR. LOPATKA: For the agenda, we
12 need to add a public meeting on the MS4. It
13 needs to be advertised.

14 MS. BARTOLETTI: Could we advertise
15 it now and have it --

16 MR. LOPATKA: Next meeting, yes.
17 That's what I was going to recommend.

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

20 MR. NOTARI: Dave, what happened at
21 that MS4 hearing?

22 MR. LOPATKA: Probably nothing.
23 I'll come and do a quick explanation of what
24 the plan is. It's a PRP plan. Then if
25 there's any public comment.

1 ATTY. RINALDI: The floodplain maps,
2 one of the homes that wasn't sold out --

3 MR. LOPATKA: He told me.

4 MR. SEMENZA: Why was that home
5 never mandated to be bought out?

6 MR. PAPI: They wouldn't take the
7 buyout money.

8 ATTY. RINALDI: They were optional
9 buyouts for everybody.

10 MR. LOPATKA: I sent them the
11 section of the floodplain ordinance.

12 ATTY. RINALDI: He didn't want to
13 accept the amount of money they were
14 offering. He didn't sell it. Did it go to
15 tax sale?

16 MR. NOTARI: Can we condemn it and
17 take it?

18 MR. SEMENZA: It's in the tax sale.

19 MR. NOTARI: Somebody bought it?

20 MR. SEMENZA: It went to sale last
21 week.

22 MR. FEBBO: Who is going to buy a
23 house in a floodplain?

24 MR. NOTARI: We are. We're going to
25 knock it down.

1 MR. FEBBO: That's right on the
2 river.

3 MR. SEMENZA: Anybody else? Thanks,
4 Dave. At this time, public sign in?
5 Anybody from the public? Okay.

6 At this time we'll go down the
7 table.

8 MR. MCANDREW: I'd just like to
9 thank the mayor and Paul Papi for taking
10 care of the problem next door. That
11 apartment's been a problem for the last ten
12 years on and off and on and off, and it came
13 to a head July 4th when the eight bags of
14 garbage remained between my house and that
15 house and sat there until I couldn't stand
16 it anymore.

17 It was only my problem until it
18 moved on the other side with McLane's
19 property, then someone knocked on my door
20 telling me we have a problem. It's not we
21 have a problem. It's gone. Now it's down
22 the back where the problem originally
23 started, at the alleyway. Paul Papi was so
24 nice. He went down there today and put
25 three stickers on the garbage so the garbage

1 men would take the garbage.

2 I don't for the life of me
3 understand why someone from the borough was
4 not going down to George Seig and citing the
5 four violations that are in the code and
6 have the landlord and that person cited and
7 arrested. He tells everybody he doesn't
8 have money for garbage stickers, but he's on
9 vacation this week down the shore. I'm
10 mystified why nobody will go down to George
11 Seig. I talked to George Seig about it. He
12 can't understand it either.

13 MR. SEMENZA: Paul, what's he in
14 violation of down there?

15 MR. MCANDREW: There's four of them.
16 I sent them to the chief, the mayor and
17 Paul.

18 MR. PAPI: He's not putting his
19 garbage stickers on the garbage.

20 MR. SEMENZA: I'm totally unaware of
21 this whole situation.

22 MR. MCANDREW: He takes the garbage
23 bag and he throws it between the houses.
24 Doesn't put it in any type of receptacle a
25 tall, and then he doesn't put it out the

1 week -- I give him the benefit of the doubt
2 July 4th weekend because I figured maybe he
3 didn't think the garbage was picked up
4 Monday. Paul came down and took eight bags
5 of garbage. I was standing there. I almost
6 vomited when he went by me with it. He had
7 to go back down and get three more. The
8 garbage got picked up Tuesday on Main Street
9 for some reason. Wednesday he threw two
10 more bags out there -- three more bags.
11 This guy just does not get it.

12 MR. SEMENZA: What's his violation?

13 CHIEF DUBERNAS: That was a tenant.
14 We have now spoken to the landlord. It's
15 under an LLC. We already started the
16 process. I got everything together for
17 Paul. Paul has a nuisance property letter
18 submitted --

19 MR. PAPI: I just sent him a letter
20 yesterday. 722-724 Main Street.

21 MR. MCANDREW: I had Councilman
22 Febbo down my yard. I showed my back yard.
23 I don't know if you'd want to have your
24 entire yard filled with garbage. All the
25 rodents and rats and everything else ripped

1 it all apart. I told the tenants downstairs
2 I feel bad for them, they have a dog, but I
3 have rat poison all in my back yard. If
4 they drag it over into that yard over there
5 I feel bad, but I'm not tolerating it
6 anymore.

7 And the chief had to come down two
8 weeks ago because this guy came downstairs
9 carrying a baby with his girlfriend,
10 slapping each other in the middle of Main
11 Street, and then turned to me and asked me
12 if I liked the entertainment. I just called
13 911. They were there within four seconds
14 and the guy just lock himself upstairs and
15 wouldn't come down.

16 From what I read in the code, if the
17 police respond two times to any type of
18 problem --

19 MR. SEMENZA: Three times. Three
20 times within six months.

21 CHIEF DUBERNAS: Eric, when I talked
22 to him on Thursday -- I was there on
23 Tuesday. Wednesday morning I called him.
24 Thursday the landlord actually met me at the
25 station. I explained to him everything

1 that's going on. He said after he went down
2 there to straighten out the issue he was
3 going to the magistrate to start an eviction
4 process. I'm not sure if he did that or
5 not.

6 MR. MCANDREW: I got the landlord
7 down my house the other day. He told me he
8 totally agrees we don't have to live under
9 these conditions, but I don't know, with the
10 Covid, if you can actually evict somebody.
11 I know the police went down there twice at
12 2:00 and 3:00 in the morning. Jason's been
13 down there numerous times talking to the
14 guy, Paul's been down talking to them. I
15 talked to the mayor about it and the mayor
16 sent the cops down.

17 They're doing their job, and the
18 landlord tells us he's going to take care of
19 it, he's working on it, but this guy
20 upstairs just doesn't get it. And I'm a
21 very tolerant person, but the next time he
22 gets in my face somebody's going to be
23 taking me out in handcuffs.

24 MR. SEMENZA: Alan, I'm not
25 following you. You're asking why isn't

1 somebody from the borough doing something.
2 You were just saying everybody's doing their
3 job.

4 MR. MCANDREW: They're doing their
5 job talking to him, but you can drive three
6 blocks down to the magistrate's office and
7 file the paperwork and start fining.

8 MR. SEMENZA: Paul, why hasn't there
9 been a report filed yet?

10 MR. PAPI: There was. I just sent
11 out the letter yesterday.

12 MR. SEMENZA: Okay.

13 MR. PAPI: Every time I got a notice
14 about that property I responded.

15 MR. SEMENZA: This is the first I'm
16 hearing about this.

17 MR. PAPI: I never got the
18 landlord's number. Now I have his number
19 today. I'm going to talk to him tomorrow.

20 MR. SEMENZA: This is the first I'm
21 hearing about this. If that goes on call
22 Paul immediately.

23 MR. PAPI: I took the garbage twice.
24 It stunk so bad and it was four days before
25 garbage pickup. It had to get out of there

1 then.

2 MR. SEMENZA: I'm just trying to get
3 my hands around when this happened, what's
4 going on.

5 MR. FEBBO: That was the last
6 meeting. You weren't here.

7 MR. SEMENZA: I was here. I came
8 late.

9 MR. FEBBO: He brought it up at the
10 last meeting.

11 MR. SEMENZA: You're doing all the
12 steps you have to, Paul?

13 MR. PAPI: Yes.

14 MR. MCANDREW: He's on vacation this
15 week, so it shouldn't be any put out on the
16 side of the house.

17 MR. PAPI: Bill, do I go after the
18 owner of the property or the tenant?

19 MR. SEMENZA: It's a nuisance
20 property. Go after the landlord. Anything
21 else?

22 MR. NOTARI: Are property owners
23 responsible for the garbage at rental
24 properties?

25 MR. SEMENZA: That depends on the

1 landlord, I believe.

2 ATTY. RINALDI: Well, they're
3 responsible under the borough code.
4 Whatever arrangements they make under the
5 lease with the tenant doesn't mean they're
6 not responsible anymore.

7 MR. NOTARI: So any garbage problems
8 is the responsibility of the property owner.
9 So the garbage isn't supposed to be put out.
10 Of course, you're saying it's not being put
11 out.

12 MR. MCANDREW: It's not put out in
13 containers until they're going to take it
14 out to the curb. He just throws it out on
15 the side of the house, in the grass in the
16 back.

17 MR. SEMENZA: Is it stated in our
18 code?

19 ATTY. RINALDI: It's under 229.

20 MR. SEMENZA: How it should be
21 stored?

22 MR. NOTARI: There should be a
23 storage area in a rental unit. Right?

24 MR. FEBBO: What about Kardos?

25 MR. PAPI: That was all ready to go

1 to the magistrate. We're waiting on a bunch
2 of hearings. That other person down on
3 Wyalusing. Those are all hearings that are
4 all backed up from the courthouse. Stocki.
5 It's all backed up.

6 MR. FEBBO: This hearing down at
7 George Seig?

8 MR. PAPI: I believe so.

9 ATTY. RINALDI: He was fined by
10 George and he appealed it, so the DA's
11 office is not doing too many hearings down
12 there.

13 MR. PAPI: She cancelled it twice
14 already. He appealed it.

15 MR. FEBBO: Scott is probably going
16 on six years. As long as I'm on council.

17 MR. PAPI: As long as I'm in the
18 borough. It's a lot better now than it was.

19 MR. SEMENZA: Anything else? At
20 this time we'll go down the table. Mayor?

21 MAYOR LEGG: The problem with Alan,
22 you call me anytime you want. It's a wreck
23 over there. I had several calls and I
24 turned them over to Paul and Joe and they've
25 done what they're supposed to do. They've

1 done an excellent job. Like Paul said,
2 landlords that don't live in town, it's a
3 problem. By the time you get the landlord,
4 find out who he is, get the contact
5 information, then he's going to get back to
6 you or get in contact with them, time goes
7 by. I had a couple of real bad ones.

8 I had a situation over the weekend.
9 Somebody cut a tree that was on his
10 property, and the person is a scum bag.
11 He's got dog manure all over. He told us he
12 called the police because the person took
13 too much off the tree. It's craziness. But
14 anything comes up like that you call me.

15 Another thing, if anybody has any
16 problems with the Hometown Hero banners, get
17 any calls that the banner's down, missing,
18 somebody found it, feel free to give them my
19 number, 2694. Mare's getting a lot of
20 calls. Get them to me, I'll call Ricky
21 Melucci or John Haluska and we'll get it
22 taken care of.

23 Oak Street, there was a big bump in
24 front of my apartment. An empty roll off
25 would go by and it would make a sound that

1 would wake the dead. I'll tell you what,
2 it's so nice that it's gone. Thank you very
3 much.

4 MR. SEMENZA: Councilman Febbo?

5 MR. FEBBO: No.

6 MR. NOTARI: Nothing.

7 MR. HOOVER: The four water
8 projects, the water mains are in the ground.
9 Taroli, Fallon, Henderson, and Kay. Mains
10 are installed and we're going to be doling
11 service shortly. That's all I have.

12 MR. RUSSELL RINALDI: I have
13 nothing.

14 MR. SEMENZA: I'm going to ask for a
15 brief executive session after the meeting.
16 I'd like the chief to stay, the mayor to
17 stay. Department heads can leave besides
18 Marylynn.

19 One other thing. Alan -- and this
20 has nothing to do with anybody. You can
21 call the mayor, call Joe, call Dave. Call
22 the borough office with a formal complaint
23 also just so when it's called in she has it
24 on record. We're having issues with
25 complaints being taken care of by other

1 people in the borough and they never make it
2 to Marylynn's office. So she doesn't know
3 about them. She hears about them third
4 hand. I want the office to know about it.
5 That's the mainframe for the borough.

6 All council members, if you do get
7 calls, please refer it do -- say please call
8 the borough office with your complaint. Not
9 saying we can't help out and voice our
10 opinions, but it's easier when things go
11 through Marylynn. That's all I have.

12 At this time the chair is going to
13 entertain a motion to adjourn.

14 MR. RUSSELL RINALDI: I'll make that
15 motion.

16 MR. NOTARI: Second.

17 MR. SEMENZA: By Councilman Rinaldi,
18 seconded by Councilman Notari. All in
19 favor?

20 (Unanimous. Meeting adjourned.)
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C E R T I F I C A T E

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 60 pages, is a true and correct copy, done to the best of my ability, of same and the whole thereof.

Mark Wozniak
Official Court Reporter

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