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OLD FORGE BOROUGH COUNCIL  
OLD FORGE, PENNSYLVANIA

IN RE: COUNCIL WORK SESSION

JULY 7, 2020

7:00 P.M.

OLD FORGE MUNICIPAL BUILDING  
314 SOUTH MAIN STREET  
OLD FORGE, PENNSYLVANIA

COUNCIL MEMBERS:

- ROBERT SEMENZA, PRESIDENT
- LOUIS FEBBO
- RICK NOTARI
- JAMES HOOVER
- MICHAEL LETTIERI
- MICHELLE AVVISATO
- WILLIAM RINALDI, ESQUIRE, SOLICITOR

Mark Wozniak  
Official Court Reporter

1 MR. SEMENZA: Good evening, ladies  
2 and gentlemen. Welcome to the Old Forge  
3 Borough Council meeting. We'll start the  
4 meeting with the Pledge of Allegiance.

5 (The Pledge of Allegiance was  
6 recited.)

7 MR. SEMENZA: Once again, welcome to  
8 the Old Forge Borough Council meeting of  
9 July 7, 2020. The purpose of tonight's  
10 meeting is to set the agenda for the July  
11 21st meeting. We'll hear from our  
12 department heads, see if they have anything  
13 for the agenda. We'll go down the table and  
14 see if any council members have anything to  
15 address. Roll call, please, Bill.

16 ATTY. RINALDI: Mr. Notari?

17 MR. NOTARI: Here.

18 ATTY. RINALDI: Mr. Febbo?

19 MR. FEBBO: Here.

20 ATTY. RINALDI: Mr. Lettieri?

21 MR. LETTIERI: Present.

22 ATTY. RINALDI: Ms. Avvisato?

23 MS. AVVISATO: Here.

24 ATTY. RINALDI: Mr. Hoover?

25 MR. HOOVER: Here.

1                   ATTY. RINALDI: Mr. Rinaldi is  
2 absent. Mr. Semenza?

3                   MR. SEMENZA: Here.

4                   ATTY. RINALDI: The mayor is hear.

5                   MR. SEMENZA: We're back to somewhat  
6 normal with having council meetings in  
7 council chambers. I'm going to go to the  
8 department heads. Paul Papi, zoning. Do  
9 you have anything for the agenda?

10                  MR. PAPI: I don't have anything for  
11 the next meeting, no.

12                  MR. SEMENZA: I know it's getting  
13 into the height of the grass and this and  
14 that, Paul. How are things going?

15                  MR. PAPI: I must have stopped at 50  
16 places for grass cutting and 99 percent got  
17 taken care of. There's always one here that  
18 you can't get in touch with. The mail's  
19 going to the house and nobody's picking it  
20 up. As soon as Gary comes in I'm going to  
21 try to find the owner.

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

24                  Joe Lenceski, DPW, is not here. He  
25 is currently on vacation. Councilman Febbo,

1           you're the chairman of the DPW committee.  
2           Is there anything that you want to address  
3           with the DPW before we start? Unless you  
4           want to address it under --

5                     MR. FEBBO: After.

6                     MR. SEMENZA: Chief Dubernas, police  
7           report. Anything?

8                     CHIEF DUBERNAS: Just to adopt from  
9           Matt Brown. I got the letter. I'm not sure  
10          from -- the state says he's still capable of  
11          being a police officer. I forwarded it to  
12          Marylynn. I'm not sure if she forward to  
13          you guys yet or it will be in your packet.  
14          I'll be happy to e-mail it to you.

15                    MR. SEMENZA: Is it stating he  
16          could?

17                    CHIEF DUBERNAS: He could.

18                    MR. SEMENZA: All right. Bill, look  
19          it over.

20                    ATTY. RINALDI: I didn't see it.

21                    MR. SEMENZA: Look it over, make  
22          sure everything is good with it, Bill.

23                    MS. AVVISATO: He's good to go?

24                    CHIEF DUBERNAS: According to what  
25          the state parole provided to us.

1 MR. SEMENZA: Was his MPOETC  
2 reinstated?

3 CHIEF DUBERNAS: Yes.

4 MR. SEMENZA: Anybody have any  
5 questions? I have one. It's going to be a  
6 request to do a traffic study on Vine  
7 Street. It would be a three-way stop.  
8 There's already a stop on Vine and Hill.  
9 Frank Lia lives there. They asked to do a  
10 traffic study. It would be a three way.  
11 They asked to do a traffic study on each  
12 side.

13 MR. NOTARI: So that's in the middle  
14 of the block, almost.

15 MR. SEMENZA: Right. Chief, do that  
16 for me, please. Thank you. Anybody else  
17 have anything for Chief Dubernas?

18 MR. NOTARI: I have one question.  
19 Revello's, the one way on West Grace coming  
20 from the football field, I've been there  
21 quite a bit since they're outside. The  
22 amount of traffic turning, driving the wrong  
23 way --

24 CHIEF DUBERNAS: Coming from Main  
25 Street?

1 MR. NOTARI: Main Street down. I  
2 mean, I've been there two nights the last  
3 three weeks and at least three to five cars  
4 a night. Last night we were there for a  
5 meeting and the cops were there. Marylynn  
6 was with us. I don't know if she called  
7 them to come sit there. They actually  
8 caught somebody turning the wrong way down.

9 CHIEF DUBERNAS: I know two or three  
10 years ago we had a severe issue. We put all  
11 new signs.

12 MR. PAPI: There's four signs there.

13 MR. SEMENZA: Three or four years  
14 ago you put all new signs. There's one at  
15 the top.

16 MR. PAPI: Right.

17 MR. SEMENZA: Even on both streets  
18 there's no left turn and no right turn.

19 MR. NOTARI: I'm there in the  
20 evening hours. It could be going on all  
21 day. I think it's people coming north and  
22 turning right. One of the signs, I believe,  
23 is on the pole in front of the building.  
24 There's no signs hanging like there used to  
25 be. There used to be signs between each

1 traffic light, hanging.

2 CHIEF DUBERNAS: We replaced them.

3 MR. SEMENZA: Not on Main.

4 MR. NOTARI: They might have their  
5 own poles, but there was nothing hanging  
6 between the traffic lights like there used  
7 to be. Is that going to be a help? I don't  
8 know. We have to figure something out.

9 MR. SEMENZA: Maybe when Joe comes  
10 back we'll have him put signs up. Do we  
11 have to get state approval?

12 MR. PAPI: If it's a regulatory sign  
13 you do.

14 ATTY. RINALDI: I think PennDOT  
15 controls that.

16 MR. SEMENZA: Chief, could you  
17 contact PennDOT.

18 MR. NOTARI: Thank you.

19 MR. SEMENZA: Anybody else have  
20 anything for Chief Dubernas?

21 MR. HOOVER: If a car's in front of  
22 someone's house when they're not inspected,  
23 no stickers on them, what's that rule --

24 CHIEF DUBERNAS: As far as not  
25 inspected or registered, we'll get

1 paperwork -- Officer Kimball does it. He'll  
2 submit the paperwork to PennDOT that show it  
3 is abandoned. Then we send a formal letter  
4 to the vehicle owner, and they have to  
5 either move the car, get it insured,  
6 licensed and registered, or we impound it  
7 and we take it to one of our abandoned  
8 vehicle people.

9 MR. SEMENZA: What if it's not  
10 inspected but it is registered?

11 CHIEF DUBERNAS: I think it depends  
12 on what it's for. If it's a dealer's tag  
13 they have a valid registration.

14 MR. SEMENZA: Personal vehicle, not  
15 inspected but registered. I had a neighbor  
16 ask me on Grace Street, where we put the no  
17 parking signs between the hours of so and so  
18 for Tiny Tots, that green pickup truck.  
19 It's been out of inspection since '18. It's  
20 sitting there.

21 CHIEF DUBERNAS: I'll check it  
22 tomorrow.

23 MR. PAPI: He had a pile of junk  
24 under his back porch and he cleaned it up in  
25 a couple days.



1 MR. NOTARI: Can we make a point  
2 with our officers to start looking out and  
3 making mental notes when they see cars and  
4 they're in the same spot over and over again  
5 to maybe notify Officer Kimball to go take a  
6 look?

7 CHIEF DUBERNAS: Yes.

8 MR. HOOVER: There's four at  
9 Caputo's. No inspection stickers on any of  
10 them. They're in the street. I know the  
11 guy's not feeling well, but every time I go  
12 by he seems to be in the yard working on  
13 cars.

14 MR. PAPI: He said that the DMV has  
15 been shut down for so long that there's a  
16 grace period of one to two months.

17 CHIEF DUBERNAS: That's for  
18 registration, but the mechanics are open.

19 MR. HOOVER: No stickers on them at  
20 all. There's five of them in front of his  
21 house, the side of his house. Four of them  
22 don't have stickers. He has nine in the  
23 yard with covers on them. They're probably  
24 not inspected either, but they're on private  
25 property. But these are on the street.

1 We're going after Ronnie Coles for the same  
2 situation and he's doing it down there and  
3 we're not doing anything about it.

4 MR. PAPI: That's been like that for  
5 30 years.

6 MR. HOOVER: I'm good.

7 MR. SEMENZA: Anybody else? Thanks,  
8 Chief. Bill, anything for the agenda?

9 ATTY. RINALDI: I don't have  
10 anything for the agenda.

11 MR. SEMENZA: Anybody have any  
12 questions for Bill? Thanks, Bill. Any  
13 updates on anything for us?

14 ATTY. RINALDI: I know that there's  
15 litigation on the tax assessment appeals.  
16 There's a lot of appraisals floating around,  
17 but I think it's all stuck in the school  
18 district right now.

19 MR. HOOVER: We're still on for July  
20 10th?

21 ATTY. RINALDI: July 10th, 10:00, at  
22 my office on a Zoom.

23 MR. SEMENZA: If we have nobody  
24 else, at this time the chair is going to go  
25 into public comment. Victoria Pople.

1 MS. POPPLE: My name is Victoria  
2 Popple, 43 Connell Street. I've lived there  
3 for approximately 30 years now, and for the  
4 past two years -- there was just an incident  
5 that happened on the 4th of July. The house  
6 number 7, across the street, there were so  
7 many people lighting fireworks -- and I know  
8 that was an issue all over the valley, up  
9 and down. But they were literally in my  
10 yard. There had to be 30 motorcycles and at  
11 least 60 people. You could not even drive a  
12 vehicle going down the street. They had all  
13 their lawn chairs in my lawn, which they did  
14 not ask. I didn't say a word.

15 I paid \$650 to have my house power  
16 washed and my driveway power washed, and the  
17 next day it was like it snowed on the house  
18 and black marks all over the driveway.  
19 That's neither nor there.

20 But I purposely did not call the  
21 cops. That's how afraid I am of those  
22 people that are going there across the  
23 street. Now that I'm coming out in public,  
24 I'm being dead serious if I am bludgeoned to  
25 death or my house is burned down they did

1           it. It's just frightening. And even Chris,  
2           who lives behind them, we decided that night  
3           we'd hunker down, we'd closed our lights,  
4           lock the doors and just let them go. It was  
5           frightening. And it's been going on every  
6           weekend. Now, I understand it was the 4th  
7           of July.

8                       The other reason I didn't call  
9           police is because I was fearful for the  
10          police to have a police car come down. We  
11          all see things on TV and so forth. We have  
12          no idea who's in that house at whatever  
13          time. I was afraid that something might  
14          happen if they see a police car and there  
15          were so many of them.

16                      MR. SEMENZA: Please don't be  
17          fearful to call the cops. That's they're  
18          job. That's what they get paid for. I  
19          understand you're scared, but, I mean,  
20          before you go any further what you need to  
21          do is, you're fearful like that, you need to  
22          talk to Chief Dubernas, file a police  
23          report.

24                      MS. POPPLE: We've complained many  
25          times.

1 MS. AVVISATO: Do they all live  
2 here?

3 MS. POPPLE: No, none of them lives  
4 here.

5 MR. SEMENZA: They had a party.

6 MS. POPPLE: Last year it was  
7 garbage and trash. I wanted to knock on the  
8 door to ask them about the trash. I  
9 couldn't even get near the door.

10 MS. AVVISATO: Do they do this every  
11 weekend or just --

12 MS. POPPLE: No, it's getting worse  
13 and worse as the summer goes on. That's  
14 regardless. We were prisoners in our house.  
15 And like I said --

16 MS. AVVISATO: You guys lived there  
17 forever.

18 MR. FEBBO: Can we ask for an  
19 increase in police patrols there on  
20 weekends, Chief? Drive bys.

21 CHIEF DUBERNAS: She already gave me  
22 a lot of information.

23 MR. SEMENZA: How many times were  
24 the cops called to that house?

25 CHIEF DUBERNAS: Last week? Three

1 or four times.

2 MR. SEMENZA: It should be deemed a  
3 nuisance property. Send a letter to the  
4 homeowner and take action that way. Start  
5 right there. The residents of Old Forge  
6 shouldn't have to deal with that. Everybody  
7 deals with a little bit here and there,  
8 but --

9 MS. POPPLE: Oh, no, it was  
10 frightening. I'm already a marked target.  
11 I got a blower and every piece -- I couldn't  
12 get every -- there was so much. I just blew  
13 it right back over on their property.

14 MS. AVVISATO: Good for you.

15 MS. POPPLE: I'm already marked, and  
16 I'm serious. If my house gets burned or I  
17 get bludgeoned -- there were a few of them  
18 there last night.

19 MS. AVVISATO: Do you have cameras  
20 on your house?

21 MS. POPPLE: No, but I'm going to  
22 get full security.

23 MR. SEMENZA: Just don't fear for  
24 the police. They will do their jobs.  
25 They're trained to do their jobs.

1 CHIEF DUBERNAS: We have other towns  
2 to help us.

3 MS. POPPLE: They would have  
4 outnumbered them.

5 MR. SEMENZA: That doesn't matter.  
6 They're trained for the job. Thank you,  
7 Victoria. Christine?

8 MS. MURPHY: Christine Murphy, 48  
9 Humphrey Street. I'm here for the same  
10 reason. I have pictures to show. Like, the  
11 music is so bad and I'm sitting on my couch  
12 and it's vibrating. I keep highering my TV.  
13 My windows and doors are closed and there's  
14 a speaker in the yard facing my house. On  
15 Connell you can't hear it too well because  
16 I'm on Humphrey. You have to go on Humphrey  
17 to hear. I took pictures of a flag hanging.  
18 The debris, the garbage bags, the  
19 mattresses, everything inside the pool area  
20 is disgusting. The fence is ready to come  
21 down. They have two pit bulls that attack  
22 the gate. The fence is old. They're going  
23 to knock it over. There's a hole where the  
24 gate goes.

25 MS. AVVISATO: Do the owners live

1 here?

2 MS. MURPHY: The owners don't live  
3 there. The husband and wife got divorced.  
4 She lives somewhere with her boyfriend, and  
5 it's her son. I don't know his name.

6 MR. SEMENZA: You would have to send  
7 a letter to the homeowner. There's steps  
8 you take once it's deemed a nuisance. Bill,  
9 do we know the process?

10 ATTY. RINALDI: If they're  
11 disturbing the peace you should call the  
12 police.

13 MS. MURPHY: I called Thursday  
14 night. The music never got lowered or  
15 nothing.

16 MR. SEMENZA: Chief, our noise  
17 ordinance is what time?

18 CHIEF DUBERNAS: It's 10:00, 11:00  
19 during the week.

20 MR. SEMENZA: Paul, if you do get  
21 called to that residence, since there's pit  
22 bulls there I'd ask you to go down with a  
23 cop.

24 MR. PAPI: Jason warned me about  
25 that. The times that I stopped there, there



1 was times when their dogs were shaking the  
2 wall.

3 MS. MURPHY: It's a drug house.

4 CHIEF DUBERNAS: The last time we  
5 were there -- I just came back to work. We  
6 had an issue with a pit bull. The daughter  
7 came and got the dog. She was the only one  
8 that could control him. But she said it was  
9 her brother that had the dog.

10 MR. SEMENZA: Maybe get this done  
11 ASAP, tomorrow, if possible. Paul, go with  
12 Jason or one of the other officers and do  
13 what you have to do. I'd feel better if you  
14 were there in numbers.

15 MS. MURPHY: You couldn't get  
16 through the road. They literally had I  
17 don't even know how many people in the road,  
18 would not move. They'd just stand there,  
19 look at you, slowly move away.

20 MR. SEMENZA: State law states you  
21 have to be 150 feet from an occupied  
22 structure.

23 MS. POPPLE: They were hitting my  
24 house.

25 MR. SEMENZA: Hopefully sooner than

1 later this can be rectified for the  
2 residents down there.

3 MS. MURPHY: They're scary people.  
4 You cannot go outside.

5 MR. SEMENZA: Hopefully we can make  
6 a little more presence in that area, Jay.

7 MS. MURPHY: That is a drug house.  
8 Definitely. I've seen things on the patio  
9 going on. Nobody should have to live with  
10 stuff like this.

11 MR. SEMENZA: Well, keep in contact  
12 with the police if you see something or  
13 you're fearful. We'll do our best.

14 Nobody else out there? We'll go  
15 down the table. Mayor?

16 MAYOR LEGG: Couple things. I want  
17 to apologize to you and members of council.  
18 I've had problems with my internet at home.

19 If anybody finds any banners, the  
20 veteran banners, let me know. John Halushka  
21 and Ricky Melucci have been going around  
22 rehangng them and moving them. Anybody  
23 finds one let me know.

24 Last thing, this gentleman down on  
25 the corner of Oak Street and Keyser Avenue,

1 the towing guy, I got some calls about he's  
2 advertising for any old cars and what have  
3 you. I don't know if the car is there or  
4 junk cars or if we have the start of another  
5 junkyard there or what.

6 MR. SEMENZA: What he's doing is  
7 he's buying junk cars and he's either fixing  
8 them to sell on the car lot or he's taking  
9 them right to Harry's U-Pull-It. I told him  
10 you have to clean the lot up, it looks real  
11 bad there. You can't have cars all over the  
12 place. I know Paul was up there. But from  
13 what I understand -- and Councilman Febbo  
14 was in the car business, all you need -- if  
15 you have a sales license all you need is a  
16 title. Doesn't have to be registered.

17 MR. FEBBO: That's to sell cars. To  
18 have a lot license, that's extensive.

19 MAYOR LEGG: Anybody been getting  
20 calls from -- I'm getting a lot of calls  
21 from people about garbage.

22 MR. SEMENZA: I was going to speak  
23 on that.

24 MAYOR LEGG: They're driving me  
25 crazy. I saw Sandy and Marylynn and I said

1 I don't want to be passing the buck to you  
2 guys, what should I do, and they say call  
3 here, because I guess they log it and when  
4 they go to negotiate the contract I guess  
5 they use that as a bargaining. But a lot of  
6 calls about garbage not getting picked up.

7 MS. SEMENZA: Councilman Febbo?

8 MR. FEBBO: Let me get to Stocki  
9 first. I don't know about you guys, but I'm  
10 getting hammered, called everything in the  
11 book about what's going on up there, us  
12 doing nothing. I talked to Bill back and  
13 forth. I don't know exactly what we're  
14 doing here with the courts, but I'm not  
15 happy with the results we're getting. I  
16 really think that -- here, this goes back  
17 four years. Passing the buck. Again, he's  
18 not licensed to be there.

19 In terms of a drivable used truck or  
20 sales, a license, there's requirements,  
21 which I don't believe he has any. I just  
22 went through real quick some of the things  
23 that are required.

24 To be a licensed salesman you have  
25 to have a license. To be a dealer of any

1 kind to buy and sell either equipment or  
2 motor vehicles --

3 ATTY. RINALDI: Licensed by who?

4 MR. FEBBO: The state, department of  
5 motor vehicles.

6 ATTY. RINALDI: He's not selling  
7 cars.

8 MR. FEBBO: He's selling trucks.

9 ATTY. RINALDI: All the pictures I  
10 have -- listen, I'd be happy to call the  
11 state and tell them to go down there, but  
12 it's heavy equipment.

13 MR. FEBBO: Okay. Does he need a  
14 license to sell heavy equipment?

15 ATTY. RINALDI: I've never seen the  
16 state issue one. I'd be happy to call them  
17 and see if he needs a license for it.

18 MR. FEBBO: Let's go back the other  
19 way. Let's go back on him being there.

20 ATTY. RINALDI: He's there and he's  
21 going to remain there to sell machines. He  
22 already went in front of zoning back in  
23 2013. In fact, I was reading the transcript  
24 today for the hearing. Zoning said you can  
25 sell machinery and rent machinery there.

1           That's under our zoning ordinance. He's  
2           going to be able to do that.

3                     MR. FEBBO: Zoning said that. Then  
4           it goes to planning?

5                     ATTY. RINALDI: No, it goes to  
6           zoning.

7                     MR. FEBBO: It doesn't come to  
8           council?

9                     ATTY. RINALDI: He never came  
10          down -- which is one of our things on the  
11          record. He never came down to get his  
12          occupancy permit. He was supposed to come  
13          down after that 2013 to go see Steve for an  
14          occupancy permit. Steve was going to go  
15          over stuff with him, you should screen it  
16          in. He never came back to us. But he's  
17          zoned to be there.

18                    MR. HOOVER: He can't operate from  
19          2013 based on just because zoning said it  
20          because he didn't get a permit.

21                    ATTY. RINALDI: Right. So we --  
22          that's what we sued him for back in 2018, I  
23          believe. Well, we fined him first for not  
24          having it. That fine ran, he appealed the  
25          fine. That's why we're in court. We're on

1 the appeal of the fine.

2 Together with that, after the first  
3 hearing he said he was going to clean up the  
4 property and come into compliance. That's  
5 why we're there now with a contempt hearing,  
6 because he did not leave. And, yes, he has  
7 taken a while because it takes -- because  
8 Munley scheduled the hearings. I can't  
9 change that.

10 But we filed everything. We filed  
11 the fine, he appealed the fine. We filed  
12 the complaint for the fine, he answered it.  
13 We filed a contempt petition against him.  
14 There's three orders.

15 MR. FEBBO: Bill, this is going on  
16 four and a half years. Judge Munley keeps  
17 passing it on. I'm not happy with Judge  
18 Munley, to be honest with you.

19 ATTY. RINALDI: I'm not going to say  
20 anything other than yes, the borough wants  
21 this done. Lawyers are not allowed to bad  
22 mouth judges. I'm not going to go up there  
23 and yell.

24 MR. FEBBO: Something's not right  
25 here that this guy is being babied and

1 pampered.

2 ATTY. RINALDI: That's who we're  
3 stuck with. Actually Stocki asked to recuse  
4 Munley and he denied it. He said no, I'm  
5 going to continue with the case.

6 MR. FEBBO: We're not allow to go to  
7 it?

8 ATTY. RINALDI: I'll ask the judge  
9 if you can zoom in. We're not going to a  
10 courtroom. I'm going to be in my office  
11 with my witness, Ed Scacchitti's going to be  
12 in his office with his experts.

13 MR. FEBBO: I'm just not satisfied  
14 after four and a half years. We're spinning  
15 our tires here. We gave him more chances  
16 than on a punch board.

17 MAYOR LEGG: What do we want from  
18 him?

19 ATTY. RINALDI: We want him to stop  
20 taking things apart and selling them for  
21 parts. That's our goal, because he's  
22 allowed to rent and lease machinery on that  
23 site.

24 MR. FEBBO: Going back to that  
25 again, he's allowed by zoning, but doesn't



1 council have the final say on that?

2 ATTY. RINALDI: No. It's our zoning  
3 ordinance. You can't change our zoning  
4 ordinance.

5 MR. FEBBO: He doesn't have the  
6 permit. He never paid for it. Even though  
7 they approved it, he still does not have  
8 one.

9 ATTY. RINALDI: You're not going to  
10 be able to deny him a permit for that area.  
11 It's zoning by right. If I want to put a  
12 single-family house in an R-1, R-2 zoning  
13 district I have that right. Yeah, I have to  
14 have plans and you have to issue me a  
15 building permit, make sure I hook up to the  
16 sewer.

17 MR. FEBBO: Nothing happens until he  
18 has that permit. He does not have it.

19 ATTY. RINALDI: As far as land, he  
20 does have to get a use, that that use is  
21 allowed.

22 MR. HOOVER: I'm going to talk to  
23 Paddock to find out what Paddock did in  
24 2013. What did you give him up there.

25 ATTY. RINALDI: He did come to

1 planning and planning said okay. He moved  
2 everything from Popple's to Gilchrist.

3 MR. FEBBO: What he said he was  
4 going to do versus what he did do. He  
5 turned it into a shit house.

6 ATTY. RINALDI: I don't disagree.  
7 He got the blessing.

8 MR. FEBBO: Judge Munley on numerous  
9 occasions said he's going to shut him down,  
10 he's going to have an auction, he has to get  
11 out of here, but he keeps giving him  
12 extensions.

13 ATTY. RINALDI: He hasn't given him  
14 any extensions. They've been hearing  
15 extensions. He gave him one extension. He  
16 had the six-month schedule, he gave him  
17 three months after the six months.

18 MR. FEBBO: What happened with the  
19 auction that was supposed to take place?

20 ATTY. RINALDI: Never happened. It  
21 wasn't an order. I can't attack him for  
22 that.

23 MR. HOOVER: That was just to give  
24 him more time.

25 ATTY. RINALDI: That's how he was

1 going to clean up the property. The order  
2 was to clean up the property. He told the  
3 judge he was going to auction everything  
4 off. He had a plan to move, that fell  
5 through.

6 MR. FEBBO: Every time Jimmy goes  
7 down the road he sees something incoming.  
8 Every time I go by there I see incoming.  
9 Nothing outgoing.

10 ATTY. RINALDI: That's probably  
11 going to be a problem because every piece of  
12 equipment, everybody's going to want to know  
13 does it run.

14 MR. FEBBO: All right, let's go over  
15 to Oak Street. What is he licensed at over  
16 there, a towing business?

17 MR. SEMENZA: Car lot and a towing  
18 business.

19 MR. FEBBO: He has to have an office  
20 there.

21 MR. SEMENZA: There is.

22 MR. PAPI: They have a handicapped  
23 ramp in. They had a permit a while ago.

24 MR. SEMENZA: He's under Car Man.  
25 It's all one business.

1 MR. FEBBO: All right, let's move  
2 ahead. The church.

3 MR. SEMENZA: Me and Councilman  
4 Febbo spoke on it. I guess the other day  
5 there was an incident at Saint Mary's  
6 rectory that there was stuff taken out of  
7 the garage. When I went to the garage I  
8 looked, I called the police to come up to  
9 get to the bottom of it. Wheels and stuff  
10 were missing.

11 We did get to the bottom of it. It  
12 was innocently done. We come to determine  
13 that.

14 So going forward, the church, we'd  
15 like to take a walk through and inventory  
16 everything that's in there and what we're  
17 buying and what's going to be in the sale.  
18 If we're going to get the stove, we want to  
19 have the serial number on the stove. So me,  
20 Councilman Febbo, whoever else would like to  
21 come and walk through with us is more than  
22 welcome to so everybody has a visual on what  
23 we're buying and what we're not buying. I  
24 don't want that to happen again. Somebody  
25 takes their stove. Me and Councilman Febbo

1           talked about this the other day at the  
2           rectory, and I think it's the best thing to  
3           do.

4                   MR. FEBBO: I did some more  
5           research. That stuff does belong to them.  
6           They had a picnic years ago.

7                   MR. SEMENZA: Bill, on this next  
8           sale contact --

9                   ATTY. RINALDI: You have an option,  
10          so when the option comes up see what they  
11          want to do with the contents.

12                   MR. FEBBO: Everything down there is  
13          theirs. Bill, with that being said, can you  
14          check with the diocese and see where we are  
15          with that? When they're closing it? Closed  
16          and never going to be a mass in there again.  
17          Is it up to the father? The diocese?

18                   ATTY. RINALDI: The diocese has to  
19          go through some official procedure to close  
20          it. Then they have to notify us in writing  
21          that it's closing. Then we have X number of  
22          days. Has he closed?

23                   MR. FEBBO: No, it's not closed.  
24          That's what we're waiting for. You push the  
25          diocese or push father.

1                   ATTY. RINALDI: I think you have to  
2                   push the parish priest or the parish elders.  
3                   It's up to them. The bishop is not going to  
4                   go against them. When they want to shut it  
5                   down they can shut it down there on their  
6                   timetable.

7                   MR. FEBBO: Father Guss is the  
8                   broken spoke in the wheel?

9                   ATTY. RINALDI: Father Guss is the  
10                  one that goes and tells the bishop we want  
11                  to close. We don't have any agreement that  
12                  says we can force them to close. It's if  
13                  and when they close we have an option to  
14                  buy.

15                 MR. SEMENZA: Councilman Notari?

16                 MR. NOTARI: I have a couple things.  
17                 Today Paul and I attended a recycling  
18                 meeting at the county 911 center in regards  
19                 to the situation with the Lackawanna County  
20                 Recycling Center. I know we don't use that  
21                 center unless it's in a pinch because we  
22                 have our own contract, but for future  
23                 reference they will now be charging for  
24                 collecting of cans, plastic and glass. Just  
25                 cans and plastic will be \$20 a ton. If

1 glass is included it's \$40 a ton. They sent  
2 me an update this afternoon that that price  
3 will last until December of 2021, and then  
4 the operator has the opportunity to then  
5 change that price if he so desires.

6 That was basically it. Pretty much  
7 told us that we're now on our own with  
8 recycling. There will still be a recycling  
9 department at the county for guidance, but  
10 the free recycling for the county is over  
11 and dead. That was basically that. At  
12 least we'll have some numbers if we look to  
13 go elsewhere. I don't know what the numbers  
14 are on our recycling contract. I'm sure  
15 Marylynn knows that. I'll get this  
16 information to Marylynn as well.

17 Secondly, I've been getting calls  
18 about garbage as well. I've seen the  
19 complaints on social media not only garbage  
20 left in cans, but spread all over the road.  
21 Damaging of cans. Just throwing them  
22 around. Maybe they don't want our business  
23 anymore. It seems like it's gotten worse  
24 over the last six months. I don't remember  
25 ever hearing problems about garbage except

1 for the last six months.

2 MR. SEMENZA: I don't want to hear  
3 the excuse from them it's new guys, this or  
4 that. There's no excuse. I have pictures  
5 of my street. Numerous times from my  
6 garbage cans stuff fell out. There's no  
7 reason to dump that on the street. I  
8 blatantly watched them look at it and turn  
9 and walk away. I called Marylynn and said I  
10 want them to come back down immediately. I  
11 refuse to pick it up. Shame on me for  
12 refusing to pick it up, but it's the point.  
13 It goes on all over. They throw my cans  
14 right across my truck. I have to park in  
15 the middle of the street, get out of the  
16 truck and put my can away. We're not asking  
17 much here.

18 MR. NOTARI: We're paying them to do  
19 a job.

20 MR. SEMENZA: I'm going to actually  
21 request Mascaro to come to our next meeting  
22 and I'll address it with them. It's getting  
23 out of hand. There's people saying give  
24 them a break, they're only garbage men. I  
25 don't care if they're a garbage man or a



1 ditch digger. You have a job to do. Do it  
2 the right way. It's all over town. I  
3 noticed today going down Main Street right  
4 after your house there's garbage on the  
5 road.

6 MR. NOTARI: Okay. Next, I've had a  
7 couple people approach me about renting of  
8 the fields at the parks. Mostly Pagnotti  
9 Park, the top field. Groups that are either  
10 looking to practice or having a regional  
11 tournament, to have a game. I spoke with  
12 Marylynn about it. She didn't seem too  
13 concerned about it. She thought it would be  
14 an okay idea as long as council approved.

15 What that cost would be, I think  
16 we'd have her come up with that number in  
17 terms of what kind of work would need to be  
18 done on the field pre and post, garbage  
19 collection. So pretty much whatever the  
20 cost of our maintenance guys or park guys.

21 MR. LETTIERI: What about liability?

22 MR. NOTARI: They would have to  
23 provide a certificate of liability.

24 MR. FEBBO: Anybody? Local?

25 MR. NOTARI: In the Scranton area.

1           It's travel baseball now. Some of the Old  
2           Forge kids play, but whenever they're  
3           looking for a field to use. Sometimes  
4           they're in need.

5                   MR. SEMENZA: They have to have  
6           certificates of liability insurance and  
7           stuff. But I like the idea. I talked to  
8           Marylynn about it, about the fee for it. We  
9           actually spoke about a fee for the rental of  
10          pavilions. A lot of people are starting to  
11          use this pavilion on Marion Street. Even  
12          rent out the pavilion on Miles. We could  
13          put a board up with the name and date that  
14          it's reserved for them and them only.  
15          Somebody wants to have a kids birthday  
16          party. Now's the time you can't go places  
17          and do it. Outdoor things are the thing to  
18          do.

19                   So maybe \$20 rental for the day or  
20          something. It's yours and yours only.  
21          Nobody else can be there. But we have to  
22          come up with -- maybe our rec committee can  
23          get together and discuss that.

24                   MR. NOTARI: Okay. So think about  
25          it. If anybody has any problem we'll talk

1 about it at the next meeting.

2 Tony DiMattia suggested to me that  
3 we should have signs at the parks talking  
4 about the masks and social distancing, just  
5 at the entrances. Just like we have signs  
6 with the rules, maybe put some signs up for  
7 Covid recommendations. So I'll mention that  
8 to Joe and Marylynn.

9 Lastly, my big stink, I wish the  
10 ladies stayed, is fireworks. I have no  
11 problem with anybody shooting off fireworks,  
12 but I think we need to have an ordinance,  
13 talk about the rules of what needs to be  
14 done, and a permit needs to be acquired. No  
15 charge for the permit, but what I think a  
16 permit would do would be give us a list of  
17 who's shooting off fireworks at night and  
18 making sure they're adhering to the rules.  
19 Giving it to the police department, giving  
20 it to the code enforcement department and  
21 making sure that they follow the rules so we  
22 don't have situations where Ms. Popple is  
23 afraid for her life.

24 I know it's a party, but it's a 4th  
25 of July party. That we don't have a

1 situation where people are afraid that  
2 fireworks are going to land on their roof  
3 and light their house on fire. They're  
4 shooting fireworks off at midnight, at 1  
5 a.m., 2 a.m.

6 MR. SEMENZA: You're breaking an  
7 ordinance there.

8 MR. NOTARI: But you're breaking two  
9 ordinances if we have a fireworks ordinance  
10 as well.

11 MR. SEMENZA: There's already a  
12 state law what we can do. We can't --

13 MR. NOTARI: So what are we supposed  
14 to do, call the state police?

15 MR. SEMENZA: No. He can enforce a  
16 state law. If we do any more than the state  
17 law you can fight it and lose. Am I  
18 correct?

19 CHIEF DUBERNAS: There is an  
20 ordinance of discharging fireworks within  
21 150 feet of a residence. That came out when  
22 this all passed.

23 MR. NOTARI: That's something I want  
24 to start doing. I'd like to have a borough  
25 fireworks show at the stadium.

1 MR. SEMENZA: I've spoken to the  
2 chief about this earlier. This weekend was  
3 bad. You looked in the valley it was  
4 ridiculous. But you have to understand it's  
5 Saturday. The last time there was a 4th of  
6 July on a Saturday was seven years ago.

7 MR. HOOVER: What about Thursday?  
8 What about Wednesday? My neighborhood was  
9 crazy from Wednesday on.

10 MR. NOTARI: There was a shown on  
11 Dunn Avenue that went from 9 until 1 a.m.

12 MR. SEMENZA: It's every year,  
13 though.

14 MR. HOOVER: Down on Hickory Street,  
15 they went to 1:00 in the morning.

16 MS. AVVISATO: I think everybody is  
17 so crazy with this virus they had to get  
18 out.

19 MR. NOTARI: I'm not looking to  
20 penalize anybody. I just want to make sure  
21 that things are done the right way so we  
22 don't have a major accident. Bill, it's  
23 your recommendation we don't have anything  
24 on the books?

25 ATTY. RINALDI: No, I'm saying I'll

1 bet you 80 percent of them are within 150  
2 feet of a house.

3 CHIEF DUBERNAS: Majority of the  
4 houses, 90 percent are within 40 to 50 feet.

5 MR. SEMENZA: Is that a certain kind  
6 of fireworks? If you go to a fireworks  
7 store I believe you have to sign something  
8 stating that you're going to light these  
9 fireworks off at a site that's allowed.

10 MR. NOTARI: You're absolutely  
11 right. Guess what? The papers mean  
12 nothing.

13 MR. SEMENZA: They're not going to  
14 need a permit either.

15 MR. LETTIERI: It used to be you had  
16 to sign them but not anymore. They made  
17 them all legal so you don't have to sign.

18 MR. HOOVER: You can't do anything  
19 about it.

20 MR. LETTIERI: Just buy, buy, buy.

21 MR. SEMENZA: You give five permits  
22 out throughout the town. Five people come  
23 to get a fireworks permit. The other 7,000  
24 people didn't get permits.

25 MR. NOTARI: Then there's a

1 violation.

2 MR. SEMENZA: What do you do, arrest  
3 7,000 people?

4 MR. NOTARI: You fine them a hundred  
5 dollars. It has to be approved by the fire  
6 chief.

7 MR. SEMENZA: That's why nobody's  
8 going to come and get a permit.

9 ATTY. RINALDI: You can say it's  
10 illegal to shoot off fireworks in the  
11 borough of Old Forge unless you have a  
12 permit and meet state law. How many places  
13 are there that meet the state law?

14 MR. NOTARI: I have nothing else.  
15 You know what, here's a permit. You have a  
16 permit, but we'll give you a pass on 4th of  
17 July.

18 ATTY. RINALDI: I'll check around,  
19 see what's out there.

20 MR. NOTARI: I believe Jermyn just  
21 passed one that says you can light fireworks  
22 off on Memorial Day, 4th of July and Labor  
23 Day, but every time else it's illegal.

24 MR. SEMENZA: You'll lose. Right,  
25 Bill?

1                   ATTY. RINALDI: I don't know. I  
2                   heard the governor the other day. He said  
3                   I'm leaving it up to the cities and  
4                   boroughs.

5                   MR. SEMENZA: If I'm 150 feet from  
6                   an occupied structure and I light something  
7                   of after Memorial Day or after 4th of July  
8                   I'm going to be in violation?

9                   MR. NOTARI: If you're in Jermyn.  
10                  How can we make a law for stop signs?

11                  MR. SEMENZA: Well, that's  
12                  different.

13                  MR. NOTARI: No, it's not.

14                  MR. SEMENZA: That's like saying you  
15                  can only drive your car on Tuesdays.

16                  MR. NOTARI: It's the same thing. I  
17                  have nothing else.

18                  MR. SEMENZA: Councilman Lettieri?

19                  MR. LETTIERI: One thing. With the  
20                  crack houses, Paul or Chief, there's a  
21                  house -- I'll getting complaints down by the  
22                  old Mucciolo's, where you're going towards  
23                  Duryea. Two houses down from the old winery  
24                  in the front. They're saying it's an  
25                  abandoned house, that there's a lot of



1 traffic going in and out.

2 MR. SEMENZA: McAndrew's old house.

3 MR. LETTIERI: I did go by and I saw  
4 there was no windows up the top. The  
5 neighbors are saying there's a lot of  
6 traffic going in there. They think it's  
7 drug traffic going in and out. So if you  
8 just want to go by. The neighbors down  
9 there are saying there's a lot of traffic  
10 going in that house and they don't think  
11 anybody's living there.

12 CHIEF DUBERNAS: That was all  
13 boarded up.

14 MR. PAPI: Do you know the address?

15 MR. LETTIERI: Two house down from  
16 the winery. They're saying a lot of  
17 traffic. The house is supposed to be  
18 abandoned or nobody's living there, but  
19 they're getting all these people going in  
20 there late at night. Lot of drug traffic  
21 going in and out.

22 ATTY. RINALDI: Then you can check  
23 the water company, see if there's service  
24 there.

25 MR. SEMENZA: 1236 South Main, is my

1           guess. There hasn't been water in that  
2           house in probably over five years, six  
3           years. I know when the sewer authority went  
4           there they shut off the water main for the  
5           sewer authority.

6                   MR. PAPI: Maybe we can send the DPW  
7           down and board it up.

8                   MR. LETTIERI: That's it.

9                   MR. SEMENZA: Councilwoman Avvisato?

10                   MS. AVVISATO: Just about the  
11          garbage. You guys covered it.

12                   MR. HOOVER: The only thing I want  
13          to know is if Marylynn called PennDOT or  
14          someone called PennDOT about the crosswalks  
15          on Oak and Main Street and Moosic Road.  
16          They didn't put them back.

17                   CHIEF DUBERNAS: They didn't paint  
18          our VASCAR lines back either.

19                   MR. SEMENZA: Paul, can you contact  
20          PennDOT about the crosswalks on Oak and Main  
21          and Moosic Road?

22                   CHIEF DUBERNAS: And the stop line.

23                   MR. HOOVER: That's it.

24                   MR. SEMENZA: I have a few things.  
25          I was over at the DPW garage. I ran into a

1           guy I used to work with, Rocco Genovese from  
2           Lackawanna County. He's the West Nile virus  
3           guy. He had called about -- the mosquitoes  
4           are read bad down on Sibley Avenue. He had  
5           a couple trouble spots over there. One  
6           thing is all the tires the DPW accumulated.  
7           It's a haven for mosquitoes. He did treat  
8           it. His suggestion was get them inside of  
9           some kind of -- get rid of them, is what he  
10          said. Tires are hard. Try and get them in  
11          storage somewhere.

12                   I contacted Dupont Motor Lines and  
13                   asked them about a trailer. They're going  
14                   to donate a trailer to the DPW and we'll put  
15                   it in the back. Joe can stack them tires  
16                   and get rid of them as we can. At least  
17                   they'll be out of the weather.

18                   MR. PAPI: There was a guy that came  
19                   to the DPW years ago and we loaded him right  
20                   up. He took all the tires.

21                   MR. SEMENZA: Ambrose from the  
22                   landfill wanted to give us a tire splitter,  
23                   but the only thing is he didn't want to send  
24                   anybody to operate. He wanted our DPW guys  
25                   to operate it. Marylynn, I spoke with her,

1 and I just don't think that, God forbid,  
2 something happens, one of our workers gets  
3 hurt with this splitter -- it's got to be  
4 pretty sharp to be splitting tires. I don't  
5 think anybody's qualified to use it in DPW.  
6 We're going to wait until they do a clean up  
7 and Taylor gets the dumpster.

8 MR. NOTARI: There won't be tire  
9 recycling at the county recycling center  
10 this year. Hopefully it will be back next  
11 year.

12 MR. SEMENZA: I want to have a  
13 meeting with Mascaro. I'm going to ask them  
14 to come to our next meeting to explain their  
15 service to us.

16 The backstop at Miles Street park.  
17 Marylynn's not here. I'd like to get going  
18 on that. We had told the little league  
19 we're going to put a backstop up there.

20 MR. NOTARI: Who is we?

21 MR. SEMENZA: We talked about it  
22 before. Where were you?

23 MR. NOTARI: We talked about it  
24 didn't need to be done.

25 MR. SEMENZA: No, it needs to be

1 done, Rick. It's bad.

2 MR. NOTARI: Doesn't look bad to me.  
3 Looks fine. Every three years we have new  
4 people come in at the little league and they  
5 want to reinvent the wheel.

6 MR. SEMENZA: If I didn't see it  
7 with my own two eyes moving in the wind with  
8 not much wind I wouldn't believe it.

9 MR. NOTARI: It's going to fall  
10 over?

11 MR. SEMENZA: I don't know. Get  
12 Dave down there to look at it. The little  
13 bit of wind when I was there and saw it  
14 moving makes me --

15 MR. FEBBO: Has a big tarp on it.  
16 Right?

17 MR. NOTARI: Not right now it  
18 doesn't. Can we have a fence guy come in  
19 and tell us if we need a new backstop or  
20 not?

21 MR. LETTIERI: Let Dave look at it.

22 MR. SEMENZA: It is bad, from what I  
23 understand and what I see. It's going to be  
24 like a kite.

25 MR. FEBBO: What's the cost of one?

1 MR. SEMENZA: I couldn't tell you.

2 MR. FEBBO: Why are you against it?

3 MR. NOTARI: Because I don't think  
4 it needs to be done. I'm down there every  
5 spring watching softball 7:00 at night, it's  
6 30 degrees, the wind's always blowing. I've  
7 never, ever seen the backstop --

8 MR. SEMENZA: You've never seen it  
9 moving?

10 MR. NOTARI: Never.

11 MR. SEMENZA: You weren't looking at  
12 it good enough. I'd hate for it to come  
13 down on the kids.

14 MR. NOTARI: Better fix the  
15 backstops at every field.

16 MR. SEMENZA: The backstop at  
17 Pagnotti is brand new. The top field they  
18 moved it in.

19 MR. NOTARI: Okay.

20 MR. SEMENZA: They just did the kids  
21 field and my father's field is fine. That's  
22 all I have. Anybody have anything else?

23 MR. HOOVER: How about the CDL for  
24 the DPW guy?

25 MR. SEMENZA: Did he get his permit

1                   yet?

2                   MR. FEBBO: Did he come back to  
3                   work?

4                   ATTY. RINALDI: I don't know.

5                   MR. HOOVER: I thought he came back  
6                   last Friday. Last meeting we had, he was  
7                   supposed to come back the following week.

8                   MR. SEMENZA: I don't know when he  
9                   was supposed to come back. I told Marylynn  
10                  I wanted her in the room when he makes the  
11                  appointment because we can't say a week and  
12                  the test is in three weeks. They might say  
13                  we don't have an appointment until three  
14                  weeks.

15                  MR. FEBBO: First one we can get him  
16                  into.

17                  MR. SEMENZA: I'd like to have an  
18                  executive session after this. We'll have a  
19                  quick executive session after we adjourn.  
20                  Anybody have anything else?

21                  At this time the chair is going to  
22                  entertain a motion to adjourn. All in  
23                  favor?

24                  (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 47 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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