

1 OLD FORGE BOROUGH COUNCIL

2 OLD FORGE, PENNSYLVANIA

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4
5 IN RE: REGULAR MEETING OF COUNCIL
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9 MARCH 16, 2021

10 7:00 P.M.

11 EAGLE-MCCLURE HOSE COMPANY

12 MILWAUKEE AVENUE

13 OLD FORGE, PENNSYLVANIA
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19 COUNCIL MEMBERS:

20 RUSSELL RINALDI

21 LOUIS FEBBO

RICK NOTARI

22 JAMES HOOVER

MICHAEL LETTIERI

23 WILLIAM RINALDI, ESQUIRE, SOLICITOR

24 MARYLYNN BARTOLETTI, BOROUGH MANAGER

25 Mark Wozniak
Official Court Reporter

1 MR. RUSSELL RINALDI: Good evening,
2 everyone. I'd like to call the borough
3 meeting to order with the Pledge of
4 Allegiance.

5 (The Pledge of Allegiance was
6 recited.)

7 MR. RUSSELL RINALDI: Roll call,
8 please.

9 MS. BARTOLETTI: Councilwoman
10 Avvisato is absent. Councilman Febbo?

11 MR. FEBBO: Present.

12 MS. BARTOLETTI: Councilman Hoover?

13 MR. HOOVER: Here.

14 MS. BARTOLETTI: Councilman
15 Lettieri?

16 MR. LETTIERI: Present.

17 MS. BARTOLETTI: Councilman Notari?

18 MR. NOTARI: Present.

19 MS. BARTOLETTI: Councilman Rinaldi?

20 MR. RUSSELL RINALDI: Here.

21 MS. BARTOLETTI: Councilman Semenza
22 is absent.

23 MR. RUSSELL RINALDI: Once again,
24 ladies and gentlemen, welcome to the
25 Tuesday, March 16th Old Forge Borough

1 regular meeting. The purpose of our meeting
2 tonight is we'll hear from our department
3 heads, we'll hear from our council members.
4 We have a public sign-in sheet if anyone
5 from the public would like to address us
6 before we get into new business. We'll hear
7 from our mayor, borough manager and our
8 solicitor as well.

9 With that said, our first report
10 would have been our zoning/code enforcement
11 officer, Mr. Paul Papi. He's not here this
12 evening. Council has his report.

13 Before we go into that we're going
14 to do a few brief motions. The first motion
15 is going to be a motion to approve the
16 minutes of the prior meeting.

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

18 MR. RUSSELL RINALDI: By Councilman
19 Febbo.

20 MR. LETTIERI: I'll second.

21 MR. RUSSELL RINALDI: Second by
22 Councilman Lettieri. On the question?
23 Public input? Roll call, please.

24 MS. BARTOLETTI: Councilman Febbo?

25 MR. FEBBO: Yes.

1 MS. BARTOLETTI: Councilman Hoover?

2 MR. HOOVER: Yes.

3 MS. BARTOLETTI: Councilman
4 Lettieri?

5 MR. LETTIERI: Yes.

6 MS. BARTOLETTI: Councilman Notari?

7 MR. NOTARI: Yes.

8 MS. BARTOLETTI: Councilman Rinaldi?

9 MR. RUSSELL RINALDI: Yes. The
10 second motion is a motion to approve the
11 treasurer report. Please note this does not
12 include the sewer accounts.

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

14 MR. RUSSELL RINALDI: By Councilman
15 Hoover.

16 MR. LETTIERI: I'll second the
17 motion.

18 MR. RUSSELL RINALDI: Second by
19 Councilman Lettieri. On the question?
20 Public input? Roll call, please.

21 MS. BARTOLETTI: Councilman Febbo?

22 MR. FEBBO: Yes.

23 MS. BARTOLETTI: Councilman Hoover?

24 MR. HOOVER: Yes.

25 MS. BARTOLETTI: Councilman

1 Lettieri?

2 MR. LETTIERI: Yes.

3 MS. BARTOLETTI: Councilman Notari?

4 MR. NOTARI: Yes.

5 MS. BARTOLETTI: Councilman Rinaldi?

6 MR. RUSSELL RINALDI: Yes. The
7 third item is a motion to approve invoices
8 for payment. Once again, please note this
9 does not include the sewer account.

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

11 MR. RUSSELL RINALDI: By Councilman
12 Notari.

13 MR. LETTIERI: I'll second the
14 motion.

15 MR. RUSSELL RINALDI: Second by
16 Councilman Lettieri. On the question?
17 Public input? Roll call, please.

18 MS. BARTOLETTI: Councilman Febbo?

19 MR. FEBBO: Yes.

20 MS. BARTOLETTI: Councilman Hoover?

21 MR. HOOVER: Yes.

22 MS. BARTOLETTI: Councilman

23 Lettieri?

24 MR. LETTIERI: Yes.

25 MS. BARTOLETTI: Councilman Notari?

1 MR. NOTARI: Yes.

2 MS. BARTOLETTI: Councilman Rinaldi?

3 MR. RUSSELL RINALDI: Yes. The
4 fourth item is a motion to approve sewer
5 department financial report.

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

7 MR. RUSSELL RINALDI: By Councilman
8 Notari.

9 MR. LETTIERI: I'll second the
10 motion.

11 MR. RUSSELL RINALDI: Second by
12 Councilman Lettieri. On the question?
13 Public input? Roll call, please.

14 MS. BARTOLETTI: Councilman Febbo?

15 MR. FEBBO: Yes.

16 MS. BARTOLETTI: Councilman Hoover?

17 MR. HOOVER: Yes.

18 MS. BARTOLETTI: Councilman
19 Lettieri?

20 MR. LETTIERI: Yes.

21 MS. BARTOLETTI: Councilman Notari?

22 MR. NOTARI: Yes.

23 MS. BARTOLETTI: Councilman Rinaldi?

24 MR. RUSSELL RINALDI: Yes. Our
25 fifth item is a motion to approve sewer

1 department invoices for payment.

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

3 MR. RUSSELL RINALDI: By Councilman
4 Notari.

5 MR. HOOVER: I'll second it.

6 MR. RUSSELL RINALDI: Second by
7 Councilman Hoover. On the question? Public
8 input? Roll call, please.

9 MS. BARTOLETTI: Councilman Febbo?

10 MR. FEBBO: Yes.

11 MS. BARTOLETTI: Councilman Hoover?

12 MR. HOOVER: Yes.

13 MS. BARTOLETTI: Councilman
14 Lettieri?

15 MR. LETTIERI: Yes.

16 MS. BARTOLETTI: Councilman Notari?

17 MR. NOTARI: Yes.

18 MS. BARTOLETTI: Councilman Rinaldi?

19 MR. RUSSELL RINALDI: Yes. Our next
20 item would have been to go to our code
21 enforcement and zoning officer report,
22 Mr. Paul Papi. He's not here. Council has
23 his report in your iPad. If anybody has any
24 questions? Everyone good on the zoning
25 officer's report?

1 We'll go to our DPW manager, Joe
2 Lenceski. Everyone has Joe's report.
3 Anyone have any questions for him?

4 MR. NOTARI: Joe, I appreciate the
5 paving list, and I think that's going to be
6 very helpful for our paving committee as we
7 move forward with the paving project this
8 spring or fall or whenever we're going to
9 get to it. Thanks very much.

10 MR. LETTIERI: Thanks, Joe.

11 MR. HOOVER: I also gave him the
12 list that Joe Ferrett gave us. Remember the
13 crack sealing that he did? I gave him that
14 list, so he can look at that.

15 MR. FEBBO: That's important. A lot
16 of roads need crack sealing.

17 MR. HOOVER: There's a lot of them.
18 Joe, I just want to thank you for taking
19 care of that sewer problem on Kohler Avenue
20 that night. I was surprised they did it
21 that night. The neighbors were, too.
22 Thanks.

23 MR. RUSSELL RINALDI: Anyone have
24 anything else for Joe?

25 MAYOR LEGG: Joe, there's a sign up

1 over by Maxson Drive to get the Northeast
2 Envelope trucks out Moosic Road?

3 MR. LENCESKI: Not yet.

4 MAYOR LEGG: That's a good idea.
5 Good job.

6 MR. LENCESKI: That was on Chief
7 Dubernas' suggestion.

8 MR. RUSSELL RINALDI: Anyone else
9 for Joe? Joe, anything else for us?

10 MR. LENCESKI: Nothing at this time.

11 MR. RUSSELL RINALDI: Thanks, Joe.
12 Engineer's report, Dave Lopatka.

13 MR. LOPATKA: I don't have anything
14 for the agenda, no.

15 MR. RUSSELL RINALDI: Anyone have
16 anything for Dave?

17 MR. NOTARI: How about just an
18 update, Dave? Where are we standing?

19 MR. LOPATKA: With the weather
20 breaking they actually dug behind the
21 building for the elevator. Couple issues
22 there with the depth of the existing footer.
23 It's only, like, 15 inches deep. So we have
24 a little tweak to make with the structure
25 there to make sure that we're locking in the

1 existing and the new footing. A lot of the
2 borough building -- a lot of the inside,
3 some of the rooms are painted, they're
4 framed out for the windows in front. A lot
5 of the HVAC stuff is done. Hopefully we can
6 get this elevator thing going and we can get
7 to the finish line.

8 MR. NOTARI: Good. Do we have an
9 estimated date of finish?

10 MR. LOPATKA: I think the estimated
11 time is the last week in June, I believe is
12 the scheduled time frame. There's
13 potentially some extensions because of some
14 of the add-ons. That happens.

15 MR. NOTARI: Thanks, Dave.

16 MR. RUSSELL RINALDI: Anyone else
17 for Dave? Anything else for us, Dave?

18 MR. LOPATKA: No.

19 MR. RUSSELL RINALDI: Thank you.
20 Chief Dubernas, police report.

21 CHIEF DUBERNAS: I have nothing to
22 add except for the resolution for the drug
23 task force.

24 MR. RUSSELL RINALDI: We have that
25 on the agenda for later on. Anyone have

1 anything for the chief?

2 MR. NOTARI: Just, Chief, thank you
3 to Officer Bernardi and Officer Harris for
4 meeting the basketball team Saturday
5 afternoon to lead them through town along
6 with the fire department. The kids really
7 enjoyed it. I was a little surprised
8 because kids are usually too cool for school
9 with that kind of stuff, but they really had
10 a lot of fun. So thanks.

11 MR. RUSSELL RINALDI: Anyone else
12 for the chief? Anything else for us, Chief?

13 CHIEF DUBERNAS: Nothing.

14 MR. RUSSELL RINALDI: Thank you.
15 Bill, solicitor's report.

16 ATTY. RINALDI: The chief mentioned
17 you have a resolution to approve the
18 Lackawanna County District Attorney's Office
19 participation with the Lackawanna unit drug
20 enforcement team. So that's for passage
21 tonight. The only other thing that's not on
22 my list is you probably want to discuss
23 tonight garbage and recycling. Whether
24 we're going to try to extend or bid because
25 the garbage is up for June 30th. We're into

1 March already. Otherwise, anybody have any
2 questions? I'd ask for a brief executive
3 for real estate matters tonight.

4 MR. RUSSELL RINALDI: Bill, when you
5 say we want to discuss garbage and
6 recycling, do you want to discuss that in
7 executive or do you want us to vote on that
8 tonight?

9 ATTY. RINALDI: Well, just come to a
10 decision. It's either got to go out to bid
11 or request an extension. So we have to make
12 up our mind soon. We're getting down to the
13 wire.

14 MR. FEBBO: Bill, we ask for an
15 extension for how long?

16 ATTY. RINALDI: One year. You get
17 two one-year extensions you can seek. We're
18 past the deadline, but we can maybe see if
19 they'd waive it. I think you ought to
20 discuss some other options before you put it
21 out for bid.

22 MR. FEBBO: Can we ask them about an
23 extension, how much it would cost us for an
24 extension for a year?

25 ATTY. RINALDI: We have a price.

1 It's locked in.

2 MR. NOTARI: It's this year's.

3 Right?

4 MR. FEBBO: Because based on the way
5 prices are going up.

6 MR. NOTARI: We might be better
7 off --

8 MR. HOOVER: I think if we bid it's
9 going to be way more than what the price is
10 going to be. We know what the prices are
11 for the next -- that very large number
12 between the two of them.

13 MR. FEBBO: I think we need a year
14 as a breather just to see where --

15 MR. HOOVER: I don't think we have a
16 choice. We're not going to spend that
17 additional money to get somebody else and
18 not know if they can even do it.

19 ATTY. RINALDI: As long as somebody
20 gives me direction we can reach out.

21 MR. FEBBO: Do you want to discuss
22 that? Do you want to go forward with it for
23 now?

24 MR. HOOVER: Let's discuss it.

25 MR. FEBBO: I'm all for extending it

1 for a year.

2 MR. NOTARI: I'd be in favor of that
3 as well.

4 MR. HOOVER: I am, too.

5 MR. RUSSELL RINALDI: Do we have to
6 vote on it, Bill?

7 ATTY. RINALDI: Make a motion to
8 extend the contract, if possible, because
9 we're a little late on it, but you can ask.

10 MR. RUSSELL RINALDI: We'll add it
11 to the agenda tonight. Anything else, Bill?

12 ATTY. RINALDI: No, that was --
13 well, we'll get that answer and then we'll
14 decide on a recycling contract, put that out
15 for bid. I was going to make it part of the
16 garbage, but we'll see what happens.

17 MR. RUSSELL RINALDI: Anyone else
18 have anything for Bill? Thanks, Bill.

19 MR. FEBBO: Bill, we do have a
20 couple things for executive session?

21 ATTY. RINALDI: Yes.

22 MR. RUSSELL RINALDI: Marylynn,
23 borough manager's report.

24 MS. BARTOLETTI: First, everyone has
25 my financial report. Does anyone have any

1 questions?

2 MR. NOTARI: Were they part of the
3 packet?

4 MS. BARTOLETTI: They were sent out
5 yesterday.

6 MR. NOTARI: Got it. I have no
7 questions.

8 MS. BARTOLETTI: Under new business,
9 I just want to point out that we have a
10 change order number 19 for D&M and also
11 payment application number four.

12 For our next meeting, the April
13 meeting, we're going to pass a resolution
14 for CDBG. It would actually be for the 2020
15 money. So we'll discuss that.

16 Then on May 18th CDBG is going to
17 come to our meeting to hold their hearing.
18 So they'll be coming on May 18th. It's the
19 public meeting. We just have to decide
20 whether we want them at 7:00 or 6:30. Right
21 now they're penciled in for that day.

22 MR. NOTARI: That's the 2021 money?

23 MS. BARTOLETTI: Yes. Everything
24 else I would talk to you in executive.

25 MR. HOOVER: There's three lines in

1 the budget for liquid fuels. Right? It
2 says paving fund, road paving, liquid fuels,
3 101 and 103, and 1010 liquid fuels funds
4 savings.

5 MS. BARTOLETTI: Okay.

6 MR. HOOVER: I was just wondering
7 what the total was for the paving. Just add
8 those lines up?

9 ATTY. RINALDI: You have to deduct
10 payment, but she didn't make any.

11 MS. BARTOLETTI: No, we didn't make
12 any yet. So when you're looking at that --
13 you have a balance sheet. So the top
14 portion there's 101, 100 and 103. Those are
15 all dollar figures that we have in the bank.
16 The next ones, 1010, 1011 and 1014, are also
17 bank accounts.

18 Then if you look down to item
19 number -- down towards the bottom. Well,
20 actually it doesn't show it here on the
21 balance sheet, but there's a dollar figure
22 110,000. That is a loan payment that we pay
23 in September. So that's not reflected on
24 here yet. This account would go a little
25 bit lower because we do pay for road salt

1 from there. We probably have about \$12,000
2 that will still come out for road salt.
3 After that, anything that's left you'll be
4 able to use towards the roads.

5 MR. NOTARI: About 650.

6 MR. HOOVER: That's what I was
7 figuring.

8 MR. RUSSELL RINALDI: Anything else?

9 MS. BARTOLETTI: No.

10 MR. RUSSELL RINALDI: Anybody else
11 have anything for Mare? Before we go into
12 new business we'll go to public comment.
13 Chris Goetz?

14 MR. GOETZ: I just was wondering if
15 I could get an update on the Stocki case
16 that's just a never ending saga.

17 ATTY. RINALDI: The judge said he's
18 going to issue an order and an opinion.
19 That was last month.

20 MR. GOETZ: March 13, 2020 he also
21 said the same thing. We're a year or there
22 now. Do you realize we're four months from
23 three years from when he was given six
24 months to clean up? When he makes a ruling
25 what's that going to do?

1 ATTY. RINALDI: Well, he's going to
2 rule on the zoning violation, whether he
3 violates our zoning ordinance. So it hinges
4 on our definition of machinery and equipment
5 sales. Also, he asked for the contempt. He
6 said he'd liquidate his bond that he was
7 supposed to post, the \$20,000, to pay
8 attorney's fees, find him in contempt, which
9 the judge can order anything for that, and
10 also he has to comply with our zoning
11 ordinance, which means put up fencing, put
12 up a buffer area and, once he does that, get
13 a valid permit for the premises and cease
14 any of the dismantling activities.

15 MR. FEBBO: Bill, is there any way
16 we can put a fire under the judge?

17 ATTY. RINALDI: I can call --

18 MR. FEBBO: I went by there. There
19 was mayhem over there. They were out in the
20 parking lot moving equipment.

21 ATTY. RINALDI: Usually if I run
22 into his clerk I ask.

23 MR. GOETZ: What should be happening
24 and should have been happening for a year,
25 since Walter was Covid positive on a flight,

1 is this council should have been writing a
2 letter -- a nice letter -- stating that
3 you're getting pressure from the residents
4 and the residents have had enough. They've
5 waited two years after a six-month order and
6 they're the people suffering and the
7 criminal continues to operate. That's what
8 should have been happening for 12 months.
9 That's how you light a fire under a judge.
10 There's nothing wrong with that. That's not
11 going to tick off a judge. Your Honor,
12 there are people that come to our meetings
13 every month and they're still complaining.
14 What's taking place. There's nothing wrong
15 with that. That's what should have been
16 happening for 12 months.

17 MR. FEBBO: I agree. We sit here
18 and wait and wait.

19 MR. GOETZ: Sitting on our hands.
20 Just keep waiting. Stuff drives in every
21 day, drives out every day.

22 ATTY. RINALDI: We haven't been
23 waiting that long. We've only been waiting
24 a month. We had our last hearing -- we had
25 one in September, then we had another one

1 in -- he closed the record, I believe it was
2 December, and then he wanted us to report
3 back. Then he just put online -- he just
4 had us for five minutes saying I'm issuing
5 an order. All the neighbors are free to
6 write letters. I wouldn't recommend it.

7 MR. GOETZ: We shouldn't have to.
8 They're not breaking our laws, they're
9 breaking the borough laws. That's what the
10 elected officials are here to do.

11 ATTY. RINALDI: I can't do more than
12 file pleadings.

13 MR. GOETZ: I'm not asking you to do
14 anything. I'm asking the council that
15 should have been doing this. They're here
16 representing the people, Bill. We've been
17 waiting 12 months from the time that the
18 judge said that day he was supposed to
19 issue -- I sat in the courtroom with
20 Councilman Febbo and, I believe, Councilman
21 Hoover, and he said I'm going to issue a
22 decision. And it didn't even happen, in
23 fact, because we sat there and Walter never
24 showed because he was trapped in Colorado or
25 something.

1 So from that point forward I'll give
2 him the first two months. I'll even give
3 him the first three months of Covid. But
4 cases have been happening in that courthouse
5 or at least online. There's no reason that
6 this should not be resolved. Now we're
7 going to be here for another spring, another
8 summer. Last week the windows were open
9 when it was 70 and we're smelling it and
10 we're hearing it. At some point something
11 has to be done. It's asinine.

12 MR. FEBBO: Let me ask you this, are
13 you saying that you feel comfortable that we
14 as council should compose a letter that you
15 just dictated?

16 MR. GOETZ: I can't say that it
17 would hurt. Maybe Bill has a different
18 opinion.

19 MR. FEBBO: I'm looking for input
20 from the public.

21 MR. GOETZ: If the borough wrote a
22 letter on borough letterhead and said your
23 Honor, here's the time frame that we've been
24 dealing with, three years. In four months,
25 July, we're three years from when he was

1 given six months to clean the place up.
2 Now, there's nobody that can tell me that
3 you think that's reasonable. Not one of
4 you. Whether you agree with me or not,
5 there's no way that's reasonable.

6 MR. FEBBO: I agree with you.

7 ATTY. RINALDI: Normally you don't
8 have plaintiffs and defendants individually
9 writing to a judge. That's why they have
10 lawyers. I've never seen, in a malpractice
11 case, a patient sending a letter to the
12 judge.

13 MR. NOTARI: Chris, I don't
14 necessarily disagree with you, but when we
15 handed him -- when our zoning and code
16 enforcement officer handed him the paper
17 with our letterhead on it that said you're
18 in violation, that's our letter. That's our
19 letter.

20 I'm obviously not as frustrated as
21 you because you live right there, but I have
22 no idea why it has taken this long for a
23 judge to make a decision on a case that has
24 to be cut and dry. It's either yes or no.

25 MR. FEBBO: Especially after he

1 walked through that mud two years ago.

2 MR. NOTARI: I don't know how we
3 force a judge to make a decision.

4 MR. GOETZ: I don't think you will.
5 If he received a letter from the borough
6 stating there's residents complaining at
7 every meeting, what is the time frame --

8 MR. NOTARI: I think he knows that.
9 I've gone to two of those hearings. Lou and
10 Jimmy have gone to more than that.

11 MR. GOETZ: Nine months from the
12 judge retiring.

13 MR. NOTARI: In my honest opinion
14 that's what he's waiting for. He'll retire
15 before we have a decision.

16 MR. HOOVER: I think we should send
17 him an e-mail or send him a note, just say
18 we're fed up and the residents are fed up.
19 We've been waiting three and a half years.
20 I can't see why it would hurt. I personally
21 feel from the beginning that he was wrong,
22 what he did with the zoning. He doesn't
23 have zoning to be there. We should have
24 been there every day since.

25 MR. GOETZ: He should be shut down.

1 MR. HOOVER: Send the chief up there
2 every day, but to do it every day you'd go
3 out of your mind. You have a lot of other
4 things to do.

5 MR. GOETZ: But there's nothing
6 curtailing him. He has no fear. The bottom
7 line is if you keep writing him there has to
8 be some point where somebody just shuts him
9 down.

10 MR. HOOVER: By him walking through
11 there that day in the mud, seeing everything
12 and not shutting him down the next day and
13 saying you can't work until we decide what
14 has to be done.

15 MR. FEBBO: Even then he was
16 supposed to have an auction.

17 MR. HOOVER: So what's going to
18 happen if it doesn't come back in our favor?
19 We have to do this all over again.

20 ATTY. RINALDI: No, then it goes up
21 on appeal. They're going to appeal it.

22 MR. GOETZ: He's going to appeal it
23 for ten years. But the bottom line is he
24 doesn't have a permit to operate a
25 legitimate business there. He shouldn't be

1 open right now, period.

2 MR. HOOVER: I know that.

3 MR. GOETZ: There is no other
4 business in this town that would get away
5 with this.

6 MR. HOOVER: How do we shut him
7 down?

8 ATTY. RINALDI: There's no permits
9 that the borough issues to operate a
10 business. The only permit he needs is he
11 has to comply with the planning ordinance,
12 which means put up the buffer areas and a
13 fence. Then he gets a permit. There is no
14 other permits that Paul or anybody issues.

15 MR. FEBBO: Bill, let's go back to
16 what -- he needs permits for what?

17 ATTY. RINALDI: We went through it.
18 There's no other permits.

19 MR. FEBBO: He's looking for permits
20 for sales and service. That's a junkyard.
21 I don't care how you describe it, it's a
22 junkyard. I saw engines coming in.

23 MR. GOETZ: He doesn't need an
24 occupancy permit from this borough to
25 operate a business?

1 ATTY. RINALDI: Occupancy permits
2 are for structures.

3 MR. GOETZ: Which he doesn't have,
4 which is required for a sales and service
5 business. End of story, it's closed down.
6 He doesn't meet any of the criteria.

7 ATTY. RINALDI: If we had that in
8 our ordinances we would have pled it, but we
9 don't. Our ordinance does not say you need
10 a structure to operate a business.

11 MR. GOETZ: For sales and service
12 you do.

13 ATTY. RINALDI: You read it.
14 There's no requirement for sales and service
15 that you need a structure.

16 MR. FEBBO: I just can't believe
17 that there's nothing more that we can do to
18 put a bonfire under him. I don't like
19 playing with gloves on anymore.

20 MR. GOETZ: There's no way that this
21 could just go on like this.

22 MR. FEBBO: Something is not right
23 somewhere.

24 MR. GOETZ: So what you're saying is
25 anybody can open any business in town and

1 they don't need to come to the borough?

2 ATTY. RINALDI: No, they have to
3 comply with the permit requirements.

4 MR. GOETZ: You just said you don't
5 need a permit.

6 ATTY. RINALDI: No, with the
7 occupancy permit requirements. Depending on
8 the type of structure they have if they're
9 going to do a structure. Most businesses
10 are indoors.

11 MR. GOETZ: So what does a sales and
12 services require in this borough?

13 ATTY. RINALDI: A buffer area.
14 That's it.

15 MR. GOETZ: So if you have a car lot
16 you don't need a building?

17 ATTY. RINALDI: Nothing in our
18 ordinance requires you to have a building.

19 MR. GOETZ: What about the state?

20 ATTY. RINALDI: That's the state.

21 MR. GOETZ: But you have to follow
22 that.

23 ATTY. RINALDI: Hold on a minute.
24 Are you asking me about a car lot or his
25 business?

1 MR. GOETZ: That's what he claims to
2 be, a car lot for heavy equipment.

3 ATTY. RINALDI: He's not a car lot.
4 He's not regulated as a car lot. The state
5 does not regulate -- that's sales and
6 service of equipment. That's an automobile
7 license. He doesn't have an automobile
8 license. He's not selling cars.

9 MR. GOETZ: Well, he's selling used
10 equipment.

11 ATTY. RINALDI: Right.

12 MR. GOETZ: So you're telling me
13 that Kenny Powell, Five Star Equipment, they
14 don't need any of that?

15 ATTY. RINALDI: Go look at our
16 ordinance and go through it. We went
17 through, myself, the engineer and the zoning
18 officer. All he needs is a buffer area
19 because he butts up against a residential
20 section. That's the only requirement.
21 Fence it in.

22 MR. GOETZ: Fence it in and you can
23 keep dismantling.

24 ATTY. RINALDI: No, I didn't say
25 that. Any use he's permitted there has to

1 have a buffer zone and fencing at the back
2 end of the property where it butts up
3 against your zone. He hasn't done that.
4 That's one of the things we're asking for.

5 MR. GOETZ: He's going to claim that
6 the trailers and the shipping containers --

7 ATTY. RINALDI: Our ordinance is
8 clear. It's fencing and buffer area, tree
9 planting. That's the requirements for that
10 property.

11 MR. GOETZ: So today he continues to
12 dismantle and break the law, break the
13 ordinance.

14 ATTY. RINALDI: Right. He's under a
15 cease and desist and a pending court order,
16 which he appealed. He can appeal his fine.
17 I can't control him from appealing it. He
18 has a daily fine because we filed against
19 him. He has a right to litigate and that's
20 what he's been doing.

21 MR. FEBBO: Under the appeal he can
22 operate?

23 ATTY. RINALDI: Yes. You can't shut
24 him down unless the judge says --

25 MR. HOOVER: Unless the judge does

1 it.

2 ATTY. RINALDI: The judge has to
3 shut him down. That would be a taking
4 without -- you'd end up paying him money if
5 you try to do that.

6 MR. GOETZ: Moral of the story, Lou,
7 crime pays. That's all I can tell you.
8 It's not going to stop. Even if the judge
9 makes a decision it's not going to stop.
10 Again, whether he's under cease and desist
11 or not, you can cite him every day because
12 he doesn't have any of the stuff he needs to
13 run a legitimate business. He doesn't have
14 the fence, doesn't have the buffer, he
15 continues to dismantle equipment. In the
16 order -- whether he's appealing it or not,
17 in the order it says he is to be compliant
18 with borough code, borough zoning, which
19 means since he's not he can be cited every
20 day. If you're a thorn in his side you
21 might chase him out of here.

22 ATTY. RINALDI: That's what we did.
23 He didn't follow the order, so he cited him
24 for contempt. He filed a contempt petition.

25 MR. GOETZ: And three years later

1 here we are. If somebody went there every
2 day and wrote him out a citation every day
3 and he got aggravated --

4 ATTY. RINALDI: It's not another
5 citation. You can't keep filing contempt
6 petitions on the same contempt. His
7 contempt is he failed to comply with the
8 ordinance. You don't file a new one every
9 day, you file one.

10 MR. FEBBO: Could he be cited every
11 day?

12 ATTY. RINALDI: He's got an ongoing
13 fine now that the judge has to determine.

14 MR. GOETZ: Which you'll never see a
15 penny of.

16 ATTY. RINALDI: I can't file
17 contempt petitions on the same order every
18 day of the week. It doesn't work that way.

19 MR. GOETZ: Can the zoning officer
20 cite him for being --

21 ATTY. RINALDI: He's already cited
22 him.

23 MR. GOETZ: Can he cite him every
24 day?

25 ATTY. RINALDI: No. He's already

1 cited and the fine continues every day until
2 he corrects it. I'm not sure, Chris -- what
3 do you think that would prove? Let's
4 suppose the zoning officer wrote him up
5 again. He goes down and appeals it, now
6 we're back in court with another case and
7 another case. It would all be the same case
8 so they consolidate it. I know how that
9 works. There's already a pending matter.
10 You can't sue over the same pending matter
11 multiple times.

12 MR. GOETZ: Well, council, I just
13 hope you look at your zoning ordinances,
14 because obviously anybody can open up
15 anything they want in this town and do
16 whatever they want and never have to face
17 any kind of challenge. Unless you put a
18 pool in without a permit. Then the guy can
19 stop you.

20 ATTY. RINALDI: There's certain
21 things you need permits for under the
22 zoning.

23 MR. GOETZ: Does he have an HOP for
24 that?

25 ATTY. RINALDI: HOP has nothing to

1 do with his use of the property. The HOP,
2 that was with the property years before he
3 ended up there. The HOP was there when they
4 subdivided that property, when Gilchrist
5 subdivided it prior thereto.

6 MR. FEBBO: Once it changes names,
7 Bill --

8 ATTY. RINALDI: Once there's an HOP,
9 there's an HOP.

10 MR. GOETZ: No. If it changes use
11 the HOP doesn't go with it.

12 ATTY. RINALDI: It's an access
13 driveway.

14 MR. GOETZ: That's right. An access
15 driveway for a strip club, not for semi
16 tractor-trailers.

17 ATTY. RINALDI: There's an access
18 driveway all along the side to the rear of
19 the property. Remember the subdivision.
20 There's a front parcel and a rear parcel.
21 There's an access drive all along to go to
22 the rear parcel. That's how you get to the
23 rear parcel.

24 MR. GOETZ: I'm asking about the
25 driveway coming out on Keyser Avenue out of

1 the Diamond Club. That's how he's getting
2 in and out.

3 ATTY. RINALDI: That's the access
4 drive.

5 MR. GOETZ: Again, it's approved for
6 the Diamond Club.

7 ATTY. RINALDI: I'll pull the plan
8 and show you. When it was subdivided there
9 had to be access to that rear portion of the
10 property. That was done probably 20 years
11 ago.

12 MR. GOETZ: Again, I'm talking about
13 apples, you're talking about oranges. It
14 was approved for the Diamond Club.

15 ATTY. RINALDI: No.

16 MR. GOETZ: And for the property in
17 the back, but it wasn't approved to bring
18 tractor-trailers in and out.

19 ATTY. RINALDI: It was approved for
20 the property in the back.

21 MR. GOETZ: It was never approved for
22 tractor-trailer traffic.

23 MR. RUSSELL RINALDI: Are you saying
24 there's two different HOPs?

25 ATTY. RINALDI: Are you saying

1 there's different HOP's in the driveway?

2 Yes, there's roadways.

3 MR. GOETZ: No. Bill, I work for
4 the department. If I have a business and I
5 have -- I'll give you an example. I have a
6 strip club. I was approved for a medium use
7 driveway for cars. Okay? There's a number
8 that the study comes out with. There's
9 going to be 250 cars a day. You build the
10 driveway to fit for cars.

11 Now, if I take that property, no
12 matter who's accessing it, and I want to do
13 something else with it, okay, and whatever,
14 you want to call it sales and service,
15 that's fine, and they're bringing heavy
16 equipment in with tractor-trailers, that
17 driveway needs a different type of radius,
18 it needs concrete aprons. It's a complete
19 change of use. So it needs to be updated.
20 It hasn't been.

21 ATTY. RINALDI: You want a
22 higher use there. We can have Dave look at
23 it.

24 MR. GOETZ: I don't think he has a
25 legitimate HOP for hauling tractor-trailers

1 in and out of that driveway. I guarantee he
2 doesn't.

3 MR. LETTIERI: What about the
4 entrance? Could we put guardrails? Who
5 would be in charge of that if they wanted to
6 make guardrails coming into that entrance to
7 eliminate the trucks that go in?

8 ATTY. RINALDI: PennDOT was down
9 here on these HOPs. Nothing was discussed
10 up there. So nobody said there's a
11 violation up there.

12 MR. GOETZ: The HOP was given for
13 the property in the front, but you're saying
14 that he had to be given access to the back
15 of the property.

16 ATTY. RINALDI: No, the HOP was
17 there when they subdivided the property.
18 They had to get an HOP.

19 MR. GOETZ: Long before Walter was
20 there. Walter's using that in violation of
21 what that was approved for. It was never
22 approved for tractor-trailers.

23 ATTY. RINALDI: It's a low volume
24 driveway.

25 MR. GOETZ: Exactly, but it doesn't

1 involve trucks.

2 ATTY. RINALDI: He doesn't have
3 customers coming in and out.

4 MR. GOETZ: It doesn't matter. He
5 has trucks.

6 MR. NOTARI: Is it our
7 responsibility to enforce the HOP? Yes or
8 no? Is that our responsibility or is that
9 PennDOT's responsibility?

10 MR. GOETZ: It's your responsibility
11 not to give --

12 MR. NOTARI: I'm asking our
13 solicitor right now. Excuse me.

14 ATTY. RINALDI: We don't enforce
15 PennDOT.

16 MR. NOTARI: We don't enforce the
17 HOP for PennDOT?

18 ATTY. RINALDI: When somebody
19 subdivides property they have to get an HOP.
20 That property was subdivided correctly and
21 there was an HOP.

22 MR. HOOVER: That's where it
23 stopped. They subdivided the property but
24 they didn't do anything to the driveway.

25 ATTY. RINALDI: That was prior to

1 Stocki being there.

2 MR. GOETZ: And he opened a business
3 without a proper HOP, which the borough does
4 govern, Rick. You're not supposed to let a
5 business without an HOP from PennDOT.

6 MR. NOTARI: Well, we're not
7 supposed to let a business open in a place
8 it doesn't conform to either.

9 ATTY. RINALDI: We don't have any
10 HOP requirements unless there's a
11 subdivision.

12 MR. HOOVER: So who do we have to go
13 to?

14 ATTY. RINALDI: You can report him
15 if you think there's a violation or you
16 report him to PennDOT, let PennDOT take
17 action.

18 MR. LOPATKA: If they come in and
19 there's a change of use on a report there's
20 the potential they can -- PennDOT could
21 request, because of the change of use, the
22 driveway be studied. Doesn't mean it's
23 going to change but it could change,
24 depending on what the use is.

25 ATTY. RINALDI: But it's not

1 borough, it's PennDOT and the landowner.

2 MR. GOETZ: The borough has a hand
3 in it. The borough is supposed to report
4 that stuff and require the HOP be gotten by
5 the person using the driveway, because
6 PennDOT has no idea what's going on at a
7 local level, Bill. If I go to another
8 borough and try to do some kind of project
9 or open a business the first thing they're
10 going to ask is did you get an HOP.

11 ATTY. RINALDI: You don't have any
12 ordinances that requires somebody purchasing
13 a property, that already has an HOP, to get
14 a new one.

15 MR. GOETZ: You should have
16 something for change of use, just like Dave
17 just said. It sounds to me like we don't
18 have too many ordinances.

19 ATTY. RINALDI: We don't have that
20 in our ordinance. That's a PennDOT
21 ordinance.

22 MR. GOETZ: PennDOT relies on the
23 locals. PennDOT is not involved in local
24 people opening businesses.

25 ATTY. RINALDI: Local communities do

1 not enforce PennDOT. All they have to do is
2 make the application for a subdivision. We
3 can't hold up a plan based on PennDOT's HOP.
4 It's totally separate. We can't interfere
5 with them.

6 MR. GOETZ: I would beg to differ.
7 I'll check tomorrow.

8 ATTY. RINALDI: I know the case law.
9 All we require is you file an application
10 with PennDOT for your HOP.

11 MR. GOETZ: And we don't know if he
12 filed for an HOP.

13 MR. HOOVER: Can't they subdivide --

14 MR. LOPATKA: Was this ever
15 subdivided, this lot?

16 ATTY. RINALDI: Back in, I'm going
17 to say, 2012. They filed an HOP.

18 MR. HOOVER: They subdivided it but
19 they didn't subdivide the location for the
20 driveway. The driveway is still just a
21 driveway for the land.

22 MR. LOPATKA: The driveway is still
23 there, so they didn't determine what was the
24 other use going to be in the back.

25 ATTY. RINALDI: It was vacant land.

1 MR. GOETZ: At the end of the day,
2 in 2013 he moved a business in there and
3 never said anything to the borough. I still
4 don't understand how you can open a business
5 and not have -- if Russell wants to expand
6 his restaurant he needs to come to the
7 borough.

8 ATTY. RINALDI: He did come to the
9 borough. Walter Stocki came to the borough
10 before he moved in.

11 MR. GOETZ: That's news to me.

12 ATTY. RINALDI: We have the
13 transcripts of it. It was part of the
14 hearing.

15 MR. FEBBO: But he never got a
16 permit.

17 ATTY. RINALDI: He came to the
18 borough planning and he went to zoning.
19 Zoning told him he could do sales of
20 machinery and equipment there. That's in
21 the transcript.

22 MR. GOETZ: He came to the
23 borough -- came to those things after he got
24 cited.

25 ATTY. RINALDI: No.

1 MR. GOETZ: He opened a business
2 with no -- he moved in in the middle of the
3 night.

4 ATTY. RINALDI: I was at the
5 planning commission meeting when he came in
6 and asked planning.

7 MR. GOETZ: And I was sitting on the
8 zoning board the night he was there.

9 ATTY. RINALDI: So I know he came to
10 planning before he moved a stitch of
11 equipment there because he was moving from
12 Popple's.

13 MR. GOETZ: I don't recall that.

14 ATTY. RINALDI: I was there.

15 MR. GOETZ: But you just made my
16 point. If the borough knew he was coming to
17 town he should have been required to provide
18 and produce an HOP that said it was okay to
19 operate --

20 ATTY. RINALDI: Not under our
21 ordinance. We don't have an ordinance.

22 MR. GOETZ: You have some ordinance
23 problems, fellas.

24 MR. RUSSELL RINALDI: Anything else,
25 Chris?

1 MR. GOETZ: No, that's it.

2 MR. RUSSELL RINALDI: Leona Grimes?

3 MS. GRIMES: I'm here for two
4 reasons. Chris said mostly what I wanted to
5 say but I still have some questions. I was
6 at the council meeting the night that he
7 spoke and said he wanted to open a business.

8 Now, my question is if he was moving
9 from one part of the town where he was
10 causing a problem --

11 MR. RUSSELL RINALDI: I don't mean
12 to interrupt you. Do you mean the planning
13 commission meeting or the zoning meeting?

14 MS. GRIMES: The borough. I've
15 never gone to any other meetings that I'm
16 aware of.

17 ATTY. RINALDI: He was at a planning
18 commission.

19 MS. GRIMES: Maybe that was the
20 meeting I went to. But I did not want him
21 behind my home. I live a few doors up from
22 Chris. I was surprised that the borough
23 would allow him to go through with opening
24 the type of business he was opening when he
25 was moving from another area of Old Forge

1 because of so many complaints.

2 So I got up that night and I spoke
3 against him ever opening his business, and
4 yet he was -- it was allowed, and I never
5 understood why.

6 Now, you're saying about him having
7 to put up a barrier. There are times when I
8 have to leave my home because the fumes are
9 so bad. They are nauseating and give me
10 headaches and make me dizzy. Even if he
11 puts up a barrier that's not going to stop
12 those fumes. And if the judge ordered at
13 one of the -- one of the hearings we went to
14 the judge said he can no longer do any
15 cutting unless the fire department was
16 there. Is the fire department there every
17 day? Because he's cutting almost every day.

18 MR. RUSSELL RINALDI: To my
19 knowledge, I would say they're not there.

20 MS. GRIMES: I'm sure they're not,
21 and he's cutting at 7:00 in the morning,
22 he's cutting any time of the day. So why is
23 he still allowed to get away with this?

24 My other question is how about the
25 Department of Environmental Protection?

1 Aren't they trying to do anything? Do we
2 have any information on that?

3 ATTY. RINALDI: They have an order
4 and he appealed that to the environmental
5 hearing board in Harrisburg. They violated
6 him on it.

7 MR. RUSSELL RINALDI: They have been
8 there a few times.

9 ATTY. RINALDI: They were there,
10 yes. He was supposed to pay the fine over,
11 I think, a six month period and clean up the
12 site. He did neither. They went and filed
13 a contempt against him. He appealed that
14 contempt down in Harrisburg.

15 MS. GRIMES: I know the day in May
16 when we did the walk through all the mud.
17 Some of the black stuff collected there was
18 leaching into the ground. It is was totally
19 disgusting. I don't know why the
20 department --

21 ATTY. RINALDI: It was right before
22 that that they went after him for failing to
23 clean it up.

24 MS. GRIMES: And I wonder what has
25 been done to Saint John's Creek behind my

1 house with all of the pollution from his
2 machinery. And I know you're not
3 responsible for the Department of
4 Environmental Protection.

5 ATTY. RINALDI: I can follow up with
6 that.

7 MS. GRIMES: Something else, and
8 maybe you're going to bring this up later.
9 But last night at the virtual meeting Martha
10 Kahn from No Nonsense Neutering spoke, and
11 supposedly you were going to pass something
12 about trap-neuter-return this month. Is
13 that coming up on tonight's agenda?

14 MR. RUSSELL RINALDI: It's on the
15 agenda for this evening. Anything else?

16 MS. GRIMES: No.

17 MR. RUSSELL RINALDI: Before we go
18 on to new business we'll go down the table,
19 see if any council have anything. Mayor?

20 MAYOR LEGG: I'm good.

21 MR. FEBBO: No, I'm good.

22 MR. NOTARI: Nothing.

23 MR. LETTIERI: I'm good.

24 MR. HOOVER: Again, I just think
25 it's a shame this lady has to leave her

1 house while they're burning stuff in her
2 back yard. She can't stay in her house. I
3 think that's disgusting. I live on
4 Bubernak. I don't get half the stuff. I
5 just get the noise. When I walk the dog I
6 go in Chris' back yard.

7 What can we do about him? We don't
8 know when he's burning stuff to get the fire
9 department there. You just don't know.
10 That's the problem we have.

11 MS. GRIMES: It's not burning, it's
12 the acetylene.

13 MR. HOOVER: We'll have to discuss
14 this. That's all.

15 MR. RUSSELL RINALDI: The only thing
16 I have is just an executive afterwards for a
17 personnel issue that we'll discuss after the
18 meeting. Anyone else from the public want
19 to speak before we go into new business?

20 The first item under new business is
21 D&M change order number 19. Do you want to
22 read it?

23 MS. BARTOLETTI: It's a change order
24 for \$4,431.07.

25 MR. RUSSELL RINALDI: The chair

1 would call for a motion to approve that.

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

3 MR. RUSSELL RINALDI: By Councilman
4 Febbo.

5 MR. HOOVER: This is the one for the
6 drywall?

7 MS. BARTOLETTI: Yes.

8 MR. HOOVER: Second.

9 MR. RUSSELL RINALDI: Second by
10 Councilman Hoover. On the question? Public
11 input? Roll call, please.

12 MS. BARTOLETTI: Councilman Febbo?

13 MR. FEBBO: Yes.

14 MS. BARTOLETTI: Councilman Hoover?

15 MR. HOOVER: Yes.

16 MS. BARTOLETTI: Councilman
17 Lettieri?

18 MR. LETTIERI: Yes.

19 MS. BARTOLETTI: Councilman Notari?

20 MR. NOTARI: Yes.

21 MS. BARTOLETTI: Councilman Rinaldi?

22 MR. RUSSELL RINALDI: Yes. The
23 second item under new business is D&M
24 payment application number four.

25 MS. BARTOLETTI: This application is

1 for \$277,689.53.

2 MR. RUSSELL RINALDI: The chair
3 would entertain a motion.

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

5 MR. RUSSELL RINALDI: By Councilman
6 Hoover. Call for a second.

7 MR. LETTIERI: I'll second it.

8 MR. RUSSELL RINALDI: Second by
9 Councilman Lettieri. On the question?

10 MR. NOTARI: Mare, what does this
11 bring our total to payment-wise? Are we
12 halfway?

13 MS. BARTOLETTI: Approximately
14 halfway.

15 MR. LOPATKA: Around there, yeah.

16 MR. NOTARI: That's all.

17 MR. RUSSELL RINALDI: Public input?
18 Roll call, please.

19 MS. BARTOLETTI: Councilman Febbo?

20 MR. FEBBO: Yes.

21 MS. BARTOLETTI: Councilman Hoover?

22 MR. HOOVER: Yes.

23 MS. BARTOLETTI: Councilman
24 Lettieri?

25 MR. LETTIERI: Yes.

1 MS. BARTOLETTI: Councilman Notari?

2 MR. NOTARI: Yes.

3 MS. BARTOLETTI: Councilman Rinaldi?

4 MR. RUSSELL RINALDI: Yes. Item
5 number three under new business, do we have
6 a layout for No Nonsense Neutering?

7 MR. NOTARI: We agreed to match
8 that -- they received a donation. We talked
9 about it at the work session. I think it
10 was a thousand dollars. I think we agreed
11 that we would match that.

12 MR. RUSSELL RINALDI: Bill, do we
13 have to frame all this in a motion?

14 ATTY. RINALDI: You can just say
15 motion to approve a contract agreement with
16 No Nonsense Neutering for a one-year term.

17 MR. RUSSELL RINALDI: The chair
18 would entertain a motion to add a one-year
19 contract with No Nonsense Neutering for one
20 year. Do you want a price in there?

21 ATTY. RINALDI: It's \$35 per cat,
22 and the question is whether the municipality
23 can also pay a portion of the \$35 and have
24 the resident pay the balance.

25 MR. FEBBO: I thought it was \$15 a

1 cat at 50 cats.

2 MS. BARTOLETTI: It's \$35, but then
3 they have a grant. They are giving the
4 borough the thousand dollar grant. Then
5 Rick suggested that the borough would also
6 match the thousand dollars. So that's what
7 we're agreeing to.

8 MR. RUSSELL RINALDI: At this time
9 the chair would entertain a motion.

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

11 MR. RUSSELL RINALDI: By Councilman
12 Febbo. Call for a second.

13 MR. NOTARI: I'll second it.

14 MR. RUSSELL RINALDI: Second by
15 Councilman Notari. On the question? Public
16 input?

17 MS. BELANZINI: What are they
18 offering? Are they neutering? Are they
19 trapping? What are they doing? I do this,
20 too. What are they offering?

21 MR. RUSSELL RINALDI: You mean their
22 job or the price?

23 MS. BELANZINI: Both. Are they
24 going to come and trap cats and take them?

25 MR. FEBBO: I don't think so. It's

1 up to the groups in this community.

2 MS. BARTOLETTI: It's trapping them.
3 Their volunteers will be trapping them.

4 MS. GRIMES: Martha Kahn dumped this
5 in my lap. It is not a rescue. It's trap,
6 neuter, return. From what I'm
7 understanding there will be vouchers for the
8 residents to have the cats done free of
9 charge because it's being paid for by the
10 borough and also by the thousand dollar
11 grant that's being given by No Nonsense
12 Neutering.

13 MR. RUSSELL RINALDI: Anything else?

14 MS. BELANZINI: No.

15 MR. RUSSELL RINALDI: Item four
16 under new business is a motion to the
17 Lackawanna County Drug Enforcement Team,
18 Municipal Drug Task Force agreement between
19 the borough and Lackawanna County.

20 ATTY. RINALDI: Did you vote on the
21 No Nonsense?

22 MR. RUSSELL RINALDI: We didn't.
23 Marylynn, roll call, please.

24 MS. BARTOLETTI: Councilman Febbo?

25 MR. FEBBO: Yes.

1 MS. BARTOLETTI: Councilman Hoover?

2 MR. HOOVER: Yes.

3 MS. BARTOLETTI: Councilman
4 Lettieri?

5 MR. LETTIERI: Yes.

6 MS. BARTOLETTI: Councilman Notari?

7 MR. NOTARI: Yes.

8 MS. BARTOLETTI: Councilman Rinaldi?

9 MR. RUSSELL RINALDI: Yes. Item
10 four is an agreement between us and
11 Lackawanna County United Drug Enforcement
12 Team, Municipal Drug Task Force.

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

14 MR. RUSSELL RINALDI: By Councilman
15 Notari. Call for a second.

16 MR. HOOVER: I'll second it.

17 MR. RUSSELL RINALDI: Seconded by
18 Councilman Hoover. On the question? Public
19 input? Roll call, please.

20 MS. BARTOLETTI: Councilman Febbo?

21 MR. FEBBO: Yes.

22 MS. BARTOLETTI: Councilman Hoover?

23 MR. HOOVER: Yes.

24 MS. BARTOLETTI: Councilman
25 Lettieri?

1 MR. LETTIERI: Yes.

2 MS. BARTOLETTI: Councilman Notari?

3 MR. NOTARI: Yes.

4 MS. BARTOLETTI: Councilman Rinaldi?

5 MR. RUSSELL RINALDI: Yes. Item
6 number five is a motion to approve the
7 remodel of our 2010 recycling truck,
8 converting it to the compactor. That's to
9 Eagle Truck Equipment in the amount of
10 \$81,587. Motion to approve that?

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

12 MR. RUSSELL RINALDI: By Councilman
13 Febbo. Call for a second.

14 MR. LETTIERI: I'll second it.

15 MR. RUSSELL RINALDI: Second by
16 Councilman Lettieri. On the question?
17 Public input? Roll call, please.

18 MS. BARTOLETTI: Councilman Febbo?

19 MR. FEBBO: Yes.

20 MS. BARTOLETTI: Councilman Hoover?

21 MR. HOOVER: Yes.

22 MS. BARTOLETTI: Councilman
23 Lettieri?

24 MR. LETTIERI: Yes.

25 MS. BARTOLETTI: Councilman Notari?

1 MR. NOTARI: Yes.

2 MS. BARTOLETTI: Councilman Rinaldi?

3 MR. RUSSELL RINALDI: Yes. Then
4 item number six was a motion to request a
5 one-year extension on the garbage contract
6 currently with Mascaro.

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

8 MR. RUSSELL RINALDI: By Councilman
9 Hoover. Call for a second.

10 MR. LETTIERI: I'll second it.

11 MR. RUSSELL RINALDI: By Councilman
12 Lettieri. On the question? Public input?
13 Roll call, please.

14 MS. BARTOLETTI: Councilman Febbo?

15 MR. FEBBO: Yes.

16 MS. BARTOLETTI: Councilman Hoover?

17 MR. HOOVER: Yes.

18 MS. BARTOLETTI: Councilman
19 Lettieri?

20 MR. LETTIERI: Yes.

21 MS. BARTOLETTI: Councilman Notari?

22 MR. NOTARI: Yes.

23 MS. BARTOLETTI: Councilman Rinaldi?

24 MR. RUSSELL RINALDI: Yes. Bill,
25 any other items?

1 ATTY. RINALDI: That's it.

2 MR. RUSSELL RINALDI: Council have
3 anything before I make a motion? At this
4 time the chair will make a motion to
5 adjourn.

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

7 MR. RUSSELL RINALDI: By Councilman
8 Notari. All in favor?

9 (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 56 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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