

1 OLD FORGE BOROUGH COUNCIL

2 OLD FORGE, PENNSYLVANIA

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4  
5 IN RE: REGULAR MEETING OF COUNCIL

6  
7  
8  
9 MAY 25, 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, VICE-CHAIRMAN

21 LOUIS FEBBO

22 RICK NOTARI

23 JAMES HOOVER

24 MICHELLE AVVISATO

25 WILLIAM RINALDI, ESQUIRE, SOLICITOR

Mark Wozniak  
Official Court Reporter

1 MR. RUSSELL RINALDI: Good evening,  
2 ladies and gentlemen. I'll 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, Bill.

9 ATTY. RINALDI: Ms. Avvisato?

10 MS. AVVISATO: Here.

11 ATTY. RINALDI: Mr. Febbo?

12 MR. FEBBO: Here.

13 ATTY. RINALDI: Mr. Hoover?

14 MR. HOOVER: Here.

15 ATTY. RINALDI: Mr. Lettieri is  
16 absent. Mr. Notari?

17 MR. NOTARI: Present.

18 ATTY. RINALDI: Mr. Rinaldi?

19 MR. RUSSELL RINALDI: Here.

20 ATTY. RINALDI: Mr. Semenza is  
21 absent.

22 MR. RUSSELL RINALDI: Once again,  
23 ladies and gentlemen, welcome to the Old  
24 Forge Borough regular meeting. Tonight's  
25 date is Tuesday, May 25, 2021. The purpose

1 of tonight's meeting is to go through some  
2 of our regular motions. We'll hear from our  
3 department heads, we'll go down the table,  
4 hear from our solicitor, our mayor, our  
5 council members.

6 We have a public sign-in sheet. If  
7 anyone from the public would like to speak,  
8 we'll let you speak at the end.

9 We have a representative from CDBG.  
10 We'll go through our first motions, then  
11 we'll take you first.

12 First item up for business is a  
13 motion to approve the minutes from the prior  
14 meeting.

15 MS. AVVISATO: I'll make that  
16 motion.

17 MR. RINALDI: By Councilwoman  
18 Avvisato.

19 MR. NOTARI: Second.

20 MR. RUSSELL RINALDI: Seconded by  
21 Councilman Notari. On the question? Public  
22 input? Roll call, please.

23 ATTY. RINALDI: Ms. Avvisato?

24 MS. AVVISATO: Yes.

25 ATTY. RINALDI: Mr. Febbo?

1 MR. FEBBO: Yes.

2 ATTY. RINALDI: Mr. Hoover?

3 MR. HOOVER: Yes.

4 ATTY. RINALDI: Mr. Notari?

5 MR. NOTARI: Yes.

6 ATTY. RINALDI: Mr. Rinaldi?

7 MR. RUSSELL RINALDI: Yes. Second

8 item up is motion to approve the treasurer

9 report. Please note this does not include

10 the sewer account.

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

12 ATTY. RINALDI: Motion by Councilman

13 Febbo.

14 MR. NOTARI: I'll second.

15 ATTY. RINALDI: Seconded by

16 Councilman Notari. On the question? Public

17 input? Roll call, please.

18 ATTY. RINALDI: Ms. Avvisato?

19 MS. AVVISATO: Yes.

20 ATTY. RINALDI: Mr. Febbo?

21 MR. FEBBO: Yes.

22 ATTY. RINALDI: Mr. Hoover?

23 MR. HOOVER: Yes.

24 ATTY. RINALDI: Mr. Notari?

25 MR. NOTARI: Yes.

1 ATTY. RINALDI: Mr. Rinaldi?

2 MR. RUSSELL RINALDI: Yes. Third  
3 item is motion to approve invoices for  
4 payment. Once again, please note that this  
5 does not include the sewer account.

6 MS. AVVISATO: I'll make that  
7 motion.

8 MR. RUSSELL RINALDI: By  
9 Councilwoman Avvisato.

10 MR. HOOVER: I'll second it.

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

14 ATTY. RINALDI: Ms. Avvisato?

15 MS. AVVISATO: Yes.

16 ATTY. RINALDI: Mr. Febbo?

17 MR. FEBBO: Yes.

18 ATTY. RINALDI: Mr. Hoover?

19 MR. HOOVER: Yes.

20 ATTY. RINALDI: Mr. Notari?

21 MR. NOTARI: Yes.

22 ATTY. RINALDI: Mr. Rinaldi?

23 MR. RUSSELL RINALDI: Yes. The  
24 fourth item is motion to approve sewer  
25 department financial reports.

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

2 MR. RUSSELL RINALDI: By Councilman  
3 Notari.

4 MS. AVVISATO: I'll second that.

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

8 ATTY. RINALDI: Ms. Avvisato?

9 MS. AVVISATO: Yes.

10 ATTY. RINALDI: Mr. Febbo?

11 MR. FEBBO: Yes.

12 ATTY. RINALDI: Mr. Hoover?

13 MR. HOOVER: Yes.

14 ATTY. RINALDI: Mr. Notari?

15 MR. NOTARI: Yes.

16 ATTY. RINALDI: Mr. Rinaldi?

17 MR. RUSSELL RINALDI: Yes. Last  
18 item under housekeeping is motion to approve  
19 sewer department invoices for payment.

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

21 MR. RUSSELL RINALDI: By Councilman  
22 Notari.

23 MR. HOOVER: I'll second it.

24 MR. RUSSELL RINALDI: Seconded by  
25 Councilman Hoover. On the question? Public

1 input? Roll call, please.

2 ATTY. RINALDI: Ms. Avvisato?

3 MS. AVVISATO: Yes.

4 ATTY. RINALDI: Mr. Febbo?

5 MR. FEBBO: Yes.

6 ATTY. RINALDI: Mr. Hoover?

7 MR. HOOVER: Yes.

8 ATTY. RINALDI: Mr. Notari?

9 MR. NOTARI: Yes.

10 ATTY. RINALDI: Mr. Rinaldi?

11 MR. RUSSELL RINALDI: Yes. Before  
12 we go to our department heads we're going to  
13 go right to the representative from CDBG.

14 MR. LINSKI: My name is Joe  
15 Rovinsky. I'm the representative of the  
16 Department of Planning and Economic  
17 Development in Lackawanna County. I'm here  
18 on behalf -- just to try and go over the  
19 program and answer any questions or all  
20 questions that may take place.

21 First thing we did was we recently  
22 sent out a needs assessment or a copy of the  
23 assessment to the borough manager. The  
24 county is asking for those to be returned by  
25 June 25th. That's not a hard date, but

1 we're trying to get together any projects or  
2 ideas for projects and that's the date we  
3 currently set. So a needs assessment has  
4 been sent out previously. If any changes  
5 need to be made or a new one needs to be  
6 sent just contact myself or our department  
7 and we'll take care of it.

8 The Lackawanna County Department of  
9 Planning and Economic Development is the  
10 administering agency for the Community  
11 Development Block Grant Program in the  
12 county. CDBG funds are federal funds from  
13 the United States Department of Housing and  
14 Urban Development which are administered by  
15 the Pa. Department of Community and Economic  
16 Development. There are 11 entitled  
17 communities, which Old Forge is one, and 27  
18 non-entitled communities in Lackawanna  
19 County. To be considered an entitled  
20 community, a community must have a  
21 population of 4,000 or more and be current  
22 to the standards of fiscal and economic  
23 distress under the borough urban development  
24 program.

25 Currently, the funds you'll be

1 getting this year, 2021, is \$139,992.

2 That's without administrative costs. The 15  
3 percent is not built into that.

4 There's numerous objectives for  
5 projects. Some include preparing community  
6 development plans designed to address  
7 significant needs of low and moderate income  
8 individuals, to assist communities  
9 administering community development  
10 activities designed to address a number of  
11 community development needs identified by  
12 the community development plan, to encourage  
13 and assist communities to focus upon and  
14 address housing and community facility  
15 problems, and to pursue economic  
16 developments, commercial vitalization  
17 initiatives, public and private investment  
18 programs that result in development and to  
19 expansion of job opportunities within the  
20 commonwealth.

21 Some eligible activities that we've  
22 been highlighting recently include water and  
23 sewer improvements, storm water  
24 improvements, street improvements, parks,  
25 recreation facilities, senior centers, fire

1 stations and other public facilities.

2 Some ineligible activities that  
3 don't fall into the category include general  
4 government expenses, operating maintenance  
5 expenses, political activities, purchase of  
6 construction equipment, purchase of fire  
7 protection equipment, income payments, and  
8 purchase of furniture and personal property.

9 In order for a project to be  
10 eligible for the program it has to meet one  
11 of three national objectives. The first  
12 national objective the project has to meet  
13 is the benefit to low and moderate income  
14 individuals.

15 Second is prevent urban based slums  
16 or blight.

17 The third is to address an immediate  
18 threat to the health and safety of the  
19 community.

20 Currently, right now there's a  
21 project going on. It's the elevator  
22 project, which we've been monitoring, and  
23 it's going and being on target. We've been  
24 doing site visits and interviews. Again,  
25 we're currently taking ideas for new

1 projects for the upcoming year. We sent out  
2 a needs assessment which we're asking be  
3 returned by June 25th. That's all I have.

4 MR. RUSSELL RINALDI: Anybody have  
5 any questions for Joe? Joe, you said that  
6 the deadline is a soft deadline, June 25th?

7 MR. ROVINSKY: Yes. That's not set  
8 in stone. We're trying to get everybody to  
9 have some ideas by then to myself.

10 MR. RUSSELL RINALDI: And you said  
11 that that number was \$139,992 before the 15  
12 percent.

13 Mr. ROVINSKY before the 15 percent,  
14 yes. That's the 2021 allocation. You have  
15 money left over currently for projects, and  
16 it's currently housing and rehab, which the  
17 earmark for the projects is \$299,489. That  
18 money's currently in housing rehab, and that  
19 can be allocated for projects.

20 MR. RUSSELL RINALDI: Anything else?

21 MR. ROVINSKY: That's all.

22 MR. AUGUSTINE: Sam Augustine. I'm  
23 director of sales for JP Mascaro & Sons. I  
24 just wanted to ask if you're going to open  
25 bids for trash removal?

1 MR. RUSSELL RINALDI: This evening  
2 we are.

3 Thanks, Joe. Appreciate it. Have a  
4 good night. We'll be in contact with you.

5 We'll go to our department heads.  
6 DPW commissioner, Joe Lenceski, anything?

7 ATTY. RINALDI: No, nothing.

8 MR. RUSSELL RINALDI: Everyone has  
9 Joe's report, anybody have any questions for  
10 Joe?

11 MR. NOTARI: No questions but I have  
12 a list for you. I'll e-mail it to Marylynn  
13 and save you some time tonight.

14 MR. HOOVER: Thanks for fixing that  
15 one catch basis. There's a couple other  
16 ones but that's the worst.

17 MR. RUSSELL RINALDI: Dave Lopatka,  
18 engineer's report?

19 MR. LOPATKA: I don't have anything  
20 to add, no.

21 MR. RUSSELL RINALDI: Anybody have  
22 any questions for David?

23 MR. NOTARI: Dave, what's our  
24 timeline on the borough building?

25 MR. LOPATKA: It's still on time. I

1 don't know if you guys have been by there,  
2 but they got a lot of steel on the outside,  
3 the roof, they got the elevator -- all the  
4 block work done for that. A lot of the  
5 windows are in -- just about all the windows  
6 are in. It's moving. July is still on  
7 target.

8 MR. FEBBO: I was there the other  
9 day. It's really totally different.

10 MS. AVVISATO: They're working hard.

11 MR. RUSSELL RINALDI: Anyone else  
12 have any questions for Dave? Thanks, Dave.

13 Chris Hart, code enforcement/zoning  
14 officer. I know you didn't do a report for  
15 us this month. You just came in 14 days ago  
16 today. But anything you want to --

17 MR. HART: Nothing at the moment.

18 MR. HOOVER: How's it going?

19 MR. HART: Busy but good. That's  
20 for sure. I'm catching on quick, trying to  
21 tie up some loose ends from the past, then  
22 I'll move forward.

23 MR. RUSSELL RINALDI: Good. Anybody  
24 have any questions for Chris?

25 MR. NOTARI: Our crew in the back,

1 before you bring it up, I was by the famous  
2 -- whatever you want to call it. I'm going  
3 to call it a chop shop because I went by the  
4 Ron Coles property two Saturdays ago as I  
5 was visiting the cemetery and there was a  
6 car parked in the driveway on his property  
7 with no doors, no windows. We need to  
8 seriously do something and we needed to do  
9 something, but now it's just totally out of  
10 hand. There are junkyards popping up all  
11 over town. The three entrances to our town  
12 there's a junkyard, and the one entrance on  
13 Lonesome Road, Schuback is cleaning up his  
14 property to make it look better. I've been  
15 told that he's actually looking to put  
16 another building on the property to clean it  
17 up even more.

18 So while we have one end of town  
19 trying to clean up, we have other ends that  
20 are turning into junkyards, and I really  
21 think we need to -- that needs to be one of  
22 our priorities, one of your priorities. I  
23 realize two weeks -- and I'm not -- you're  
24 going to get a lot of stuff thrown at you,  
25 I'm sure, but I think we all agree that that

1 needs to be one of our priorities.

2 The only other thing that I ask,  
3 Chris, is that when you're around town look  
4 for any construction sites and make sure  
5 they have permits. I've driven by a few  
6 places and I can't believe some of the  
7 structures that have gone up and I don't see  
8 a permit in the window. That doesn't mean  
9 they don't have one. I know we were in a  
10 little state of flux at a little spot, but  
11 try to take care of that.

12 MR. HART: Absolutely.

13 MS. WILK: Mr. Notari, 532 Winter  
14 Street is turning out to be a junkyard.  
15 That's my old family home. The guy bought  
16 it. The house has no plumbing in it. It's  
17 little house over there. The guy next to  
18 Chris bought it. All kinds of cars, they're  
19 not licensed. They're all junks. The  
20 people that lived in it before, after I sold  
21 it they tore all the plumbing out of it.  
22 It's a mess. It should be demolished.

23 MR. FEBBO: Bill, maybe this is  
24 directed towards you. What about Kardos and  
25 Scott? Where are we at with those?

1                   ATTY. RINALDI: They both appealed.  
2                   We have hearings coming up on June 15th.  
3                   One at 9:30, one at 11:30. I just got the  
4                   letters yesterday.

5                   MR. FEBBO: All I can say is they  
6                   lied. Two years they were supposed to clean  
7                   it up.

8                   MR. HOOVER: Lots of people do.

9                   MR. FEBBO: She sent a letter of  
10                  mercy to us and made me feel like a jerk and  
11                  did nothing.

12                 MR. RUSSELL RINALDI: Anything else?

13                 MR. FEBBO: No.

14                 MR. RUSSELL RINALDI: Anyone else  
15                  have anything for Chris? Just to reiterate  
16                  what Councilman Notari said, big plate full  
17                  of stuff. You got to get on it. I mean,  
18                  nobody sitting at this table is looking to  
19                  hurt any residents, but we have to get on  
20                  the people who aren't following the  
21                  ordinances, who aren't following the codes.  
22                  And we have a lot of them out there. And we  
23                  know you've only been in 14 days. We know  
24                  even when Mr. Papi was here before you, I  
25                  mean, he did a great job. He was very busy,

1 very overwhelmed. Lot of work. But just  
2 take your time, do what you need to do.  
3 Follow the code, follow the book, and let's  
4 just get on the people. Let's get these  
5 areas cleaned up. You need any help from  
6 any of us, contact us.

7 MR. FEBBO: In the absence of a code  
8 officer it was a free-for-all in town.  
9 There was more building going on and work  
10 without permits.

11 MR. HART: That's why I said I'm  
12 trying to play catch up, basically, with  
13 everything that happened prior. Hopefully  
14 another week or two.

15 MR. HOOVER: I've gotten a few  
16 complaints off of people, and I told them to  
17 call the office and talk to Sandy or talk to  
18 Chris. I want it to go through the process.  
19 I don't want us to keep calling Chris. It  
20 won't be documented. So make sure that we  
21 do call the borough building and register  
22 their complaints.

23 MR. LESCHINSKI: I want to let you  
24 guys know that yesterday I almost got hit  
25 head-on with a quad from that place driving

1 in my car down an alley. We had a quick  
2 response from the Old Forge Police. The  
3 chief was there. I called the mayor, he  
4 called me back. I don't know what happened  
5 from it legally, but they were lying about  
6 who was riding it. They said that I was  
7 flying up the -- it's an alley and it's my  
8 car. I made the corner on two wheels. I  
9 couldn't believe what I was hearing.

10 But they almost hit me, my car.  
11 They wouldn't -- like, they went up on the  
12 lawn to go around me that he almost killed  
13 himself. Like, I just stopped and just sat  
14 there. I couldn't believe my eyes.

15 I mean, this is the stuff that's  
16 going on there. This is what they're doing.  
17 It's not only a chop -- that's what the  
18 state trooper told me, is that he thinks  
19 it's a chop shop. I called the trooper that  
20 deals with all the permit places that does  
21 inspections in this county, and he told me  
22 it probably is a chop shop and he was going  
23 to stop down, but he said he wasn't going to  
24 tell me when or how or what he was going to  
25 do. But that was yesterday.

1 I'm glad that everybody stuck and  
2 I'm glad somebody else is here from the  
3 town. I feel like the wheels are turning.  
4 This is great. Thank you, guys.

5 MR. RUSSELL RINALDI: Chris,  
6 anything else?

7 MR. HART: No.

8 MR. RUSSELL RINALDI: Thanks, Chris.  
9 Marylynn is absent this evening. Bill,  
10 solicitor's report. Anything? I know we  
11 have a few things for the agenda tonight.  
12 Anything to add?

13 ATTY. RINALDI: The only thing I'll  
14 add is -- and I haven't been served yet, but  
15 Mr. Stocki did file an appeal sometime  
16 before 4:00 yesterday. I can't see it. I  
17 can only see it was docketed yesterday. I  
18 have not received the service of it yet.

19 MR. HOOVER: I'd like to have an  
20 executive session with the chief of police  
21 afterwards, if we can.

22 MR. RUSSELL RINALDI: Absolutely.  
23 Anything else, Bill?

24 ATTY. RINALDI: No.

25 MR. NOTARI: I know the answer but I

1 told them I would ask. One of our youth  
2 groups in town is interested in doing an  
3 event at one of our parks, and they were  
4 asking if they would be able to get a  
5 one-day alcohol pass from the borough to do  
6 an event. My guess is it's not allowed. I  
7 kind of know it's not allowed but I told  
8 them I would ask.

9 ATTY. RINALDI: I guess if you want  
10 to amend your ordinance.

11 MR. NOTARI: That's all. Thank you.

12 MR. RUSSELL RINALDI: Anyone else  
13 for the solicitor? Thanks, Bill.

14 MS. AVVISATO: Congratulations on  
15 his wedding.

16 ATTY. RINALDI: There will be no  
17 drinking at that new church, either, because  
18 that's a stipulation in the deed. No  
19 serving of alcoholic beverages, the whole  
20 property.

21 MR. RUSSELL RINALDI: Not even  
22 outside if there was a fund-raiser.

23 ATTY. RINALDI: Correct.

24 MR. RUSSELL RINALDI: We'll go down  
25 the table. Mayor?

1 MAYOR LEGG: I have just two things.  
2 I had a couple situations for our new zoning  
3 officer and he's handled them very well. So  
4 I think he's going to do a good job for us.

5 Last thing is the parade on Memorial  
6 Day is not going to take place, but there  
7 will be a ceremony at 11:00 down at the  
8 Moosic Road cemetery on Monday, Memorial  
9 Day. That's all.

10 MR. RUSSELL RINALDI: Councilman  
11 Febbo?

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

13 MR. NOTARI: We had a rec board  
14 meeting on Sunday. Mr. Lettieri couldn't  
15 make it. But I asked Mr. DiMattei, who is  
16 chairman of the rec board, to call it so we  
17 could discuss some ongoing issues between  
18 the little league and the girls softball and  
19 the high school softball teams, which were  
20 all taken care of. We had a nice,  
21 productive meeting.

22 Also, the little league informed me  
23 that that original \$15,000 bid that we were  
24 told about in regard to the score board  
25 installation at Pagnotti was the full boat

1 installation number. One of the lower  
2 numbers -- and I think Marylynn may have  
3 sent it to us earlier this week, is about  
4 \$4,800 or \$5,000.

5 So it was suggested by the rec board  
6 and asked if the council would split the  
7 bill with the little league. So I think we  
8 need to talk about it with Marylynn a little  
9 more. It would be for installation of the  
10 score board.

11 MS. AVVISATO: So it would be \$2,400  
12 on our end, 25?

13 MR. NOTARI: Yes. Installation of  
14 the score board at the stand at Pagnotti  
15 Park.

16 MR. HOOVER: Is the roof strong  
17 enough to hold it?

18 MR. NOTARI: That's something we'd  
19 have to figure out. I'm not sure. They  
20 were talking about posts and not putting it  
21 on the roof. I guess it would be more  
22 towards center field. So that came out of  
23 the rec board meeting. I think that was  
24 pretty much it.

25 I informed the members of the rec

1 board that were there that we're not having  
2 a summer program this year, as Marylynn told  
3 us to try to get the word out. I've been  
4 getting a lot of questions about it. When I  
5 explained why we're not doing it, because we  
6 don't want to put kids in the situation or  
7 our counselors being mask police, everybody  
8 seems to understand.

9 Lastly, I have a question for the  
10 chief. Church Street, above Saint  
11 Michael's, going north, cars are parked in  
12 every direction possible.

13 CHIEF DUBERNAS: That's the 200  
14 block.

15 MR. NOTARI: It's between the county  
16 housing and Saint Michael's.

17 CHIEF DUBERNAS: I'll look into it.

18 MR. NOTARI: They're parking in  
19 different directions.

20 CHIEF DUBERNAS: They changed it six  
21 or seven times.

22 MR. NOTARI: There's a potential for  
23 an accident. So take a look for me. That's  
24 all.

25 MR. RUSSELL RINALDI: Councilwoman

1                   Avvisato?

2                   MS. AVVISATO: I'm good.

3                   MR. HOOVER: Just one thing. I  
4 talked to Rick Melucci about the flags on  
5 the poles. They're in the process of going  
6 through town, their committee, and they're  
7 looking at the ones that are very bad,  
8 destroyed, you can't read them anymore, and  
9 they're taking them down. They want me to  
10 let you know that they're giving people the  
11 opportunity, if they want to renew the flag.  
12 You can have the old one and get a new one  
13 for \$100. The historic flags on the poles.  
14 They're frayed, they're weather beaten.  
15 They're taken care of as much as they can  
16 with regards to the brackets and hanging  
17 them up. But as they check the brackets now  
18 they're going to inspect them, and if  
19 they're bad they're going to notify the  
20 family. Just to let you know.

21                   Weren't we supposed to do something  
22 for those people?

23                   MR. NOTARI: We were going to bring  
24 them in to a meeting and honor them.

25                   MR. HOOVER: That's all. If anybody

1 has a personal flag out there and you want  
2 it redone just let Rick Melucci know or the  
3 committee know and they'll order you a brand  
4 new one.

5 MR. RUSSELL RINALDI: Mayor, are  
6 they taking new applicants?

7 MAYOR LEGG: Absolutely. John  
8 Halushka would probably be able to get  
9 applications.

10 MR. HOOVER: That's all.

11 MR. RUSSELL RINALDI: I don't have  
12 anything for the agenda or anything to add.  
13 The only thing I would ask is for an  
14 executive session this evening for council,  
15 the solicitor, the engineer, zoning/code  
16 enforcement officer, and the DPW manager  
17 after our meeting.

18 With that said, before we go into  
19 new business we'll go to public comment.  
20 Joe Gusick? What can we help you with, sir?

21 MR. GUSICK: My name is Joe Gusick,  
22 107 Fair Bridge Drive, Clarks Summit,  
23 Pennsylvania. I'm an environmental  
24 engineer. I work for our local Clark Summit  
25 Planning Commission. I'm the chair --

1 ex-chair at the sewer authority in the  
2 Notch. I have a friend down here. My  
3 mother's from Old Forge. I have a tie to  
4 the community that way.

5 One of my friends was a plant  
6 engineer that I represented and did work for  
7 over the years. He's now retired. His name  
8 is Rich Pettinato, on the 1200 Block of  
9 Sonny Drive, and he called me up recently  
10 and said could you come over and take a look  
11 at a storm water problem I have. I said  
12 I'll be right there and I went over to his  
13 house. It was a rainy day, so I thought it  
14 was a good day to stop over there.

15 The back yard of his house had water  
16 coming down that was causing quite the  
17 little pond area, and due to the storm there  
18 were actual waves on the pond. It was that  
19 deep in there. He showed me some videos  
20 where he was walking, and those mud boots we  
21 use for cement pouring and stuff, they were  
22 up over his ankles when he was walking  
23 around in his back yard.

24 And I said so what's your issue,  
25 teasing him, and had said well, my yard used

1 to be wet a little bit in the springtime,  
2 but this is like a pond out here. He said  
3 even when it's a dry day the water just  
4 keeps on coming through. The pond never  
5 disappears.

6 So I came back a subsequent dry day,  
7 after two days of dry, and sure enough when  
8 we looked up hill -- and there's two new  
9 drain pipes that are channeling flow from an  
10 uphill construction site on Mine Street, and  
11 the channeling is now collecting the  
12 drainage from that construction site which,  
13 apparently, before the construction started  
14 was a wooded area that was pretty swampy and  
15 it had ground water that was high in that  
16 area. But it was retaining that.

17 Well, to build this new home the  
18 contractor ended up that he built a drain  
19 field in the back yard, which is to say that  
20 he dug trenching and then put gravel down  
21 with a pipe that's perforated in that trench,  
22 and he ended up that he took it from the  
23 right and the left and then brought the two  
24 pipes together to dump it through his  
25 backyard fence, onto the property down

1 gradient so it flows through the neighbor's  
2 yard. And it's not sheet runoff, it's  
3 channeled flow. It's like continuous outlet  
4 of water onto somebody else's property.

5 Now, his property ends up that it  
6 becomes dry. So I thought gee, I'm going to  
7 take a look at this. So I went up to the  
8 construction site and I saw that there was a  
9 concrete foundation in, the yard was dirt,  
10 pushed around and graded, and I look at the  
11 house and I look out in the front street,  
12 and the front street, right at the curb,  
13 down gradient, here at the curb there's a  
14 culvert box that is storm water with the  
15 pipes coming in from here going into it and  
16 then running down to the rest of our storm  
17 water sewer system.

18 It's called an MS4, municipal  
19 separate storm water sewer system. It's  
20 something that the community, this borough,  
21 put in to address storm water problems so  
22 that if we do have storm water and it falls  
23 on impervious roofs, driveways, roads or  
24 whatever, instead of dumping onto the down  
25 grade and causing damage to people's

1 property, that's something that was put in  
2 for the purpose of taking the storm water  
3 away.

4 Now, for whatever reason this owner  
5 or his contractor did -- they ended up that  
6 they channeled the flow and took it to the  
7 back yard instead of the front yard. I  
8 don't know why they did that, you know. I  
9 think when you end up that you dig with a  
10 backhoe it doesn't matter if you dig deeper  
11 to go this way or that way, it's just a  
12 matter of getting the work done. Do you  
13 have any thought up here? Or, you know,  
14 what's going on to say that you're just  
15 dumping on his yard and let him end up  
16 taking care of your storm water problem?

17 So with that, I ended up that I  
18 called the borough manager six times, and I  
19 was told three times separately yes, we have  
20 your cell phone number, we'll call you back.  
21 We're going to end up that we're going to  
22 investigate this. I have yet to receive a  
23 phone call back.

24 MR. LOPATKA: That's not right, Joe.

25 MR. GUSICK: I did receive a phone

1 call back. I ended up that I talked with  
2 you because when I didn't get the phone call  
3 back I took my time to drive down and I  
4 asked for the meeting with you, and that's  
5 what happened.

6 MR. LOPATKA: They call you back and  
7 told you I was there.

8 MR. GUSICK: Dave, I called earlier  
9 in the day to see if I could get -- six  
10 times before that I had asked the borough --

11 MR. RUSSELL RINALDI: Could I  
12 interject for one second. Are you hired by  
13 Mr. Pettinato?

14 MR. GUSICK: I am.

15 MR. RUSSELL RINALDI: So you're here  
16 speaking on his behalf?

17 MR. GUSICK: I am.

18 MR. RUSSELL RINALDI: At first you  
19 said you were here as his friend.

20 MR. GUSICK: I'm giving you the  
21 background.

22 MR. RUSSELL RINALDI: I was  
23 confused. You were here as his friend, but  
24 now you're here as his representation.

25 MR. GUSICK: I am. Now, this goes

1 beyond -- when I ended up I didn't get an  
2 answer from the borough -- and Dave ended up  
3 that he gave me the wrong answer --

4 MR. RUSSELL RINALDI: Not to  
5 interrupt you again, but did Mr. Pettinato  
6 let you know that three council members came  
7 up his house that he called?

8 MR. GUSICK: He told me that the  
9 mayor came up. He didn't tell me that three  
10 council members came up. Can you fill me in  
11 on the three council members? I didn't know  
12 anything about that.

13 MR. RUSSELL RINALDI: I was one of  
14 them. I was there with Mr. Pettinato.

15 MR. FEBBO: I was there.

16 MR. RUSSELL RINALDI: Then there's  
17 four. Councilman Febbo was there first, I  
18 was there, Councilman Notari.

19 MR. NOTARI: I didn't meet with  
20 Mr. Pettinato but I was on the property.

21 MR. RUSSELL RINALDI: I'm not sure  
22 if you --

23 MR. HOOVER: I was there the next  
24 day. I went up there the next day. Got out  
25 and walked through the property.

1 MR. RUSSELL RINALDI: The only  
2 reason why I say that is because I don't  
3 want you to think anyone's ignoring you, no  
4 one's getting back to you. We were up  
5 there. I'm going to speak for myself right  
6 now. I'm up there trying to help everybody.  
7 Mr. Pettinato, the property next to him and  
8 all the properties adjacent that are going  
9 up to the mountain to where I believe -- and  
10 I'm not no engineer -- the water is coming  
11 from. But go ahead.

12 MR. GUSICK: Well, you know, I ended  
13 up that I heard from Marylynn and Dave, but  
14 they didn't know what the ordinances said.  
15 So I looked them up. They're online. I  
16 would think that you would look them up,  
17 too, to be able to see what the ordinances  
18 say on storm water. Actually, our borough  
19 has a lengthy storm water ordinance that  
20 requires, when you do construction, a storm  
21 water management plan be submitted for  
22 review for a fee. Now, there was a permit  
23 that was taken out but none of this was  
24 done, yet a permit was issued.

25 So at that point is the owner of the

1 property legitimately entitled to do this  
2 action?

3 ATTY. RINALDI: Kind of in between  
4 zoning officers. The old zoning officer  
5 issued a permit, so I don't know what he  
6 asked for. That predates you, Chris. Then  
7 we had a hiatus of about two weeks.

8 MR. GUSICK: But didn't he take the  
9 permit out two weeks before that? Wouldn't  
10 this be something where the zoning officer  
11 acted on behalf of the borough to be able to  
12 grant the -- and the forms that were  
13 submitted would have gone through  
14 third-party review like BIU or whatever.

15 ATTY. RINALDI: No, not for  
16 residential construction. BIU does our  
17 commercial construction.

18 MR. GUSICK: I read the ordinance,  
19 and it's pretty specific about that you have  
20 to submit a storm water management plan for  
21 these things. And being a flooded lot in a  
22 bog you would think that somebody would have  
23 recognized that it would have been important  
24 to ask for a storm water management plan for  
25 that facility.

On top of that, it says that if you don't file an ordinance and pay for that permit, for the storm water management plan review and approval from this agency, then there is, to enforce that, a \$500 per day fine that can be assessed by, I guess, you, Chris.

ATTY. RINALDI: Are you saying he was issued a storm water permit?

MR. GUSICK: I'm saying that he never filed it, yet he got a building permit. So that's in violation of the ordinances.

ATTY. RINALDI: I don't know what the size of the property is, so I don't know if he was exempt or not exempt.

MR. GUSICK: It doesn't say anything in the storm water management plan about size or acreage or anything.

ATTY. RINALDI: Sure it does. Half acre, quarter acre.

MR. LOPATKA: There are exemptions.

ATTY. RINALDI: So I don't know where he falls. There was no zoning officer involved in that so we had our engineer.

1 MR. GUSICK: Okay. Dave, you still  
2 think this is an issue that is not relative  
3 to this board?

4 MR. LOPATKA: I didn't say that.

5 MR. GUSICK: You said that this  
6 is -- when I spoke to you at the borough  
7 building you said this is a civil suit  
8 between you and your owner --

9 MR. LOPATKA: Well, first of all --

10 MR. GUSICK: -- and the other party.

11 MR. LOPATKA: First of all, I was up  
12 there in March, and I don't know if I was up  
13 there with Paul Papi in March.

14 MR. GUSICK: Who is Paul Papi?

15 MR. RUSSELL RINALDI: He was the  
16 former code enforcement/zoning officer.

17 MR. LOPATKA: We walked back there  
18 and there was water flowing to your client's  
19 property in March basically from both sides.

20 MR. GUSICK: It's runoff.

21 MR. LOPATKA: It's not runoff, it's  
22 ground water.

23 MR. GUSICK: Was it channeled flow?

24 MR. LOPATKA: It was ground water.  
25 It was channeled. It was coming right to

1 one point in his property where there's a  
2 hole in the ground where all the water goes  
3 down in the hole.

4 MR. GUSICK: Do we have a bore hole  
5 there?

6 MR. FEBBO: It's a spring up there.  
7 It's been there for 50-plus years. Anybody  
8 that lives up the heights could tell you  
9 that. The water comes down there, always  
10 settled in that property and went into the  
11 mines. So there was never an issue with  
12 problems with water. Never an issue.

13 MR. GUSICK: Until now.

14 MR LOPATKA: Now, I agree it is  
15 channeled.

16 MR. GUSICK: Why didn't he put the  
17 water into the mines instead of our MS4?

18 MR. FEBBO: It was a natural spring.  
19 It found its own way into the mines.

20 MR. LOPATKA: It flowed through  
21 those properties. It flows down to -- I  
22 believe it's down to your client's property,  
23 and there's a hole in his back yard where  
24 the water was going in.

25 So aside from that, that hole area

1 down there, if you look at the old USGS topo  
2 maps the stream used to come right through  
3 the middle of those back yards and it was  
4 diverted. So where that water is coming out  
5 potentially -- and I don't know this because  
6 it's underground -- it could have been base  
7 flow to that stream at one point. Just  
8 because you realigned the stream doesn't  
9 mean the base flow that was coming there  
10 before is going to go away.

11 So I don't know exactly -- it's not  
12 overland flow. It's coming out of the side  
13 of an embankment at the house upstream of  
14 the -- where the new construction is.

15 MR. GUSICK: I see this as there's  
16 two new pipes that were put in --

17 MR. LOPATKA: I agree with your  
18 pipes. I agree that they shouldn't point --

19 MR. GUSICK: But he could have  
20 easily put them into the front yard's box  
21 culvert.

22 MR. LOPATKA: I had no idea that  
23 there was a house even being constructed. I  
24 never saw a plan, so I couldn't tell you why  
25 he what he did. But I can tell you that we

1           were up there in March and the water was  
2           flowing freely through that property, down  
3           to your client's property from two spots. A  
4           pipe over on another property that  
5           discharges water. I don't know if it's  
6           behind their wall or whatever.

7                     That whole area up there was  
8           saturated and it was flowing free down to --  
9           over that piece of concrete. Right next to  
10          that piece of concrete, there's a hole  
11          there. Me and Paul were looking in the hole  
12          and the water was going down in that hole.

13                    Now with those pipes there I think  
14          they diverted it, so now it actually flows  
15          by that spot where it was going before and  
16          continues to flow down through there.

17                    So I agree with the fact you  
18          shouldn't have a point for discharge coming  
19          off of someone's property onto another  
20          property. I agree with that point. But  
21          there was water flowing there before, and I  
22          saw it flowing there before.

23                    MR. GUSICK: Can we end up finding a  
24          way to be able to stop that channel flow? I  
25          mean, my point in talking to Marylynn --

1 MR. RUSSELL RINALDI: That channel's  
2 not flowing right now. It stopped. It's  
3 dried up since yesterday. There's no water  
4 coming out of it. I was up there yesterday.  
5 I have video. Out of those two black pipes  
6 on the construction, completely dry. The  
7 other neighbor's house, Mr. Forti, which is  
8 before your client's house, both perfectly  
9 dry as of yesterday and, I'm going to guess,  
10 as of today. I haven't been up there today.  
11 But I have video on my phone now because I  
12 got called up by a few of the neighbors  
13 yesterday. And there's -- every property  
14 you drive by up there right now there's no  
15 water coming out.

16 Where it was coming out before, like  
17 you said, could we find out where it's  
18 coming out? I wish we could and I hope we  
19 do.

20 MR. LOPATKA: You could see where  
21 it's coming out.

22 MR. RUSSELL RINALDI: He means up  
23 top, further up the mountain. Is that what  
24 you mean?

25 MR. GUSICK: Well, I think that

1           whatever's contributing to the construction  
2           site, the water is --

3                   MR. RUSSELL RINALDI: The water was  
4           coming out before there was ever a  
5           construction site there. The water's been  
6           coming out of the side of that hill for 50  
7           years.

8                   MR. GUSICK: That's just natural  
9           ground water.

10                  MR. FEBBO: It's a spring.

11                  MR. GUSICK: When I read the  
12           municipal storm water ordinance it talks  
13           about -- the purpose of the MS4 that was  
14           constructed by this community is to be a  
15           location that those types of ground water  
16           sources are entitle to be tied into. So  
17           that's where --

18                  MR. RUSSELL RINALDI: You're  
19           speaking of those two pipes that are exiting  
20           now out on --

21                  MR. GUSICK: Right. Instead of  
22           going down onto the neighbor's property and  
23           just channelling it through pipes that end  
24           up poking through the fence at the  
25           perimeter, onto the neighbor's yard, and

1 just letting that water flow channel --

2 MR. RUSSELL RINALDI: I spoke to  
3 the property owner.

4 MR. GUSICK: Why wouldn't it be more  
5 proper to be able to tie into the  
6 community's MS4?

7 MR. RUSSELL RINALDI: If that's a  
8 way to go, then that's going to be up to the  
9 property owner. I spoke to the property  
10 owner. What he informed me was they're  
11 building a retention pond in back where  
12 those pipes that you see and that we all  
13 see, the black pipes that come out, they're  
14 going to be buried back underneath.

15 MR. LOPATKA: It's not a retention  
16 basin. It's more like a French drain.

17 MR. RUSSELL RINALDI: I used the  
18 wrong word. French drain.

19 MR. GUSICK: Where will that drain  
20 to?

21 MR. LOPATKA: Into the ground.

22 MR. RUSSELL RINALDI: Into the  
23 ground, where it was draining prior for the  
24 past 40 years.

25 MR. LOPATKA: That's a typical way

1 of draining any -- especially a residential  
2 property. They're going to dig a hole  
3 there, put stone in it, wrap it in Geotech  
4 and dump their water back into the ground.

5 MR. TAGLIAFERRA: I owned that  
6 property prior. There's always been water  
7 on it. Always been flowing water. Water's  
8 been channeled on it from other properties.  
9 So caught water and it dried out, stopped  
10 and it dried. I used to walk it all the  
11 time. I was going to build something on  
12 there, I never did.

13 But the water that's going off of it  
14 right now is the same water that's always  
15 been there, and it's going off the same part  
16 of the property it always did. It's the low  
17 end of the property. That's why it was  
18 channeled there.

19 Now, it's still under construction.  
20 French drains were put in and there's going  
21 to be a drain field dug to catch the water.  
22 A drain field filled with stone. The water  
23 will go into the stone and disburse under  
24 the ground.

25 When you get heavy flow it's

1                   probably going to bubble up, but there's  
2                   nothing you can do about it. It's not like  
3                   the water --

4                   MR. GUSICK: Why not put it into the  
5                   MS4, take it away from --

6                   MR. TAGLIAFERRA: The water comes in  
7                   lower than the drain in front of the house.  
8                   So you'd have to put a pump in to pump it.

9                   Now, in speaking with Councilman  
10                  Rinaldi, if somebody wanted to go through  
11                  Mr. Forti's property and angle a drain pipe  
12                  they could do that, but you can't do it from  
13                  the property, from the construction site.

14                 MR. GUSICK: That property that you  
15                 owned is up high, and that MS4 is way beyond  
16                 the hill.

17                 MR. TAGLIAFERRA: The water comes in  
18                 low. That street is ten feet, probably,  
19                 below the back side of that property. Maybe  
20                 a little less. So if you were to put a  
21                 trench in you're going to come in below  
22                 the --

23                 MR. RUSSELL RINALDI: The trench  
24                 would have to go up at an angle.

25                 MR. TAGLIAFERRA: So you'd have to

1 pump it up to the pipe.

2 MR. LOPATKA: There's a street  
3 there, so there's probably a 50 foot  
4 right-of-way -- or 40.

5 MR. GUSICK: I'm here to speak  
6 reasonable to people that are willing to  
7 listen to enforce the ordinances that are on  
8 the books because my client pays his taxes  
9 here and votes every time.

10 MR. NOTARI: Is that a threat? I  
11 thought you were here to be nice?

12 MR. GUSICK: I'm telling you I'm  
13 here to end --

14 MR. NOTARI: You just threatened us.

15 MR. GUSICK: I did not. You're so  
16 sensitive. You're being a snowflake.

17 MR. FEBBO: From what I gather it's  
18 a spring that's been there for a thousand  
19 years. You talk to the residents up there  
20 that lived there forever. It wasn't a  
21 problem because there was no housing going  
22 on there. As Jimmy stated before, what  
23 water was there was secondary. The main  
24 body of that water, contrary to what you're  
25 saying, went into the mines. Found its way

1           into the mines. There's all mines on that  
2           hill.

3                       So when his son came up there and  
4           the excavator started working on the ground,  
5           diverted the water inadvertently -- not  
6           deliberately, inadvertently -- to Forti's  
7           property and Pettinato's property.

8                       So where do we come into this? Yes,  
9           it's in our ordinance that you cannot have  
10          water from your property running upon your  
11          neighbor's property. That's in there. But  
12          it's a different situation. We are  
13          temporarily involved in this. He's working  
14          to resolve the problem. Work with him.  
15          He's putting out money for the drain field,  
16          so on and so forth.

17                      MR. GUSICK: This is the first  
18          offering of dealing with each other that I  
19          heard of, and I'm glad for it.

20                      MR. RUSSELL RINALDI: I spoke to Mr.  
21          Pettinato over a week. I gave him all this  
22          information. The same thing I just told  
23          you, I told him. I don't know if he told  
24          you or not, but I gave this information to  
25          him a week ago.

1 MR. FEBBO: The other part of my  
2 comment is if after he does everything that  
3 he did do up there and the water still is  
4 running on the neighbor's property it's a  
5 civil matter.

6 ATTY. RINALDI: Well, I don't know  
7 where he's at, the size of the lot. I don't  
8 know if it's a quarter acre. So he might be  
9 exempt, which then civilly, yes. When the  
10 first call came in it was okay, there's a  
11 swamp, this guy's digging a foundation. So  
12 I don't know if you put -- in the middle of  
13 the swap you want your foundation dry. So  
14 if the water's moving around it and he  
15 grades it in such a way that it's pushing  
16 onto your client's property, yes, that's a  
17 problem. That's civil. But if he was  
18 required to do something on our MS4 and he  
19 didn't, yes, we can fine him. That's the  
20 best way I can explain it.

21 At the time there was no zoning  
22 officer to call to say go take a look at  
23 what's going on. First time I'm hearing  
24 about all this --

25 MR. GUSICK: But when there was a

1 zoning officer a permit was issued, and that  
2 zoning officer didn't do this board any  
3 favors by granting the building permit  
4 without addressing any storm water issues.  
5 It's just got such storm water issues.

6 ATTY. RINALDI: If it's exempt,  
7 which I'm hearing it's a quarter-acre, and  
8 it's a building permit for a house they get  
9 issued pretty quickly. But that doesn't  
10 mean they're free from liability if they  
11 start pushing water around. You can have a  
12 quarter acre and a guy puts a big hill on it  
13 so everything's running downhill from his  
14 roof and everything onto somebody else's  
15 property, you can't do that.

16 MR. GUSICK: So there's a lot of  
17 ways to resolve this without ending up going  
18 lawyer to lawyer.

19 ATTY. RINALDI: But the borough  
20 needed, like, an extra week or two to find  
21 out what was going on because we didn't have  
22 a zoning officer. So there was nobody to  
23 say go up there and look. We had to reach  
24 out to our engineer to go out and look.

25 MR. GUSICK: So what will happen

1 now? I mean, we filed a letter with you as  
2 far as --

3 ATTY. RINALDI: I got that letter  
4 and forwarded it to our engineer.

5 MR. GUSICK: Do we get a written  
6 response from you and the engineer as to how  
7 this is going to go down?

8 ATTY. RINALDI: Yeah. As soon as I  
9 get it from the engineer. I know he's had  
10 it, he's reviewed it. I was away last week.  
11 We are going to talk about it tonight.

12 MR. TAGLIAFERRA: The property's  
13 under construction. The drain field will be  
14 dug as part of the process. You want to  
15 skip that and you just want to go right to  
16 legal. You want me to give you a definitive  
17 answer on a construction project that's not  
18 complete.

19 MR. GUSICK: We don't know what your  
20 construction project is.

21 MR. TAGLIAFERRA: It's a house.

22 MR. GUSICK: There's discharge onto  
23 our property.

24 MR. TAGLIAFERRA: And there's  
25 discharge from the upper property to this

1                   one. Water flows down hill.

2                   MR. FEBBO: Mr. Gusick, this is  
3 getting out of hand here. We're saying  
4 let's work this out. Let Jimmy and his  
5 family work out with Pettinato. All right?  
6 They know each other. He's doing everything  
7 he can to resolve the problem. So let them  
8 work it out. Let's not go to court, let's  
9 not bring lawyers in. Let them do it man to  
10 man.

11                  MR. GUSICK: I'm all for that.

12                  MR. FEBBO: Jimmy, would you talk to  
13 Rich Pettinato, let him know what's going on  
14 up there?

15                  MR. TAGLIAFERRA: Rich Pettinato has  
16 never approached --

17                  MR. RUSSELL RINALDI: I'm surprised  
18 he's not here tonight.

19                  MR. GUSICK: His wife has  
20 Alzheimer's. He's a caregiver.

21                  MR. FEBBO: Do you want me to  
22 intercede? I'll come up and talk to Rich  
23 and you.

24                  MR. TAGLIAFERRA: I have no problem,  
25 but it's not my property anymore. It's my

1 son's. I sold it to him. He's working on  
2 it. If you want to talk about --

3 MR. FEBBO: Council is willing to do  
4 everything we can do. We know both your son  
5 and Richie. We understand there's a problem  
6 there. We want to get it resolved without  
7 dragging it through the courts and dragging  
8 the borough into it.

9 MR. HOOVER: Then nothing would get  
10 done. It's under construction. He's  
11 willing to work with Richie to get it done.

12 ATTY. RINALDI: I got a letter on  
13 the 18th. I don't know if I forwarded it  
14 that day or the next day to the engineer.  
15 Because we can't just send our new zoning  
16 officer out there and go file a violation  
17 and shut a job down until everybody knows  
18 what is going on and what is actually  
19 happening. So that's been working on since  
20 Thursday afternoon.

21 MR. GUSICK: This is into my third  
22 week, and I just haven't had a lot of -- my  
23 verbiage going out to whoever will listen to  
24 me, I haven't had a lot of anything coming  
25 back as far as anything other than, like,

1                   you go mum. I don't know how to take it.

2                   ATTY. RINALDI: We didn't have a  
3 zoning officer, and the borough engineer is  
4 great at his job but he's not a zoning  
5 officer.

6                   MR. NOTARI: He met with Dave. What  
7 more does he want?

8                   MR. RUSSELL RINALDI: Thank you.  
9 Sam Augustine? We're going to open up the  
10 bids, but you can speak now.

11                  MR. AUGUSTINE: I'll wait until you  
12 open up the bids.

13                  MR. RUSSELL RINALDI: Al DeGenaro?  
14 You're with Sam. Does anyone from the  
15 public who didn't sign in want to speak?

16                  MR. JUROSKY: I talked to Bill at  
17 the last meeting, right, and he told me to  
18 bring pictures. Ron got fined and we'll  
19 fine him again. That's what you told me.  
20 Bring pictures. This is the pictures of our  
21 junkyard. We'd like to sit down with Chris  
22 and talk to Chris.

23                  ATTY. RINALDI: He's just on the  
24 job. He's the guy who's got to issue the  
25 whatever.

1 MR. RUSSELL RINALDI: After the  
2 meeting we're going right into an executive  
3 session that Chris has to come to. If you  
4 want to wait for him after the meeting you  
5 could, but that's up to you guys.

6 MR. HOOVER: Why don't you just get  
7 together real quick. He can meet you up  
8 there at the corner or Keith's house.

9 MR. JUROSKY: The point I'm making,  
10 the chief of police, the police do give  
11 tickets out. These three Scranton people.  
12 These kids walk out, see a ticket and they  
13 tear the tickets up.

14 CHIEF DUBERNAS: The tickets we  
15 issued they paid.

16 MR. JUROSKY: I was told by the  
17 neighbors they've been tearing the tickets  
18 up.

19 CHIEF DUBERNAS: I got tickets back  
20 from them.

21 MR. JUROSKY: They're tearing some  
22 tickets. They have no respect for no one.  
23 The car's parked on the street with no tags  
24 on it, no license, no inspection. They just  
25 dropped it on the street. That's not

1           allowed. Why are these cars still there?  
2           There's a Beamer right there who's been  
3           there for three weeks with no tag. They  
4           drop off junk cars and then they rip them  
5           apart. They drop them off in the street,  
6           they drop them off at the pizza place across  
7           the street. They have no respect. The  
8           quads, they almost hit this guy. They're  
9           coming close to kids and people are getting  
10          mad as hell. It's no longer a quiet  
11          neighborhood.

12                 MR. RUSSELL RINALDI: John, this is  
13           what I can explain to you. I spoke with  
14           Keith about three days ago. I saw him out.  
15           Again, I don't want to keep reverting back  
16           to with the new zoning officer because it  
17           makes it sound like Paul didn't do his job,  
18           and that's not what I'm saying. Paul did  
19           his job. I'm just saying that with the new  
20           zoning officer, he just came in. When our  
21           zoning officer goes to this property with a  
22           complaint or any other property in the  
23           borough, now with him documenting it one  
24           time, two times, three times, then it  
25           becomes a nuisance. Then we can start

1 taking action further.

2 If you have a problem up there we  
3 call the zoning officer, he goes up there,  
4 he documents the problem. Go up there  
5 again, he documents the problem. Go up  
6 there again, documents the problem. After  
7 three documentations, now we have a nuisance  
8 property. After that, now our zoning  
9 officer can take legal action.

10 I understand it's been going on for  
11 a while. We've had the chief up here  
12 multiple times, we had the past zoning  
13 officer up there multiple times. We have a  
14 new zoning officer. We want to get him in  
15 there and we want to get him on everything  
16 in town. Not just this property, anything.  
17 Like I said at the beginning of the meeting,  
18 anybody in the borough, including myself or  
19 anyone who sits here, if you don't follow  
20 the ordinances you pay the price. If you  
21 don't follow the codes you pay the price.  
22 No matter who you are. But we have to get  
23 them in here, get him running and get him up  
24 there.

25 MR. JUROSKY: I talked to Bill last

1 month and he told me the exact same thing  
2 because we -- you guys fined Ron Coles. He  
3 paid the fine. That's number one.

4 The second one now is these three  
5 Scranton kids, Bill told me to bring  
6 pictures and we'll fine these three Scranton  
7 kids. That's number two.

8 They don't get their act together,  
9 then that's three and then they're out.  
10 That's why we're here. I talked to Bill  
11 last month. He told me to bring pictures  
12 and the same process.

13 The point I'm making, why were these  
14 kids allowed to get in that place? They're  
15 worse than Ron Coles. Ron Coles, he's  
16 getting the rent and he's laughing at us.

17 MR. HOOVER: Like I said at the last  
18 meeting, we didn't have a zoning officer  
19 until last three weeks ago on a Tuesday. I  
20 said there's five or six properties in Old  
21 Forge that we have to get a handle on. This  
22 is one of them. I said these are the five  
23 or six properties that we have to get a  
24 handle on. Chris is going to be there maybe  
25 once or twice a week from the beginning.

1 Paul did his job, but he had some issues  
2 that he couldn't do it as much as he wanted  
3 to.

4 But give us a little bit more time.  
5 Give us three or four months, and I'm  
6 telling you these five properties are all  
7 going to be taken care of.

8 MR. RUSSELL RINALDI: I hope you  
9 understand we're here to help you. I mean,  
10 I know that sounds cliché, but it's the  
11 truth.

12 MR. JUROSKY: They got a permit,  
13 they were going to do a few cars, and  
14 they're laughing at us, they're laughing at  
15 this town.

16 MR. RUSSELL RINALDI: If they're up  
17 there breaking the law the chief will either  
18 be up there himself or send one of the  
19 officers up, ticket them, fine them,  
20 whatever law they're breaking. If they're  
21 breaking any codes or ordinances our code  
22 enforcement officer will take care of it.  
23 That goes for everybody in town. Again, I'm  
24 not just singling this business out or this  
25 property out. That's anybody in town.

1 MR. JUROSKY: But you should not be  
2 allowed to drop a junk call on a borough  
3 street.

4 MR. RUSSELL RINALDI: You're right,  
5 you shouldn't be, and if they drop it on the  
6 street and you call the police and the  
7 police get there in time, before they move  
8 it --

9 MR. JUROSKY: There's a Beamer there  
10 for the last three weeks on the borough  
11 street. There's one across the street  
12 that's been there for two weeks, no tags.

13 MR. RUSSELL RINALDI: First thing  
14 we're going to do right now, we're going to  
15 ask the chief to send somebody up there and  
16 check it out right now.

17 MR. NOTARI: Mayor, Chief, can we  
18 ask Officer Kimball every morning to see if  
19 there's new cars or old cars or if it's the  
20 same cars, if it's stuff that he's working  
21 on. Just make it part of his routine,  
22 hopefully.

23 CHIEF DUBERNAS: I know one day I  
24 wrote four tickets.

25 MR. NOTARI: Maybe even if there's a

1 presence there every morning they'll get the  
2 idea. Maybe. I doubt it.

3 MR. HOOVER: I'm hoping we give him  
4 so many tickets that he decides to move.

5 MR. RUSSELL RINALDI: Anyone else  
6 from the public before we go into new  
7 business? Thank you.

8 The first item under new business is  
9 opening up the bids for refuse and bulk  
10 collection and disposal.

11 ATTY. RINALDI: The first bid is  
12 from Mascaro. Option one is a three-year  
13 contract. Total contract, \$1,373,556. Year  
14 one, \$449,448. Year two, \$457,80. Year  
15 three, \$467,028.

16 First year option. For the fourth  
17 year it would be \$507,060. For the second  
18 one-year option it would be \$540,684.

19 Option two, five-year contract.  
20 Total price of a five-year contract is  
21 \$2,421,300. The first year is \$466,812.  
22 The second year is \$474,156. The third year  
23 is \$483,816. The fourth year is \$493,296.  
24 The fifth year is \$503,220, for the total of  
25 \$2,421,300.

1                   Option year for extension year six  
2                   is \$533,412. For extension year two it's an  
3                   extra \$568,080.

4                   That being the only bid we received,  
5                   Mr. Chairman, you can table this and review  
6                   it, make sure everything else is in order  
7                   and proceed at our next meeting. We had two  
8                   other packages picked up. One actually sent  
9                   a letter and the other one didn't.

10                  MR. RUSSEL RINALDI: The chair is  
11                  open for a motion.

12                  MR. AUGUSTINE: Sam Augustine. I'm  
13                  with the company 39 years, so I know that  
14                  I'm familiar with many members of this board  
15                  and Mr. Semenza, who is not here tonight.  
16                  This is Al DeGenaro. He's our deputy  
17                  counsel at JP Mascaro. He's been with the  
18                  company about 30 years.

19                  I'm bringing this up because we've  
20                  had your contract, I believe, since 1985  
21                  continuously. Your contract is very  
22                  important to us and we've appreciated your  
23                  business over the years. I can assure you  
24                  that JP Mascaro & Sons put in the best  
25                  possible bid to the borough, and it's

1           unfortunate that you didn't get any other  
2           bids. But that has not been unusual in the  
3           trash recycling marketplace over the past  
4           couple of years.

5                   What I've done is put together a  
6           letter for the borough, and if I can just  
7           take a moment to go through this letter.  
8           Again, we've been very appreciative of your  
9           business and I hope the service has been to  
10          your satisfaction because we have been  
11          working very, very hard. I'm sure you know  
12          the situation with labor across all aspects  
13          of the economy, not just the garbage  
14          business. It's very difficult to get labor,  
15          drivers, helpers, et cetera.

16                   Being with our general manager  
17          tonight, we're out there picking up trash.  
18          The trucks leave in the morning at 6:00.  
19          The DeNaples landfill, which is one of the  
20          finest landfills not only in Pennsylvania  
21          but in the country, they're suffering from a  
22          shortage of labor. So the landfill waiting  
23          times are up to an hour and a half, so that  
24          when we pick up a load in town we have to  
25          wait an hour and a half at the landfill.

1 It's causing our trucks to be late at times  
2 in town. But we're out there working very,  
3 very hard ten, 12 hours a day to get the  
4 trash picked up in not only this borough but  
5 also in Carbondale and Nanticoke and all of  
6 the other locations that we service. Clarks  
7 Summit, et cetera. So I want you to know  
8 that we appreciate your business and how  
9 hard we're working.

10 Next I want you to know that you  
11 have been -- and I want you to look at  
12 exhibit B. I want you to know over the past  
13 ten years, if you look at your pricing from  
14 2009 to 2010, actually 12, 13 years ago, you  
15 were well over \$400,000 in cost. You can  
16 see that for ten years going to 2020 that  
17 the pricing went down into the 350s to --  
18 you had ten years of excellent, excellent  
19 pricing due to competition, but due also to  
20 what the marketplace -- what the value was  
21 worth and what the marketplace demanded  
22 because of cost. It's cost plus profit.  
23 That's how we operate. The bids were coming  
24 in a lot better at that time. Again, I've  
25 been in the industry forever.

1 Over the past couple years, if you  
2 now looked to exhibit A, and I've explained  
3 in the letter, exhibit A, we have had  
4 increases in our labor costs over the past  
5 five years that have been seven to ten  
6 percent per year for CDL drivers. It's  
7 very, very difficult to find new CDL drivers  
8 and it's very, very difficult to hold on to  
9 your same drivers, and we have an excellent  
10 retention rate with our drivers.

11 But labor rates have been going up  
12 seven to ten percent a year, health  
13 insurance has been going up seven to ten  
14 percent per year, and over the past three to  
15 five years solid waste disposal has been  
16 going up three to five percent every year in  
17 our industry, and steel now has become like  
18 wood. Steel is up 15 to 25 percent in the  
19 last 16 months. Equipment costs are going  
20 up rapidly.

21 Finally, as you know fuel has gone  
22 up over the past six to 12 months. Fuel is  
23 going up again.

24 There are definite signs of  
25 inflation in our economy, as you know also

1 if you're keeping up with -- last month the  
2 inflation rate jumped up to almost five  
3 percent in one month. Four point eight  
4 percent for that month going out a year. So  
5 there's inflationary signs in the economy.  
6 In the past two years, on that exhibit A,  
7 you will see these are contracts throughout  
8 eastern Pennsylvania, okay, that Mascaro has  
9 retained.

10 These are the increases on the  
11 contracts over the past two years. Most of  
12 them are five-year contracts we've been  
13 awarded -- sixty percent, 54 percent, 61,  
14 62, 56, and you can see going down -- and  
15 your contract went up 38 percent.

16 One of the reasons it didn't go up  
17 as high as the others, frankly, is because  
18 you don't have recycling in your contract.  
19 You're doing your own recycling. I'm sure  
20 that you've seen your recycling costs go up  
21 not only for the collection of your  
22 recycling but also for the disposal of  
23 recycling. But you guys handle your own  
24 recycling. We just handle the trash.

25 On a per unit basis your residents

1 are paying somewhere around -- in the new  
2 contract -- this going out for five years on  
3 the new contract, not including the last two  
4 years, six and seven. I'm looking at this  
5 as, again, another five-year contract. I  
6 would recommend you do that, too. Your  
7 residents are paying about \$12 a month under  
8 the new contract. Of course, you sell bags.  
9 They can put up to three bags out a week.  
10 So your residents are paying under this  
11 contract about \$12 per unit, which is an  
12 excellent price.

13 So what you have in front of you,  
14 despite the 38 percent increase, you look at  
15 costs over the last 13 years you can see  
16 that your costs stayed in line for so long.  
17 You're looking at an excellent contract for  
18 the next five years. Remember, one of  
19 the -- and I put in here we're 5A1 D&B  
20 rated. We have a stronger network in  
21 transfer stations, in equipment, in  
22 facilities. We have our own landfills. We  
23 use the DeNaples landfill. We have a  
24 stronger network than the national  
25 companies, our friends at Waste Management.

1 You have an excellent bid in front of you.  
2 This 38 percent increase is fully justified  
3 and you can lock in your rates for five  
4 years.

5 So I would heartily recommended that  
6 you take advantage of this. Take the five  
7 years. I know our bid's in order.  
8 Obviously your solicitor recommended that  
9 you table this, but I'm not sure what your  
10 pleasure is tonight. But it is an excellent  
11 contract and we'd love you to award it to JP  
12 Mascaro & Sons. I'll answer any questions  
13 you may have or Al.

14 MR. HOOVER: I'd like to probably  
15 bring this up to executive session with  
16 everybody on council, and especially with  
17 Marylynn. She's not here tonight. She's  
18 out of town. I'd like to discuss where do  
19 we go as a council. Is it a good bid?  
20 Yeah, I think it is a good bid. I  
21 understand the employees that you have you  
22 have issues with, you can't get employees  
23 because of the current situation in the  
24 world. But I think we need to discuss this,  
25 where do we go with stickers, if we're gong

1 to do anything with them.

2 MR. NOTARI: How do you decide where  
3 you take trash? Do you have a contract with  
4 the DeNaples landfill as opposed to the  
5 Alliance landfill that's right here?

6 MR. AUGUSTINE: We can take this  
7 trash to DeNaples, we can take it to -- he  
8 has another landfill, but it's obviously a  
9 lot close to take it to DeNaples. Alliance  
10 is a Waste Management landfill, and  
11 obviously -- I don't even know what the  
12 rates are at Alliance. We've had a contract  
13 with DeNaples -- excellent contract with  
14 DeNaples since, I believe, 1984.

15 MR. NOTARI: I'm just curious  
16 because you talk about time and being --

17 MR. AUGUSTINE: I have no idea what  
18 the times are at Alliance. I just brought  
19 that up to let know that days are long for  
20 our guys and it's difficult, especially this  
21 time of year. This is the heaviest time of  
22 year for trash.

23 MR. RUSSELL RINALDI: Any other  
24 questions? Sam, not a question, but, I  
25 mean, I've been here for 15 years now.

1 We've always dealt with you guys and your  
2 company has been great. At times have we  
3 had mistakes, did they miss streets, that  
4 happens. No one is perfect. I know we  
5 called you the next day, weather permitting  
6 or something this past year, you guys always  
7 came down. You guys were always good to  
8 your word. You always came back, sent the  
9 people if a street was missed. Like I said,  
10 that happens.

11 I think it's a good contract as  
12 well. I know there's a little bit of  
13 increase, obviously. I listened to your  
14 description of why and I understand it. But  
15 I'm also in favor of an executive session  
16 just to -- once Marylynn does come back.  
17 She's our borough manager. She's our number  
18 one. We run everything with her, through  
19 her, by her. So, speaking for myself, I  
20 wouldn't feel comfortable doing it.

21 MR. NOTARI: I agree.

22 MR. RUSSELL RINALDI: Me voting to  
23 table this in no way am I saying I'm  
24 shooting you guys down. I don't want you to  
25 think that way.

1 MR. AUGUSTINE: The reason I bring  
2 it up is we came a couple hours and we'll  
3 come again next month.

4 MR. RUSSELL RINALDI: I don't think  
5 you need to come again. You guys have  
6 always been good to us. Thank you.

7 So at this time the chair is going  
8 to entertain a motion for this evening to  
9 table the bids for collection and disposal.

10 MS. AVVISATO: I'll make that  
11 motion.

12 MR. RUSSELL RINALDI: By  
13 Councilwoman Avvisato.

14 MR. NOTARI: I'll second it.

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

18 ATTY. RINALDI: Ms. Avvisato?

19 MS. AVVISATO: Yes.

20 ATTY. RINALDI: Mr. Febbo?

21 MR. FEBBO: Yes.

22 ATTY. RINALDI: Mr. Hoover?

23 MR. HOOVER: Yes.

24 ATTY. RINALDI: Mr. Notari?

25 MR. NOTARI: Yes.

1 ATTY. RINALDI: Mr. Rinaldi?

2 MR. RUSSELL RINALDI: Yes. Second  
3 item under new business is a change order  
4 for D&M Construction. It's order 22 and  
5 it's in the amount of \$7,140.61. At this  
6 time the chair will entertain a motion.

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

8 MR. RUSSELL RINALDI: By Councilman  
9 Notari.

10 MR. HOOVER: I'll second it.

11 MR. RUSSELL RINALDI: Seconded by  
12 Councilman Hoover. On the question, Dave,  
13 you approve?

14 MR. LOPATKA: I did approve, but I'm  
15 not sure which one that is for.

16 MR. HOOVER: Windmere Sign, D&M  
17 Construction, credit for allowance.

18 MR. LOPATKA: Right. There was a  
19 certain amount in the contract and the  
20 sign -- cost of the sign was higher than  
21 what the allowance was for.

22 MR. RUSSELL RINALDI: On the  
23 question? Public input? Roll call, please.

24 ATTY. RINALDI: Ms. Avvisato?

25 MS. AVVISATO: Yes.

1 ATTY. RINALDI: Mr. Febbo?

2 MR. FEBBO: Yes.

3 ATTY. RINALDI: Mr. Hoover?

4 MR. HOOVER: Yes.

5 ATTY. RINALDI: Mr. Notari?

6 MR. NOTARI: Yes.

7 ATTY. RINALDI: Mr. Rinaldi?

8 MR. RUSSELL RINALDI: Yes. Third

9 item under new business is also for D&M  
10 Construction, payment application six. The  
11 amount is \$103,659.75.

12 MR. NOTARI: I'll make the motion.

13 MR. RUSSELL RINALDI: By Councilman  
14 Notari.

15 MS. AVVISATO: I'll second that.

16 MR. RUSSELL RINALDI: Seconded by  
17 Councilwoman Avvisato. On the question?  
18 Public input? Roll call, please.

19 ATTY. RINALDI: Ms. Avvisato?

20 MS. AVVISATO: Yes.

21 ATTY. RINALDI: Mr. Febbo?

22 MR. FEBBO: Yes.

23 ATTY. RINALDI: Mr. Hoover?

24 MR. HOOVER: Yes.

25 ATTY. RINALDI: Mr. Notari?

1 MR. NOTARI: Yes.

2 ATTY. RINALDI: Mr. Rinaldi?

3 MR. RUSSELL RINALDI: Yes. Fourth  
4 item under new business is to reappoint Ted  
5 Giglio as our representative from Old Forge  
6 to the LLVSA board.

7 MS. AVVISATO: I'll make that  
8 motion.

9 MR. RUSSELL RINALDI: By  
10 Councilwoman Avvisato.

11 MR. HOOVER: I'll second it.

12 MR. RUSSELL RINALDI: Seconded by  
13 Councilman Hoover. On the question? Public  
14 input? Roll call, please.

15 ATTY. RINALDI: Ms. Avvisato?

16 MS. AVVISATO: Yes.

17 ATTY. RINALDI: Mr. Febbo?

18 MR. FEBBO: No.

19 ATTY. RINALDI: Mr. Hoover?

20 MR. HOOVER: Yes.

21 ATTY. RINALDI: Mr. Notari?

22 MR. NOTARI: Yes.

23 ATTY. RINALDI: Mr. Rinaldi?

24 MR. RUSSELL RINALDI: Yes. Next  
25 item under new business is approve the

1 Varsity Garden Center transient license.

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

3 MR. RUSSELL RINALDI: By Councilman  
4 Notari.

5 MS. AVVISATO: I'll second it.

6 MR. RUSSELL RINALDI: Seconded by  
7 Councilwoman Avvisato. On the question?  
8 Public input? Roll call, please.

9 ATTY. RINALDI: Ms. Avvisato?

10 MS. AVVISATO: Yes.

11 ATTY. RINALDI: Mr. Febbo?

12 MR. FEBBO: Yes.

13 ATTY. RINALDI: Mr. Hoover?

14 MR. HOOVER: Yes.

15 ATTY. RINALDI: Mr. Notari?

16 MR. NOTARI: Yes.

17 ATTY. RINALDI: Mr. Rinaldi?

18 MR. RUSSELL RINALDI: Yes. The  
19 sixth item under new business is a motion to  
20 approve Takes Time to Love Us food truck  
21 transient license.

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

23 MR. RUSSELL RINALDI: By Councilman  
24 Notari. Second?

25 MS. AVVISATO: I'll second that.

1 MR. RUSSELL RINALDI: By  
2 Councilwoman Avvisato. On the question?  
3 Public input? Roll call, please.

4 ATTY. RINALDI: Ms. Avvisato?

5 MS. AVVISATO: Yes.

6 ATTY. RINALDI: Mr. Febbo?

7 MR. FEBBO: Yes.

8 ATTY. RINALDI: Mr. Hoover?

9 MR. HOOVER: Yes.

10 ATTY. RINALDI: Mr. Notari?

11 MR. NOTARI: Yes.

12 ATTY. RINALDI: Mr. Rinaldi?

13 MR. RUSSELL RINALDI: Yes. The  
14 seventh item under new business is  
15 resolution No. 5 authorizing the elimination  
16 of member contribution to the Old Forge  
17 Borough Police pension plan for the years  
18 2019, 2020, 2021.

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

20 MR. RUSSELL RINALDI: By Councilman  
21 Notari.

22 MR. HOOVER: I'll second it.

23 MR. RUSSELL RINALDI: Seconded by  
24 Councilman Hoover. On the question?

25 MR. NOTARI: On the question, does

1 anybody know why?

2 ATTY. RINALDI: Because your pension  
3 plan is actually performing well and it  
4 doesn't require the police officers to pay  
5 into it. So Asco's doing a good job of  
6 managing it.

7 MR. NOTARI: So does that mean  
8 they'll get money back from '19 and '20?

9 ATTY. RINALDI: No, it wasn't  
10 deducted.

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

13 ATTY. RINALDI: Ms. Avvisato?

14 MS. AVVISATO: Yes.

15 ATTY. RINALDI: Mr. Febbo?

16 MR. FEBBO: Yes.

17 ATTY. RINALDI: Mr. Hoover?

18 MR. HOOVER: Yes.

19 ATTY. RINALDI: Mr. Notari?

20 MR. NOTARI: Yes.

21 ATTY. RINALDI: Mr. Rinaldi?

22 MR. RUSSELL RINALDI: Yes. Eighth  
23 item under new under business is a  
24 resolution adopting Lackawanna County 2021  
25 hazard mitigation plan update for the

1           borough of Old Forge, Lackawanna County,  
2           Pennsylvania as required by the Federal  
3           Emergency Management Agency.

4                    ATTY. RINALDI: That was required  
5           by -- it's not on the agenda, but I  
6           mentioned at the work session and it was in  
7           my report. The county has to come up with  
8           their hazard mitigation plan. We've agreed  
9           in past years and currently are in that  
10          plan. This is just an amendment that's  
11          required through FEMA so that if there's  
12          ever a disaster emergency here you qualify  
13          for FEMA monies.

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

15                   MR. RUSSELL RINALDI: By Councilman  
16          Notari.

17                   MS. AVVISATO: I'll second it.

18                   MR. RUSSELL RINALDI: Seconded by  
19          Councilwoman Avvisato. On the question?  
20          Public input? Roll call, please.

21                   ATTY. RINALDI: Ms. Avvisato?

22                   MS. AVVISATO: Yes.

23                   ATTY. RINALDI: Mr. Febbo?

24                   MR. FEBBO: Yes.

25                   ATTY. RINALDI: Mr. Hoover?

1 MR. HOOVER: Yes.

2 ATTY. RINALDI: Mr. Notari?

3 MR. NOTARI: Yes.

4 ATTY. RINALDI: Mr. Rinaldi?

5 MR. RUSSELL RINALDI: Yes.

6 ATTY. RINALDI: You have RFPs here  
7 for zoning.

8 MR. RUSSELL RINALDI: Next item  
9 under new business is to open up the bids  
10 for the RFPs.

11 ATTY. RINALDI: First bid is from EP  
12 Barrett, Arthur Avenue, Scranton. He just  
13 submitted his resume on current jobs that he  
14 did with no suggested pricing -- his  
15 proposed fee is \$6,000 exclusive of any  
16 draft, final plan documents, printing costs.  
17 No travel expenses would be charged. That's  
18 the first one.

19 The second one is from Urban  
20 Research Development Corporation. They are  
21 from West Broad Street, Bethlehem,  
22 Pennsylvania.

23 MR. HOOVER: Do you know them, Dave?

24 MR. LOPATKA: Yes. I don't know  
25 Barrett. Urban Research, they've been

1 around for a long time.

2 ATTY. RINALDI: The fee is total not  
3 to exceed \$50,700. Preparation of  
4 comprehensive update of the subdivision and  
5 land development ordinance, another \$8,700.  
6 That's in addition if you want them to do  
7 subdivision ordinance, which you didn't  
8 request a quote on. That's it. So the  
9 total for both of them, zoning only and  
10 comprehensive, is \$50,700. With the  
11 additional subdivision and land development  
12 it's \$59,400. He details how many meetings  
13 that is with council. It's a long process.  
14 It's not something --

15 MR. HOOVER: What's the difference  
16 between -- the first one was \$6,000?

17 ATTY. RINALDI: I think the first  
18 guy doesn't really -- we can table it and  
19 everybody can look at it. He attached his  
20 resume, his experience in planning and  
21 zoning municipal matters, he's been involved  
22 in land development issues, public and  
23 private. Not to exceed \$6,000. Review the  
24 existing zoning documents.

25 MR. HOOVER: I make a motion we

1 table it.

2 MR. RUSSELL RINALDI: Those are the  
3 only two bids we have?

4 ATTY. RINALDI: That's it.

5 MR. RUSSELL RINALDI: Motion by  
6 Councilman Hoover to table the RFP bids.

7 MR. FEBBO: I'll second it.

8 MR. RUSSELL RINALDI: Seconded by  
9 Councilman Febbo. On the question? Public  
10 input? Roll call, please.

11 ATTY. RINALDI: Ms. Avvisato?

12 MS. AVVISATO: Yes.

13 ATTY. RINALDI: Mr. Febbo?

14 MR. FEBBO: Yes.

15 ATTY. RINALDI: Mr. Hoover?

16 MR. HOOVER: Yes.

17 ATTY. RINALDI: Mr. Notari?

18 MR. NOTARI: Yes.

19 ATTY. RINALDI: Mr. Rinaldi?

20 MR. RUSSELL RINALDI: Yes. Next  
21 item under new business is accept the  
22 resignation from Councilman Robert Semenza.

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

24 MR. RUSSELL RINALDI: Motion by  
25 Councilman Febbo.

1 MR. HOOVER: I'd like to thank Bobby  
2 for his service. He taught me a lot while I  
3 was here. I guess I'll second it with  
4 regrets.

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

8 ATTY. RINALDI: Ms. Avvisato?

9 MS. AVVISATO: I'm voting yes but  
10 I'll miss him.

11 ATTY. RINALDI: Mr. Febbo?

12 MR. FEBBO: Yes.

13 ATTY. RINALDI: Mr. Hoover?

14 MR. HOOVER: Yes.

15 ATTY. RINALDI: Mr. Notari?

16 MR. NOTARI: Yes, with regret, and I  
17 thank Mr. Semenza for his service to the  
18 Borough of Old Forge.

19 ATTY. RINALDI: Mr. Rinaldi?

20 MR. RUSSELL RINALDI: Yes, and also  
21 with regret and to say what everyone else  
22 said, to thank him. I served with him for  
23 the past -- almost nine years. He came in  
24 after his father's passing. I think he did  
25 a lot of good work for the borough. I think

1 he did a lot of good for the kids.

2 MR. HOOVER: Dedicated.

3 MR. RUSSELL RINALDI: Definitely  
4 dedicated. But with his wishes, then I  
5 accept. Yes.

6 Bill, anything else?

7 ATTY. RINALDI: That's it on my  
8 list.

9 MR. RUSSELL RINALDI: At this time  
10 the chair would enter a motion to adjourn.

11 MR. NOTARI: Just before, do we need  
12 to advertise now for a council seat?

13 MR. RUSSELL RINALDI: You're correct  
14 because we have to have it done before 30  
15 days. At this time the chair will entertain  
16 a motion to advertise to accept applications  
17 to fill the vacancy on council.

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

19 MR. RUSSELL RINALDI: By Councilman  
20 Notari.

21 MS. AVVISATO: I'll second the  
22 motion.

23 MR. RUSSELL RINALDI: Seconded by  
24 Councilwoman Avvisato. On the question?  
25 We're going to set the date for our next

1 council meeting, June 15th, 7 p.m.? We'll  
2 do interviews publicly.

3 MR. HOOVER: Do you want to do them  
4 earlier?

5 ATTY. RINALDI: Six o'clock. Up to  
6 you guys.

7 MR. NOTARI: I think that's how  
8 we've done it in the past.

9 MR. RUSSELL RINALDI: Motion on the  
10 floor to advertise to accept applications to  
11 fill the vacancy of council by June 15th at  
12 6 p.m.

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

14 MR. RUSSELL RINALDI: By Councilman  
15 Notari.

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 ATTY. RINALDI: Ms. Avvisato?

21 MS. AVVISATO: Yes.

22 ATTY. RINALDI: Mr. Febbo?

23 MR. FEBBO: Yes.

24 ATTY. RINALDI: Mr. Hoover?

25 MR. HOOVER: Yes.

1 ATTY. RINALDI: Mr. Notari?

2 MR. NOTARI: Yes.

3 ATTY. RINALDI: Mr. Rinaldi?

4 MR. RUSSELL RINALDI: Yes.

5 MR. SEMENZA: Yes. If there's no  
6 other business, the chair will now entertain  
7 a motion to adjourn the meeting.

8 MS. AVVISATO: I'll make that  
9 motion.

10 MR. RUSSELL RINALDI: By  
11 Councilwoman Avvisato. All in favor?

12 (Unanimous. Meeting adjourned.)

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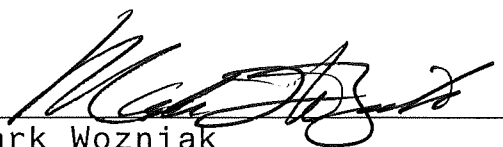
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C E R T I F I C A T E

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 82 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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