

OLD FORGE BOROUGH COUNCIL
OLD FORGE, PENNSYLVANIA

IN RE: COUNCIL WORK SESSION

NOVEMBER 12, 2019

7:00 P.M.

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

COUNCIL MEMBERS:

ROBERT SEMENZA, PRESIDENT
RUSSELL RINALDI
LOUIS FEBBO
RICK NOTARI
JAMES HOOVER
MICHAEL LETTIERI
WILLIAM RINALDI, ESQUIRE, SOLICITOR
MARYLYNN BARTOLETTI, BOROUGH MANAGER

Mark Wozniak
Official Court Reporter

1 MR. SEMENZA: Good evening, ladies
2 and gentlemen. I'd like to start the
3 meeting with the Pledge of Allegiance.

4 (The Pledge of Allegiance was
5 recited.)

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

8 MS. BARTOLETTI: Councilman Febbo?

9 MR. FEBBO: Present.

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

12 MR. HOOVER: Here.

13 MS. BARTOLETTI: Councilman Notari?

14 MR. NOTARI: Present.

15 MS. BARTOLETTI: Councilman Rinaldi?

16 MR. RUSSELL RINALDI: Here.

17 MS. BARTOLETTI: Councilman Semenza?

18 MR. SEMENZA: Here. At this time
19 I'd like to have a moment of silence for
20 Mayor Legg's daughter, Kim Legg, who passed
21 away.

22 (A moment of silence was observed.)

23 MR. SEMENZA: Thank you. The
24 purpose of tonight's meeting is to set the
25 agenda for our November 19th meeting, which

1 is next Tuesday. We'll hear from our
2 department heads, see if they have anything
3 for the agenda. There's a public sign-in
4 sheet if anybody would like to address
5 council. We'll go down the table, see if
6 council has anything to address.

7 Paul Papi, DPW, anything for the
8 agenda?

9 MR. PAPI: No, I don't have anything
10 for the agenda, but I just want to let you
11 know Earthworks sucked all the sewage out of
12 the manhole down below Hair at 731 and they
13 got a lot of debris out of there, a lot of
14 chunks of pipe, and they have one more thing
15 to do to fix the -- there's a drain pipe
16 going from that catch basins right to the
17 manhole. It's only about a six foot pipe.
18 Somebody shot a bullet through it years ago.
19 That's what was causing the erosion there.
20 They're going to replace that pipe. So the
21 next nice day they get they will finish
22 that.

23 MR. SEMENZA: Is that the cause of
24 all the problems?

25 MR. PAPI: That's the cause of the

1 ground caving in. They think they got the
2 sewage problem fixed. We'll see how it
3 works. The pipe should be replaced down
4 there. There's only a small section of
5 terra cotta and the rest is all plastic.

6 MR. SEMENZA: So they're saying from
7 the ground subsiding there somebody shot a
8 bullet, so our pipe was leaking out and
9 eroding.

10 MR. PAPI: That's what caused the
11 erosion.

12 MR. SEMENZA: Anything else?

13 MR. PAPI: That's it.

14 MR. SEMENZA: Anybody have any
15 questions for Paul?

16 MR. NOTARI: Paul, I haven't seen it
17 but it was mentioned to me. I know we keep
18 having a problem with the right turn onto
19 Grace Street, the one way from Main at
20 Revello's. Somebody told me either the sign
21 is -- it's a faded sign being blocked by
22 another sign that you can't turn right.

23 MR. PAPI: There were signs there.
24 There used to be two, we put four.

25 MR. NOTARI: Just take a look and

1 see if there's a sign being blocked by
2 another sign. I think there's a handicap
3 sign, there's a sign no parking to corner,
4 and then I'm guessing there is a no left
5 turn sign --

6 MR. PAPI: There's even one on Main
7 Street.

8 MR. NOTARI: Just take a look and
9 see. The other day there was a car parked
10 there the whole day. I saw a ticket on it.
11 Parked the wrong way going down right at
12 Revello's.

13 MR. SEMENZA: There's a sign right
14 between the stop light, no left turn sign.
15 We did this a couple years back, that we
16 talked about this. We put up more signs.
17 Correct?

18 MR. PAPI: We put another set of
19 signs behind those signs. People sometimes
20 driving on their phones and not paying
21 attention.

22 MR. NOTARI: The other thing is the
23 stairwell on Main Street that's collapsed.

24 MR. PAPI: I talked to Steve about
25 that. It's a zoning issue. He contacted

1 the property owner, who contacted the
2 contractor, who contacted the insurance
3 company, who went down and put tape around
4 it, and they said as soon as the insurance
5 company settled they'll fix it. Now, when
6 that is going to take place I have no idea.

7 MR. NOTARI: I just wanted to make
8 sure we were moving in the right direction.

9 MR. PAPI: I went and knocked on the
10 door, nobody answered. I talked to Steve.
11 Steve knew the guy, he had his number, and
12 he contacted him. That's in process.

13 MR. SEMENZA: Anything else?
14 Anybody else?

15 MR. LETTIERI: There's a sign in
16 front of Peperno's yard.

17 MR. PAPI: PennDOT knocked that out.

18 MR. LETTIERI: He was wondering if
19 anybody can just get that out of there.

20 MR. PAPI: I'll call PennDOT and ask
21 them to reinstall it. They have to
22 reinstall the sign at the beginning of
23 Milwaukee Avenue that says stop here on red.
24 I'll remind him.

25 MR. SEMENZA: Anybody else? Thanks,

1 Paul. Dave, engineer, anything for the
2 agenda?

3 MR. LOPATKA: I don't have anything.

4 MR. SEMENZA: Anybody have any
5 questions for Dave?

6 MR. NOTARI: Dave, is our paving
7 project completed? Or do you know how many
8 roads have been paved so far?

9 MR. LOPATKA: They're done with the
10 roads that were on the list.

11 MR. SEMENZA: Anything else?

12 MR. NOTARI: We got done in a month
13 what PennDOT hasn't been able to get done in
14 two years.

15 MR. HOOVER: That alleyway off of
16 VonBergen, I saw him. He's concerned about
17 the water now going into the garage.

18 MR. LOPATKA: I have to go take a
19 look at that one. We looked at it before.

20 MR. HOOVER: There was a pretty big
21 puddle there when I went by. After they
22 topped it I haven't gone by it. But he
23 called me.

24 MR. PAPI: I put two marks on the
25 road where the puddle began and ended, and

1 an hour later I drove by and it was gone.
2 We had over an inch of rain that night.

3 MR. SEMENZA: The only problem with
4 stuff like that is -- I get it dissipates
5 pretty quick, but it freezes pretty quick,
6 too. We have an issue. I think we talked
7 about this the one other time when we got
8 puddles in the road, that before when the
9 roads were cracked and everything the water
10 was dissipating way quicker.

11 Now you have fresh blacktop, and
12 without the storm drains, which we've talked
13 about many times.

14 MR. LOPATKA: Especially there. The
15 problem there is you have a low spot. We
16 talked about some of the options.

17 MR. SEMENZA: In my opinion, I mean,
18 I know paving roads are good, but I think
19 maybe we should start looking into doing a
20 little storm water management before we keep
21 paving every road in Old Forge.

22 MR. NOTARI: Absolutely.

23 MR. SEMENZA: Anybody else? Thanks,
24 Dave. Bill, anything for the agenda?

25 ATTY. RINALDI: Couple items.

1 Reinstatement a police officer.

2 The resolution, we may have it if
3 all the fire companies get back, according
4 to the resolution, if they want to continue
5 their payments.

6 Supposedly getting -- see if I get
7 the deeds to the roads from the housing
8 authority.

9 Birchwood subdivision, that will be
10 on the agenda if we get the rest of the
11 proposed easements and roadway.

12 MR. SEMENZA: Why don't we reinstate
13 the officer, if we reinstate him, on --

14 ATTY. RINALDI: We can reinstate him
15 effective at the meeting.

16 MR. FEBBO: Bring us up to snuff on
17 that. What's going on with that one? This
18 is the one that was suspended?

19 ATTY. RINALDI: The one that was
20 suspended, yeah.

21 MR. FEBBO: We'll talk about it
22 later?

23 MR. SEMENZA: We'll have an
24 executive session after this meeting.

25 ATTY. RINALDI: That's all.

1 MR. SEMENZA: Anybody have any
2 questions for Bill?

3 MR. FEBBO: Bill, nothing on Ciuccio
4 and the roads?

5 ATTY. RINALDI: No, but I'm going to
6 see his lawyer tomorrow at two, so I'll
7 bring it up.

8 MR. SEMENZA: Anybody else? Thanks,
9 Bill. Marylynn?

10 MS. BARTOLETTI: First is Senator
11 Blake and Lackawanna County are doing a
12 recycling event November 16th, if anybody
13 wants to do that.

14 Richard Kozerowski and Lackawanna
15 County River Heritage group are doing a
16 cleanup on Saturday morning down here on the
17 Lackawanna River, the Old Forge section. If
18 any of you want to show up to help or
19 whatever. I believe it's 9:00 Saturday
20 morning.

21 We have bids that I just opened for
22 the police building. I'll read them. We
23 have six. I want to go with the low first.

24 Mar-Paul Company, \$861,000.

25 Next is D&M Construction, \$891,000.

1 Next is Spano Construction,
2 \$920,400.

3 Next is Multi-Scape, \$932,680.

4 Next is Champion Builders, \$949,800.

5 Number six, Bog-Net, Inc, \$974,537.

6 MR. NOTARI: Are these all local
7 companies?

8 MS. BARTOLETTI: Well, I will tell
9 you the last one, Bog-Net, is from Hazel
10 Township. Spano Construction is from
11 Scranton. Multi-Scape is from Pittston.
12 D&M Construction is from Dalton. Mar-Paul
13 Company is from Jessup. Champion Builders
14 is from Kingston.

15 MR. HOOVER: Dave, do you have any
16 experience with any of these guys?

17 MR. LOPATKA: Yeah, all of them.

18 MR. SEMENZA: Champion, I believe,
19 is the one that did Pride.

20 MR. LOPATKA: Champion did Pride.

21 MR. HOOVER: This is for both
22 buildings?

23 MS. BARTOLETTI: No, this is for
24 one, the police building.

25 MR. FEBBO: Were we anticipating a

1 price --

2 MR. SEMENZA: Do we have a cost
3 estimate on just that building?

4 MR. LOPATKA: We didn't have an
5 overall on that one. We had an initial one
6 on this one a while back. They're higher
7 than we were expecting.

8 MR. HOOVER: A lot higher.

9 MR. LOPATKA: We were figuring 450
10 to 500. We didn't run all the numbers.

11 MR. SEMENZA: Anybody have any
12 questions for Marylynn on this or anything
13 else?

14 MS. BARTOLETTI: I just wanted to
15 mention to the rest of council we had a
16 finance meeting tonight to work on the
17 budget, so we're anticipating passing the
18 tentative budget at the December work
19 session and passing the final budget at the
20 December public meeting.

21 MR. HOOVER: I think we should
22 discuss this building a little further.

23 MR. SEMENZA: How long are the bids
24 good for?

25 MR. LOPATKA: We'll review them

1 anyway.

2 MR. SEMENZA: But how long are they
3 good for?

4 MR. LOPATKA: I think 120 days.

5 MR. SEMENZA: Anybody have any
6 questions? Mare, anything else?

7 MS. BARTOLETTI: No.

8 MR. SEMENZA: At this time we'll go
9 into public comment. Chris Goetz.

10 MR. GOETZ: If I could, I'd like to
11 give you guys -- I made some copies. Bill,
12 you don't need one. So my name is Chris
13 Goetz, 206 Amity Avenue. I'm sure you know
14 why I'm here. Tonight I would like to make
15 a few statements on the case that is
16 continuing with the Walter Stocki property
17 on Keyser Avenue.

18 What I gave you is the official
19 order from Judge Munley dated July 31, 2018.
20 Today is November 12, 2019. If you'll look
21 down at line number three, because I'll even
22 skip line two that asked him to remove --
23 not asked him, ordered him to remove
24 non-operational equipment from other
25 people's property -- "the defendant has six

1 months from the date of this order to remove
2 non-operational equipment, vehicles and
3 machinery from the property which is the
4 subject matter of this appeal and bring the
5 use activities of the property in compliance
6 with the Old Forge Borough zoning
7 ordinance."

8 Now, the zoning ordinance, there's a
9 reason we have those in this borough, but
10 yet we continue to have situations as we do
11 over there.

12 So with that, I'm going to just --
13 if I can have a few minutes I'm going to
14 read really quickly from last week's
15 newspaper article. There was a visit on
16 site that no council members were allowed to
17 attend, no public were allowed to attend,
18 and just by chance the media did show up and
19 was allowed to stay. So I'm going to quote
20 a couple statements from Mr. Scacchitti, who
21 is Mr. Stocki's attorney.

22 "At our invitation, we wanted the
23 Court to come down and see what Mr. Stocki
24 has accomplished since he, Judge Munley,
25 gave him a directive with an additional 100

1 days to get the property cleaned up and
2 organized."

3 Then it goes on to say "in our view,
4 anything that would be defined as junk in
5 the borough zoning code does not exist
6 here", Scacchitti said.

7 So I'm going to address those two
8 comments. The first part of it is an
9 additional 100 days and then he gave him
10 another 45 days after. The hundred days was
11 given on May 2nd of this year. All of these
12 hearings, which I have attended in person,
13 in September he gave him an extra 45 days.
14 So we're now at 15 months, more than double
15 the time that was given in this order by the
16 judge.

17 At the same time, on October 9th,
18 which is within the time frame of this 45
19 days, I personally witnessed and video taped
20 a non-operational piece of equipment being
21 brought to the property on a lowboy. It had
22 to be removed from the lowboy with other
23 equipment. Now, if that piece of equipment
24 ran why would they have to take it off the
25 trailer with some other piece of equipment?

1 They would just get in it and drive it off
2 the trailer.

3 So back to Mr. Scacchitti's comments
4 about being within the zoning ordinance and
5 about cleaning up and organized. Nowhere in
6 that order that I gave you -- and I've read
7 it many times -- does it say anything about
8 cleaning up or tidying up or putting in rows
9 or anything like that. This was not a
10 parent telling their child to tidy up their
11 bedroom. This order says remove all
12 non-operational equipment. I mean, there
13 are pictures right here, a small picture
14 where I can see probably 25 pieces of
15 equipment that I know don't run, and that's
16 at a minimum.

17 These hearings have been dragging on
18 for months and months. His attorney comes
19 up with every excuse in the book. We're
20 going to do this, we're going to do that.
21 But here we are, we're still dealing with
22 this day after day and week after week.

23 Also another part of the case that
24 keeps coming up in the courts is one of
25 Mr. Stocki's concerns is he's being singled

1 out. They drove the judge around maybe some
2 other spot in town that they consider --
3 they think is a junkyard. That has nothing
4 to do with this case. If he feels he's
5 being singled out, there are laws and there
6 are ways and means for him to go about that
7 with the borough if he feels like he's being
8 singled out. But that has nothing to do
9 with this case.

10 So they dragged it on. He said he
11 brought in a cleanup crew from Texas and
12 they did this and they took stuff out, and
13 then they were supposed to only bring six
14 pieces in and there's still stuff coming in
15 there.

16 And he keeps claiming that he's
17 sales and service, and, you know, examples
18 of sales and service, if you ever have been
19 out, Powell sales and service up in justice,
20 Medico Industries, Five Star in Dunmore,
21 there's equipment. Even used equipment.
22 It's lined up. They have a shop, they have
23 garages. You don't see junk and you will
24 never hear torches being used to cut large
25 pieces of the equipment into smaller pieces.

1 You just don't see it. It's a sales and
2 service operation on a larger scale other
3 than maybe cars and trucks or pickup trucks.
4 That's not what this is. This is a scrap
5 operation without a doubt, which is not
6 allowed by borough code.

7 But with that being said, there's
8 something else, and I wish Steve was here
9 tonight. But I'm almost a hundred percent
10 sure that even if he were doing everything
11 within the borough code, within the borough
12 zoning code, I believe he doesn't have a
13 permit to even operate in that capacity at
14 this time. From what I understand, he never
15 came here and got a permit to operate that
16 business on that property, which would have
17 needed to have been done. So that may be
18 something else that you want to look into.

19 The last thing I want to say is this
20 case is anything but complicated. This case
21 is so simple, actually, it's -- I don't
22 know. I don't want to say it's not funny
23 because it's really not funny. But the
24 simplicity of this case is in line one and
25 line three: "Defendant shall immediately

1 cease any and all activity on the property
2 which is the subject matter of this appeal
3 in violation of the Old Forge Borough zoning
4 ordinance, including the operation of a
5 junkyard business and activities related or
6 ancillary thereto with the exception of
7 activities to carry out compliance with this
8 order."

9 So as long as he was removing the
10 stuff to comply with the order, great.
11 We're 16 months into this and it really
12 doesn't look any different, in my opinion.

13 "Nothing in this order shall
14 preclude defendant from using the property
15 in compliance" -- as I just spoke about, the
16 permit that I don't believe he has. That
17 would be the only issue.

18 Line three, "defendant has six
19 months from the date of this order to remove
20 non-operational equipment, vehicles and
21 machinery from the property which is subject
22 to this matter of appeal and to bring the
23 property in compliance with Old Forge
24 Borough zoning ordinance." As simple, as
25 simple, as simple as that.

1 There are hundreds of pieces of
2 equipment that don't run over there.
3 Hundreds. Not to mention the parts that are
4 stacked up over there, none of which are
5 allowed in this borough in that zone.

6 So I would ask that Thursday, if I
7 can ask Bill what time, if you know?

8 ATTY. RINALDI: Noon.

9 MR. GOETZ: I would hope that this
10 is not going to be an extension. I know
11 it's up to the judge, but 30 days, 60 days,
12 it's over. The neighbors -- not just the
13 neighbors on Amity or Bubernak or in the
14 Pine Crest development. This thing affects
15 this entire borough. People drive by it.
16 The environmental hazards. He's been cited
17 numerous times. Saint John's Creek is a
18 high-quality creek, if you look it up on
19 DEP's website. The stuff is flowing in
20 there.

21 So I'm just asking that please put
22 the pedal to the metal, and hopefully
23 Thursday this thing will be ended. I'm not
24 sure how, Bill. I don't even know what
25 happens if he's found in contempt, what the

1 next step is. But this guy's proven time
2 and time again -- and this isn't the first
3 time. He's had issues here with the borough
4 with the building up there off of Church
5 Street and so on. So he just has no regard
6 for the people of this borough whatsoever.
7 Thank you.

8 MR. FEBBO: I agree 100 percent with
9 Mr. Goetz. We've been fighting this battle
10 for over three years. It's getting nowhere.
11 We get nothing but a runaround from the
12 courts. We don't know what's going on over
13 there. I don't think people really want to
14 get this resolved. There's certain
15 elements, I think, that are just kind of
16 pushing this aside. Where we're going with
17 it we don't know.

18 That one-way article that was in the
19 paper last week was very appalling. It was
20 all their side of the story, telling their
21 side of the story. We were not represented
22 there in any way or fashion.

23 Also, the fact that we were not
24 allowed to go through the whole junkyard
25 with the travel tour. We, the people who

1 know more about it. I've been on this
2 committee for the last three years. There's
3 a lot more to it than what he said in the
4 paper, his attorney.

5 I think it's time that we just go
6 forward, push this whole thing. Bill, I
7 hope to God we're real prepared for court,
8 because if not I think you're going to have
9 major problems in this community with the
10 people.

11 ATTY. RINALDI: This was a
12 non-speaking tour on my motion. There was
13 no discussion in the truck. The judge just
14 viewed. So what he did say with the press
15 saying it was his idea, it wasn't his idea.
16 It was my motion. That's why.

17 MR. FEBBO: He took all the
18 acclamation. He made Stocki the victim. We
19 are the victims, not Stocki.

20 ATTY. RINALDI: I can't control what
21 he says to the press. I don't get involved
22 with that.

23 MR. FEBBO: Going to what Mr. Goetz
24 said. If he's singling other places in
25 town -- I know who he's alluding to there --

1 they're licensed and they have permits.

2 And, no, he does not have a permit from
3 planning to be there, never mind operating
4 there under the pretense that he is a sales
5 and service or a junkyard. That being said,
6 he shouldn't even be in town.

7 So with my breath here on council
8 I'm going to do everything we can as a
9 council or I can as an individual councilman
10 to make sure that we get this resolved for
11 this community and the quality of life of
12 Old Forge.

13 MR. HOOVER: There's twice -- when
14 we took the last tour there, when we were
15 able to take the last tour there, there's
16 twice as many more vehicles there now than
17 there was then. He's got them parked up
18 against the wall now in the parking lot, and
19 the first row that he had when we were
20 there, there's an additional row in front of
21 that. I drive by that place two or three
22 times a week, and I always pull in the
23 parking lot to see what's going on. There's
24 not a time where I don't find something
25 going on.

1 Yesterday he was loading the tires
2 up but there's still a pile of tires in the
3 back. They're still there. I've seen, late
4 at night, flatbeds driving in there with
5 unusable machines pulling in there and
6 taking them off the next morning.

7 I just think it's ridiculous that
8 council doesn't have a say in anything that
9 goes on over there.

10 MR. FEBBO: We can't do this any
11 longer.

12 MR. HOOVER: No, we can't. And if
13 he thinks in the back of his property
14 stacking flatbed trailers up is going to be
15 a boundary between him and the neighbors,
16 no, it's not going to happen.

17 MR. FEBBO: It's supposed to be
18 removed. Everything's supposed to be
19 removed from the property.

20 MR. HOOVER: I think there's just so
21 many more machines in there now than there
22 was before, it's just a joke. He's doing
23 what he wants.

24 MR. FEBBO: I saw 11. I get calls
25 from people every time something's coming

1 in. I go up myself and see it, and we have
2 pictures of it. Nothing's going out.
3 Everything coming in.

4 MR. LETTIERI: How do you escalate
5 it as a council? Because we can't really do
6 anything. Right? The judge gave an order.
7 Could we do anything in the borough --
8 Steve's not here. On a zoning situation
9 where we can go up there and issue fines?
10 Can we do something like that, Bill?

11 ATTY. RINALDI: That's what he's
12 there on.

13 MR. NOTARI: We have been issuing
14 fines -- and I don't know the exact date,
15 but it was November of 2017, \$500 a day.

16 ATTY. RINALDI: Yes. That's what
17 he's appealing, the fine.

18 MR. NOTARI: So come next Thursday,
19 the 21st, he will owe the borough in fines
20 \$365,000.

21 MR. GOETZ: Bill, I'm not going to
22 disagree that he's appealing the fines. I
23 agree with you there. But it all started
24 that he appealed the ruling of the zoning
25 board.

1 ATTY. RINALDI: No, he didn't.

2 MR. GOETZ: We don't go to the
3 magistrate if he doesn't appeal that. So he
4 didn't appeal that to the magistrate?

5 ATTY. RINALDI: He didn't appeal
6 that. That was the appeal to county court.
7 He did not appeal that. That's why he's
8 fined. He got a notice he's in violation,
9 he failed to appeal it, now he's fined. He
10 was fined at the magistrate level, he
11 appealed that to Lackawanna County Court.
12 He never appealed the --

13 MR. GOETZ: He never appealed the
14 zoning board ruling?

15 ATTY. RINALDI: There's no ruling.
16 There was a notice of violation from Steve.
17 There was no zoning board ruling.

18 MR. GOETZ: I voted on it. I know
19 there was.

20 ATTY. RINALDI: Not on this
21 violation you didn't.

22 MR. GOETZ: I'll get you that
23 information.

24 ATTY. RINALDI: You guys voted on
25 whether he could operate there. That is a

1 different matter.

2 MR. GOETZ: I thought we voted on
3 that he was -- he appealed Steve's citation
4 to the zoning board.

5 ATTY. RINALDI: No, he didn't.

6 MR. RUSSELL RINALDI: Does your
7 board keep minutes?

8 MR. GOETZ: Yeah.

9 ATTY. RINALDI: That's why we're
10 where we're at. We wouldn't be able to get
11 the fine instituted if he appealed it.

12 MR. GOETZ: I thought he appealed
13 the zoning board ruling to the magistrate
14 and he didn't show up for that hearing, and
15 that's where the \$500 -- because the zoning
16 board only recommends a fine, which was \$500
17 a day. That was recommended, then it went
18 to the magistrate.

19 ATTY. RINALDI: No, the fine is
20 under the ordinance. So if he doesn't
21 appeal, then he's in violation. Then Steve
22 went down and filed the charges. He filed
23 them in August, the hearing was in November.

24 MR. FEBBO: So what exactly are we
25 going to be asking for in court?

1 MR. NOTARI: He's appealing this
2 cease and desist order. Correct?

3 ATTY. RINALDI: No, he's appealing
4 the fine.

5 MR. FEBBO: What about all the cease
6 and desist? He's not even supposed to be
7 operating there. What do we have to do to
8 stop him completely?

9 ATTY. RINALDI: That's the contempt
10 petition that we're having the hearing on.
11 I wrote that ordinance. I know what it
12 says. I wrote it. That's what the contempt
13 is on. The contempt is on this order, and
14 then the judge issued another order in May
15 of '19. So there's two orders we're asking
16 for contempt on. The order in May was from
17 the bench, the 100 days.

18 MR. FEBBO: With that being said,
19 it's contempt. As mentioned before, he has
20 over a hundred pieces of junk there yet.
21 Still operating. Will this cease this
22 operation?

23 ATTY. RINALDI: That's what we're
24 asking for.

25 MR. FEBBO: And get him out of town?

1 ATTY. RINALDI: Not get him out of
2 town. He can operate the property under our
3 ordinance. He has approval for selling
4 machinery and equipment, I believe it is.

5 MR. GOETZ: That's still in
6 question.

7 ATTY. RINALDI: Well, he never came
8 down for the permit but there was a
9 transcript where they gave him permission
10 for that. I saw that. That was in front of
11 zoning, I believe.

12 MR. FEBBO: Steve told me he does
13 not have a permit from planning.

14 ATTY. RINALDI: He never got one
15 because he was supposed to do some work.

16 MR. FEBBO: Then it doesn't exist.
17 He should not be operating.

18 ATTY. RINALDI: He can operate the
19 property in that zone to sell machinery and
20 equipment.

21 MR. FEBBO: Even without a permit?

22 ATTY. RINALDI: He still needs a
23 permit, but he's allowed to operate and use
24 the property in compliance with the zoning
25 ordinance, which is sell machinery and

1 equipment.

2 MR. GOETZ: Which he still needs a
3 permit to do.

4 ATTY. RINALDI: He was cited for and
5 we're here for a scrape yard. The other
6 hearing, I wasn't involved in that one.

7 MR. GOETZ: I think the question
8 Councilman Febbo is asking is if there's no
9 permit -- for lack of a better term, if
10 there's no occupancy permit for him to
11 operate that business there where does the
12 borough stand with that?

13 ATTY. RINALDI: You can cite him for
14 that. The case I had was for a junkyard.

15 MR. GOETZ: Suppose he was to clean
16 it up, miraculously, in two weeks? Remove
17 every non-operational piece of equipment and
18 everything that runs. If he doesn't have a
19 permit to operate that business, even though
20 it's legitimate --

21 ATTY. RINALDI: He would have to get
22 a permit.

23 MR. FEBBO: When the judge was down
24 the last time, right in front of all of us
25 he indicated that he cannot sell everything

1 in the time given, that he would have to
2 have an auction in July. The judge told him
3 he would give him time in July to get
4 everything out of there. He also asked the
5 judge to take six or seven pieces in there
6 which turned out to be 40 or 50 pieces.

7 Now, going forward he never had the
8 auction, never advertised for the auction.
9 Continued to operate under the same normal
10 circumstances that he has.

11 ATTY. RINALDI: We all know that.

12 MR. FEBBO: This is not the first
13 place in Old Forge he's contaminated. He
14 did Hillcrest Shade, he also did Popil's
15 down in Connell's Patch. So he has a nice
16 track record.

17 ATTY. RINALDI: Hillcrest Shades was
18 another matter.

19 MR. FEBBO: Three strikes on him
20 already and he's still walking the streets
21 and doing nothing and laughing at everybody.
22 We are the laughing stock of the community
23 because it seems like we're doing nothing.
24 It's the court that's really making us look
25 like monkeys.

1 ATTY. RINALDI: We weren't involved
2 in the Popil one. I was involved in the
3 shade factory one. I think we jailed him
4 twice.

5 MR. FEBBO: I guess the frustrating
6 part with me is that we as council have to
7 sit on our hands when we're the ones that I
8 think should be able to speak out on behalf
9 of the community.

10 ATTY. RINALDI: You're more than
11 welcome to testify as witnesses. Chris, I
12 was going to call you. You're the closest
13 neighbor there. But it's what you see and
14 what you hear.

15 MR. FEBBO: I have no problem taking
16 the stand in any capacity either as an
17 eyewitness or even defining junk. I think I
18 have a pretty good background on equipment
19 to define something that runs or doesn't
20 run.

21 ATTY. RINALDI: I had all my people
22 on site last week.

23 MR. SEMENZA: Anybody else? John
24 Jurosky.

25 MR. JURISKY: Once again I'm back

1 here again. The pictures from one to four
2 is that pickup truck. Why weren't they
3 given a ticket? There was no inspection
4 sticker. A wrecker dropped that off in the
5 middle of the road. It sat there for four
6 days with tires underneath it to stop it
7 because it has no brakes. If some kid
8 kicked the tires out that's going right into
9 Main. Somebody's going to get hurt. The
10 same problem we have is a small scale, but
11 this guy is taking advantage of us.

12 Now, number five, illegal junkyard.
13 None of those cars have license plates.
14 None of them. He's got tires, over a
15 hundred, 200 tires. Okay? According to the
16 zoning laws, okay, he's supposed to provide
17 15 parking spaces for the customers. What
18 he does, he's running a junkyard. The cars
19 don't run, then they got tires all over the
20 creation. Why? Why isn't the zoning law
21 being abided by? You can't have a junkyard
22 in a residential neighborhood.

23 Then he's parking on the sidewalks.
24 That's number six. He doesn't care. He's
25 parked in the road. He doesn't care.

1 Tonight my son had to wait to come home. It
2 was all blocked up. This has been going on
3 for two years over and over. Believe me, I
4 don't want to stand up here but something
5 has to get done. Okay?

6 Number seven, okay, those three cars
7 are there for three months. Haven't moved
8 in three months. He using the borough
9 street -- which he's not allowed per the
10 zoning laws. He's using the borough street
11 for his business. He does mechanical work
12 on the borough street.

13 Number eight, okay, he's parking on
14 sidewalks. He probably has six, seven cars
15 on the sidewalks. He's blocking the
16 sidewalks. And you got the zoning laws.
17 He's supposed to have 15 parking spaces. He
18 has 3,000 square foot of space, 15 spaces.
19 Okay? Why was he even allowed there? We
20 never had a problem with the guy before him.
21 Okay? This guy thinks he runs the town.
22 And like Stocki, he laughs at us. Okay?
23 And this should not be allowed per the
24 zoning laws. I have all the zoning laws
25 here. I'll sorry if I got loud.

1 MR. SEMENZA: Keith Leshinski?

2 MR. LESHINSKI: I got pictures too.
3 Just so you know John and I aren't sitting
4 on the corner together taking pictures. I
5 couldn't afford copies. You're going to
6 have to go through them. I guess you can
7 actually see what's wrong with them. My
8 wife takes them, other neighbors send them
9 to me. I don't know how I got deputized but
10 I don't mind it. We've come before borough
11 before. I've been doing it since Russell
12 was president a couple years ago with the
13 same situation.

14 You guys told us to talk to the
15 cops. We talked to the cops. Officer Buggy
16 I spoke to a couple months ago, said that
17 her and Kimbal would take a ride up that
18 street every shift to look for zoning
19 problems.

20 That truck that John's talking about
21 had a block of wood under it first for days
22 on the hill, parked the wrong way. They
23 park cars in the house next to it, in the
24 driveway, sticking out in the roadway. If
25 you come around the corner you have to go

1 around it anyway, so if there is a car
2 coming down -- in the picture, that was a
3 guy dropping a car 10:00 at night, on a
4 Sunday night, not using his overhead lights.
5 Totally doing it in secret. The neighbors
6 called me, said Keith, they're dropping a
7 car over here. I told him he can't do that.
8 He can't put it here. It didn't run. He
9 took it around the corner and dropped it on
10 Butler.

11 Steve told us about some miracle
12 letter that he's going to send to him that
13 he's -- to Ronnie that he's going to -- that
14 he denied or didn't go fight, and
15 something's supposed to happen to him from
16 this letter. These letters have been taken
17 all week, since the summer, every chance we
18 get. I got another guy that lives on my
19 street that sent me a video that I have on
20 my phone that he couldn't get his truck down
21 the hill.

22 I see there's pictures of him
23 working on a car in the middle of the street
24 with the hood up. That van that's in the
25 picture that's sticking out on the road,

1 that's not just there for a minute. It sat
2 there. It was there for 15 minutes. Just
3 stopped there, sticking out in the road.
4 You know, a couple of you guys know how to
5 run a business, and it's your customers and
6 they have to know rules. What bathroom to
7 go in, what time you open, with beating up
8 the cops. I wish Steve was here because
9 it's coming back around now.

10 I mean, what do we need to do? If
11 not you guys, who? I got the pictures of
12 the cars with no plates on them. Those cars
13 are junk cars. The guy from the towing
14 place told me he doesn't even have titles.
15 The customers came and took the plates off.
16 So that means they owed him money. Now he's
17 just going to use them for parts. So he's
18 got a junkyard and he's storing cars in his
19 yard.

20 Of course, this whole time, I mean,
21 we argued about it in the beginning. A fine
22 line. It's how you look at it, how you
23 interpret it, not using borough streets.
24 Yeah, can he park one? Yeah, you know.
25 Pull out onto Main Avenue, you see that

1 Cherokee. You can't even see up Main
2 Street. But that's legal. It's 15 feet.
3 It's all right to be there. But it's
4 constant, it's ongoing.

5 Go to you guys, go to police, talk
6 to the mayor, talk to everybody. It's
7 passing the buck. I know you did what you
8 can. Can we do anything like file an
9 injunction against this guy? It's like
10 David and Goliath with this guy. We get
11 frustrated just coming down our street, and
12 you have to live with that. I feel bad for
13 you. But this is going to turn into -- it's
14 total defiance. He doesn't care who you
15 are, he doesn't care who the council is, he
16 doesn't care what the cops think they're
17 going to do because they're not going to do
18 anything.

19 Here we are, neighbors, coming down
20 here on a Tuesday night to speak to you guys
21 civilly and explain our problems to you and
22 look to you for help. That's what I'm
23 doing. I'm look to you guys to help us.
24 Went through everybody. We did the mayor,
25 God bless him tonight. Talked to Steve a

1 number of times.

2 There's the problems right in front
3 of you. I have another video of the same
4 tow truck guy, tried to hurry up. Running
5 in the middle -- it's dark out. It's 10:30
6 at night. You have to put your overheads on
7 no matter what you're doing or where you
8 are. No overheads. Come around the corner,
9 here's a flatbed lowering a car at 10:00 at
10 night on a Sunday night. I said you know
11 what you're doing is illegal. Right.

12 Oh, no, I can't put it over there.
13 It will block the road.

14 I said put it in his lot. You're
15 not supposed to drop it on the street. He
16 dropped it up on Garbler Street. Not on
17 Butler, not in front of his place, not on
18 Main Avenue. And he's not stopping.

19 I'm going to be 51 years old. My
20 ego's done. I'm retired. I'm not going to
21 get angry anymore. My wife told me I'm not
22 allowed to. But I'm begging you guys for
23 help. I know it's small. I know it's not
24 the worst thing in the word. I know there's
25 bigger problems in the world. But this is

1 an issue in our life. We've paid taxes
2 here, and I don't want to bounce back and
3 forth anymore. Something's got to be done.
4 I was here for that meeting that Steve said
5 no, he's not going to serve him, he's not
6 going to fine him, and you guys are his
7 boss. You know, he's not here. I'm not
8 talking about -- I'd tell him if he was
9 here. But I'm sick of it. I'm really sick
10 of it. I'm not going to let it get like
11 Stocki.

12 MR. FEBBO: Didn't we take him to
13 court?

14 ATTY. RINALDI: I haven't seen
15 anything.

16 MR. HOOVER: He was supposed to come
17 and meet us and he never did. I think
18 that's where it ended up.

19 MR. HOOVER: He was supposed to come
20 to a work session.

21 MR. LETTIERI: He did come to one.

22 MR. JUROSKY: Just like that old
23 pickup truck. That's an accident waiting to
24 happen.

25 MR. LETTIERI: When you do call the

1 cops do they show up? Do they do anything?

2 MR. LESHINSKI: He has a scanner.
3 He's a volunteer fire something. He has a
4 scanner. By the time I call the cops
5 everything's moved and everything's turned
6 around.

7 MR. JUROSKY: They don't want to
8 come. One time I called them, I got laughed
9 at. I don't want to say who. It's not
10 right, what's going on.

11 MR. LESHINSKI: She said we're going
12 to drive up and down once a shift, and if
13 there's any problems we'll take care of it.
14 You can see there's cars parked the wrong
15 way, there's cars parked out in the middle
16 of the street. One of those vehicles is a
17 guy that works there. So it's not only his
18 customers, it's some guy -- I don't know who
19 he is. But he parks like that on purpose.

20 This is all done -- this is all
21 thumbing his nose at everybody because
22 council's not doing anything about it. At
23 Steve because Steve's not doing nothing
24 about it. At the cops because the cops
25 aren't doing anything about it.

1 Here we are again, still. I don't
2 want you to go up and push all those cars
3 out of the thing, but something -- I heard
4 about a thing called an injunction that will
5 sort of put a stop to what he's doing. Is
6 that true, Mr. Rinaldi.

7 ATTY. RINALDI: I don't know where
8 Steve has it. I need a case first.

9 MR. LESHINSKI: Isn't this building
10 a case, all of our visits and these
11 pictures?

12 ATTY. RINALDI: Yes. If he sent the
13 violation and notice he can fine him. He
14 didn't appeal it.

15 MR. LESHINSKI: That hasn't been
16 done since the last time we were here?

17 ATTY. RINALDI: That I don't know.

18 MR. HOOVER: I'm going to ask for a
19 meeting with Steve and Marylynn and council
20 to talk to Steve and see where we're at with
21 this project, because this isn't the only
22 garage around that's doing the same thing
23 that this guy's doing. The guy on Albion, I
24 walk the streets all time. The guy on Oak
25 Street, the same issue. He's got five cars

1 parked on the side of the road with 2017
2 inspection stickers on it, and I think as a
3 borough we have to start -- if we're going
4 to do it to one garage, we have to do it to
5 the other ones. We can't let one go and let
6 the other one do whatever.

7 MR. LESHINSKI: Sohara's, that's a
8 garage. That guy had a tough time when he
9 started. This is the garage that they're
10 building next to it. If I could get one of
11 the Mariottis to come down. It's their
12 street, too. I guess they just use it for
13 work. They don't care.

14 I'm asking please, if you do have a
15 meeting somebody call me and just let me
16 know what's going on so I can stop following
17 him around with his camera and his copier
18 machine because he's got a lot of time and
19 he's not going to stop doing this, and I'm
20 not going to either because if it was me I'd
21 be in trouble. I know somebody would shut
22 me down or do something. That's all I ask
23 for, if you don't mind.

24 MR. SEMENZA: Thank you.

25 MR. MARCO: My name is Frank Marco.

1 I build those beautiful towers to make our
2 cell phones work. As you all know, the
3 service here in town with Verizon, AT&T,
4 Sprint, T-Mobile is not acceptable, so I'm
5 here to present a couple options, and Steve
6 thought that I should come and present them
7 to you all and get your opinion on some of
8 the things -- two options that I want to
9 present.

10 MR. SEMENZA: I was not aware of it,
11 but that's fine. You can present it.

12 MR. RUSSELL RINALDI: Did you say
13 cell phone towers?

14 MR. MARCO: Yes.

15 MR. SEMENZA: You should probably go
16 to planning first. That's usually your
17 first step.

18 MR. MARCO: I'm looking for both
19 a -- one option, if I can show you the plan,
20 here, is for the Mariottis right up the
21 street, here, next to the PPL parcel.
22 There's an open spot there. I would
23 require, first, rezoning, which would be a
24 zoning extension, and then a special
25 exception process to demonstrate our case on

1 the use.

2 Then the cost, depending on the
3 height that Verizon and AT&T would look at.
4 The other possibility is fall down exception
5 for the -- a variance for the 1.1 fall zone.
6 So depending on how high they wanted to go
7 there was that option, if that is feasible
8 or that is even possible.

9 Then there's a second option, which
10 I have here, which is right next to the
11 warehouse. That also would require a
12 special exception. It's zoned C-2 already,
13 so it would be a straight special exception.
14 Then again, depending on the height they may
15 require, we may need extra room for a fall
16 zone variance.

17 So there's the two options. Eugene
18 Mariotti said it was okay for me to come
19 here and address you all.

20 MR. SEMENZA: Bill, this isn't for
21 us. Right?

22 MR. RUSSELL RINALDI: What's the
23 benefit to the borough?

24 ATTY. RINALDI: We have zones for
25 cell towers in the borough. Did you look at

1 any of those?

2 MR. PARKER: In C-2?

3 ATTY. RINALDI: I know we have a
4 couple -- how many cell phone towers do we
5 have?

6 MR. PAPI: We have a few. The other
7 one's up next to Broan.

8 MR. MARCO: The issue with Verizon,
9 AT&T, there are existing towers, as we know,
10 that way and that way. They're looking for
11 a tower basically right here close to town
12 because that will provide much better
13 service inside buildings and inside the
14 places where everybody works and lives. So
15 there are sites around, but what's really
16 happening is that some of the sites are too
17 high, and all these sites are kind of
18 shooting into the area and they cause
19 interference with each other.

20 So what Verizon particular is
21 looking at is a site basically right across
22 the street in a spot that would actually be
23 lower. They're not looking for a very tall
24 tower, just a tower that would provide
25 service kind of right in the middle of

1 things here that would provide better
2 service.

3 MR. NOTARI: Isn't there a cell
4 tower on the school?

5 MR. HOOVER: Yes, there is. It's
6 more or less for the internet, yes.

7 MR. PAPI: It's only for the school.

8 MR. FEBBO: How high is this tower?

9 MR. MARCO: Well, it depends on if
10 we would be able to get a variance on the
11 fall zone. Based on the size of the parcels
12 you're very limited. The parcel next to PPL
13 is only about 140 feet wide, so you would
14 only be able to put a tower up in the 60
15 foot range to meet the 1.1 fall zone
16 requirement. That may not be high enough.
17 The way these things work is, as you've
18 probably seen, there's a company at each
19 level. So Verizon would be at the top, then
20 AT&T, then T-Mobile. T-Mobile is buying
21 Sprint, so they probably would not be
22 separate. So it has to work at a height not
23 just for the person at the top but for the
24 person three or four levels down. So if the
25 tower's only 60 feet the third person's at

1 40 feet. That may not be quite high enough
2 to do what that third company needs to do.

3 So what would be optimum? Optimum
4 would be more in the 80, 90 to 100 feet, but
5 again, that would require a variance on the
6 fall zone.

7 MR. FEBBO: That's a 360 degree fall
8 zone. Right?

9 MR. MARCO: Yes. Your zoning
10 requirement is a 1.1 fall zone.

11 MR. SEMENZA: Marion Street is a
12 very high traffic area. A lot of kids in
13 that area. There's a playground right next
14 to it also.

15 MR. MARCO: We are not expecting the
16 tower's going to fall.

17 MR. PAPI: They need a zoning change
18 also?

19 MR. MARCO: For the parcel next to
20 PPL it would need to be a zoning extension,
21 yes. It's currently R-2 and it would need
22 to be rezoned or a zoning extension to C-2
23 in order for that parcel to work.

24 MR. HOOVER: What's the zone by the
25 school?

1 MR. MARCO: R-2.

2 MR PAPI: The school is
3 non-conforming.

4 MR. RUSSELL RINALDI: The benefit to
5 the borough is better cell service only?

6 MR. PARKER: Absolutely. You'll get
7 much better service from all the companies.

8 MR. SEMENZA: I don't think I was
9 ever unable to make a call in Old Forge.

10 MR. RUSSELL RINALDI: What's the
11 benefit to any landowner that has a cell
12 tower on their land?

13 MR. MARCO: The way the process
14 works is I'm an independent company. My
15 company is Summit Tower. What we do is we
16 want to build one tower that all the
17 companies would work on. So we would go
18 out -- and in this case we looked in this
19 area. In this particular case with the
20 Mariotti parcels, we would enter into a
21 contract with -- in that case it would be
22 Bell Enterprises, which is owned by the
23 Mariottis. So we would lease a portion of
24 that property from them and we would be
25 paying them rent, and then we would go

1 through the process for, as I described for
2 the rezoning special exception --

3 MR. RUSSELL RINALDI: What's a
4 typical rent payment?

5 MR. PARKER: It very much could be
6 anywhere from \$500, \$600 a month in
7 agricultural areas to \$1,000 to \$1,200 a
8 month. So, I mean, there's a large
9 variance. If we were in Manhattan it would
10 be a much larger number.

11 MR. RINALDI: Nothing in stone.

12 MR. SEMENZA: Did we have a lot of
13 complaints that there's bad cell service?

14 MR. MARCO: For Verizon and AT&T,
15 yes.

16 MR. SEMENZA: I have Verizon and I
17 never had less than a full cell all day
18 long.

19 MR. MARCO: Verizon is specifically
20 tasking and looking to improve the service
21 for the community here. So I'm not here --
22 I only do this -- I know Verizon and AT&T
23 want to be tenants on the tower.

24 MR. RUSSELL RINALDI: Is there any
25 other locations in town that you looked at,

1 potential spots?

2 MR. MARCO: Well, yes and no. I
3 mean, again, with the requirements of
4 zoning, fall zone and possibly a variance on
5 the fall zone there aren't really a whole
6 lot of options. You have two parcels,
7 again, owned by the Mariottis right across
8 the street but they're narrow and very
9 small. I don't see them probably working.
10 The advantage of that particular spot next
11 to PLL, it's kind of an open lot. I'm not
12 sure if it's -- it could be in the
13 commercial terms of probably the best use.

14 But in and around this area, as you
15 go further -- I guess it would be that way.
16 You're going down the hill and you're going
17 further from town. So there's the ball
18 fields and definitely spots that way, but
19 they're getting further and further from
20 where Verizon and AT&T want to be, which is
21 more up through here. They've been kind of
22 looking in this area for a while, but they
23 really don't want to go onto what I would
24 say are the extremes of what I'm presenting
25 here, which rezoning, special exception, and

1 maybe a fall zone variance. That's a heavy
2 lift.

3 So that's why I'm here throwing it
4 out, to see what the thoughts are on council
5 before I start that process, which is time
6 consuming and costly.

7 MR. SEMENZA: I'd like to see what
8 planning says.

9 MR. RUSSELL RINALDI: The zoning
10 board grants variances, not council.

11 MR. FEBBO: I don't think we're in a
12 position to comment on that. Let's wait for
13 planning to come back.

14 MR. MARCO: Thank you very much.

15 MR. SEMENZA: We'll go down the
16 table. Councilman Febbo?

17 MR. FEBBO: I'm good.

18 MR. NOTARI: I'd just like to talk
19 about the rectory. We're getting close to
20 winter. I think we need to look at heating
21 the rectory at least for the winter. I
22 believe the long range planning committee
23 came up with an estimate that can get us
24 through the winter. I'm not sure is that's
25 something we need to approve or if it can be

1 approved just by the borough manager. It is
2 borough property and it's just a fix that
3 needs to be made. So I just wanted to bring
4 that up tonight, see what we thought on
5 that.

6 MR. SEMENZA: Is that a working
7 furnace and everything?

8 MR. FEBBO: No. Marylynn has the
9 information on that. When we were down
10 there with the market she got a contractor
11 to come in there and look at the place. He
12 made a pressure test, checked the whole
13 thing, looked at the whole feasibility for
14 air conditioning and heat.

15 They felt with the way the place is
16 laid out and the piping in the walls and all
17 that, that the best source of heat and the
18 most viable right now is to stay with the
19 furnace and radiators. They checked out the
20 radiators and they will pressure check
21 everything, piping all that. They will
22 connect everything and install the furnace
23 for a price of \$8,500.

24 With that -- and you guys know we
25 had the market and the Sons of Italy had a

1 stand there this summer. We netted a
2 thousand dollars from the stand which we're
3 going to donate to the complex down there.
4 But, Marylynn, I believe you have a quote on
5 that?

6 MS. BARTOLETTI: Yes.

7 MR. LETTIERI: Do we have any plan
8 for use at the rectory at this time?

9 MR. NOTARI: I don't think we have a
10 use but to keeping the building viable.

11 MR. SEMENZA: When was the last time
12 there was heat in that building?

13 MR. HOOVER: My question is I don't
14 think it's ready for heat. I mean, with
15 all -- the roof needs repairs. I mean, it
16 needs some kind of insulation. I'm sure the
17 windows are -- I mean, I think it's going to
18 cost -- \$8,500 doesn't sound bad, but I
19 think the gas bill afterwards is going to be
20 extreme.

21 MR. SEMENZA: Six to eight hundred a
22 month.

23 MR. FEBBO: I don't figure anything
24 close to that. Even with the prices that we
25 had looked at originally versus what we can

1 get it done for. It does not need windows.
2 The windows have been upgraded there. Even
3 the roof. There's no leaks in the roof. I
4 think all we're looking at and we talk about
5 is --

6 MR. SEMENZA: When were the windows
7 upgraded?

8 MR. HOOVER: I was in there two
9 weeks ago. It was colder in that building
10 than it was outside.

11 MR. FEBBO: Sure it is. There's no
12 source of heat in there. But all the
13 radiators would be checked and you could
14 regulate them by valves. All you're doing
15 is looking to keep the place from frosting
16 up inside again. Structurally-wise it needs
17 nothing. We need heat, and we talked about
18 that. That's all we talked about, to heat
19 the building until we go forward with the
20 church. You're not going to get a lower
21 price than what we just came up with right
22 here.

23 MR. NOTARI: Something we can move
24 forward with?

25 MR. SEMENZA: I think we're wasting

1 money, my opinion. The walls aren't
2 insulated, the windows are single-pane
3 windows. The heat's going to go out of that
4 building like nothing.

5 MR. HOOVER: What does our engineer
6 think? Do you think it's feasible to put
7 heat in that building the way it is?

8 MR. FEBBO: I'd like to walk through
9 there with you and other councilmen, too.

10 MR. LOPATKA: I'd like to get back
11 in there. I don't remember everything that
12 was in there. I didn't do the wall
13 inspection.

14 MR. FEBBO: After I looked at what
15 you gave us here, this price, and I went
16 through there with a contractor step by step
17 and point by point, there's a lot of things
18 that are on here that -- the place needs a
19 good face lift. Structure-wise, as you
20 know, it's solid.

21 MR. LOPATKA: I don't think we found
22 anything overly bad structure wise.

23 MR. FEBBO: First thing is to put
24 heat in there. That being said, you cannot
25 come up with a hot air furnace or something

1 like that because of the way the walls are.
2 There's no room in there. You just can't do
3 it.

4 MR. LOPATKA: Plus you'd need
5 ductwork and everything else. We can
6 definitely take a look at it.

7 MR. HOOVER: When was the last time
8 there was heat in there? Six years ago?

9 MR. FEBBO: It stood for the last
10 six winters without heat in there. That's
11 all you're looking to do, is preserve what
12 is there from deterioration.

13 MR. HOOVER: I just think we had all
14 summer to do this. Now we want to do it in
15 November and we want to rush it through?

16 MR. FEBBO: I don't know what I'm
17 missing here, but you look at that complex
18 down there, you guys, just so you know,
19 everybody in town thinks it's a great idea
20 for what we're paying for it, what we can
21 get out of there, and the possibility of
22 what the whole complex can be used for. The
23 church and the rectory.

24 MR. HOOVER: We don't know yet what
25 it can be used for.

1 MR. FEBBO: It's unlimited, both
2 church and rectory and the grounds. The
3 market going on this year that Marylynn put
4 on was astronomical with the response we got
5 to it and the possibilities.

6 MR. SEMENZA: It was fantastic.

7 MR. NOTARI: Perfect spot for it,
8 too.

9 MR. FEBBO: The whole place is
10 available to every single group and
11 organization in the community.

12 MR. LETTIERI: Let's go for a little
13 tour. Take Dave with us.

14 MR. FEBBO: That's a wise move.

15 MR. LETTIERI: I want to take a look
16 at it.

17 MR. SEMENZA: If it hasn't had heat
18 for six years another year isn't going to
19 kill us.

20 MR. FEBBO: For \$8,500.

21 MR. SEMENZA: For a lot more than
22 \$8,500, Lou.

23 MR. FEBBO: It's \$8,500.

24 MR. SEMENZA: When you start paying
25 the heat bill how much do you think it's

1 going to be a month, a hundred bucks?

2 MR. FEBBO: Couple hundred. You're
3 not going to stoke it at 75, 80.

4 MR. SEMENZA: Fifty-five, somewhere
5 around there. The heat is going to go out
6 and that's going to consistently run because
7 there's no insulation and they're
8 single-pane windows.

9 MR. FEBBO: I don't think they are.

10 MR. SEMENZA: I think they are
11 single-pane windows.

12 MR. HOOVER: It's a hundred years
13 old.

14 MR. FEBBO: The windows have been
15 replaced. You guys are wrong.

16 MR. SEMENZA: Listen, I did go
17 through there, and I've done structures for
18 25 years. I kind of think I know what I'm
19 talking about. Like you look at a car and
20 you know what you're talking about. I don't
21 second guess you. It's your opinion on
22 that.

23 MR. FEBBO: I saw updated windows.

24 MR. SEMENZA: I'm not saying they're
25 100-year-old windows, they're single-pane

1 windows. I know that because I talked about
2 it. I said you're going to stand here and
3 feel the wind blow through the windows.

4 MR. HOOVER: There's drafts in that
5 building.

6 MR. SEMENZA: I said it to Joe
7 Lenceski.

8 MR. NOTARI: Let's go through it
9 with Dave.

10 MR. FEBBO: You did bring it up.

11 MR. SEMENZA: I don't want to go
12 spending \$600 to \$800 a month in heat.
13 That's all.

14 MR. FEBBO: Remember, it's a
15 starting point for bigger things for the
16 community.

17 MR. SEMENZA: I understand that. A
18 year ago we sat here and said we're going to
19 buy this and we're not going to do nothing
20 to it.

21 MR. FEBBO: And we did nothing until
22 we --

23 MR. HOOVER: I thought we should
24 have gotten the roof fixed first.

25 MR. FEBBO: There's nothing wrong

1 with the roof.

2 MR. LOPATKA: Next Monday I'm

3 available.

4 MR. SEMENZA: 4:00 Monday.

5 MR. NOTARI: That's all I got.

6 MR. LETTIERI: No, I'm good.

7 MR. HOOVER: Good.

8 MR. RUSSELL RINALDI: No items, Mr.

9 Chairman.

10 MR. SEMENZA: I've got nothing.

11 We'll just have a brief executive session

12 after this meeting.

13 At this time the chair is going to

14 entertain a motion to adjourn.

15 MR. FEBBO: I'll make that motion.

16 MR. SEMENZA: All in favor?

17 (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 61 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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