

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
TUESDAY, MARCH 28, 2023**

Call to Order: Council met in a Regular Meeting session on Tuesday, March 28, 2023 in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 6:13 p.m.

Silent Meditation and Pledge of Allegiance: A silent moment was taken followed by the Pledge of Allegiance.

Roll Call: Barletta-present; Colombo-present; Mundie-present; Ondishin-present; Perry-present

Minutes of Previous Meetings: The minutes of the February 28, 2023 Regular Meeting were approved unanimously.

Presentations/Proclamations/Communications: None

Bid Opening: None

Courtesy of the Floor (ON AGENDA ITEMS ONLY): None

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

None

(2ND AND 3RD READINGS)

None

RESOLUTIONS:

Resolution 2023-11 Annual Plan for CDBG Program- YEARS 2018-2019-2020

Presented by Perry. Seconded by Barletta.

On the Question:

Atty. Sean Logsdon stated this is the funding match for the traffic signal at Diamond Avenue and Vine Streets. Barletta asked if this is the money left over from the 2018, 2019 & 2020 and is going towards this. Atty. Logsdon said, "yes, I believe so".

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes.

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-12 A Resolution Requesting Department of Conservation and Natural Resources (DCNR) Funds for the City of Hazleton's Columbus Court Park & Pagnotti Field Master Site Plan Project

Presented by Barletta. Seconded by Ondishin.

On the Question:

Atty. Logsdon said this resolution is requesting the Master Plan for Columbus Park and Pagnotti Field. He said DCNR would be more inclined to fund the project if a Master Plan is in place. Barletta asked what the project includes. Mayor Cusat said they will do an overview of the entire park. He said they would identify what is missing from the other areas and talk with the residents to see what their concerns are. He stated the City is asking for a grant to pay for the study. Barletta said she was confused from the letter received from Luzerne County on what the project included. Colombo stated public input is important due to a lot of issues with the playground. Barletta asked how the residents around the park would be contacted. Mayor Cusat said the engineers will survey the area and see what residents would like to make comments. Barletta asked if there will be a cost to the City. Mayor Cusat said he does not think there will be a City match for the project. Perry asked the amount the City is asking for. Mayor Cusat said it is just for the cost of the study.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes.

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-13

Rescinding Resolution 2022-84 Modifying the 2022 CDBG Program Budget

Presented by Barletta. Seconded by Perry

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes.

On the Question:

Atty. Logsdon said this resolution is for rescinding the dairy building demolition. He said the cost came in too high. He stated there is no longer any use for the dairy building demolition.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes.

RESOLUTION PASSES UNANIMOUSLY

Resolution 2013-14

A Resolution Requesting Department of Conservation and Natural Resources (DCNR) Funds for the City of Hazleton's Pine Street Park Improvements Project

Presented by Perry. Seconded by Barletta.

On the Question:

Barletta asked what is included in the Pine Street Park improvement project. Mayor Cusat said the City purchased new play structures, and will be installed in the next few weeks, weather pending. The City is planning to improve the artificial turf on the soccer field. He said the City will do the excavating to save money. Barletta asked if the plan was already in place. Mayor Cusat said there is no study needed.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes.

RESOLUTION PASSES UNANIMOUSLY

New Business: Atty. Logsdon gave an update on the Department of Environmental Protection proposed Northeast Waste Systems Application for a new municipal waste transfer station in the City of Hazleton. He stated the local government meeting was held, in Council Chambers, about two weeks ago. He said there are 60 days to provide public comment, starting on March 27, 2023. He said there will be a public meeting scheduled by DEP.

Atty. Logsdon spoke of the zoning process in the City. He said residents are asking, "why would the City allow this". He stated it goes back to the constitution, Article 1, Section 1, with the inherent rights of mankind. He said this protects a person's property and they have a right to use their property. He said the local, state or federal government has no right to tell a citizen what to do with their property. He said under the Police Powers of the Constitution, the City still has some rights, with the passage of the City's zoning ordinance, placing certain uses in certain areas.

Atty. Logsdon stated, currently, there has been no land development plan or zoning permit application filed with the City of Hazleton. He said the transfer station would only be allowed in a General Industrial zone, as indicated by the City Zoning Ordinance. He said the Safe Harbor Provision, listed in the City's Zoning Ordinance, with a special exception, would prevent the transfer station from being put in a residential zone/area.

Perry said this transfer station may never come before City Council for their vote. Atty. Logsdon said City Council would not have a role in approving the transfer station application. He said the City's Planning would oversee the land development and the Zoning Hearing Board hears special exceptions.

Old Business: None.

Comments from the Audience: Bob Yevak, 1011 North Locust Street, Hazleton, said he ran the Hazleton Little League for 40 years. He said 12 years ago, he leased the Pagnotti Field for the older children to use for the legion. He stated he raised \$75,000 with a new scoreboard installed for \$10-15,000. He said he bought all the materials for a new concession stand and improved the dugouts.

Mayor Cusat said the concession stand is still in good shape with everything working inside of it. The City has done special work on the dirt in the field. He said they will be putting up a new fence and creating a parking lot. He said he wants to see a new entrance off Cedar Street.

Dee Deakos, 43 West Mine Street, Hazleton, said the City street lights that have gone out, and still, have not been replaced. She asked why the lights had not been replaced yet.

Deakos also spoke of City drivers using their high beams. She stated the code, in the City of Hazleton, states a driver is not allowed to use high beams within 500 feet of on-coming vehicles. Deakos stated there is no need for a driver to use their high beams. She stated the police could take control of this issue, giving tickets, under PA Traffic Code 4306. Deakos stated this is a safety issue.

Bob Reimold, Hazleton, asked Atty. Logsdon for clarification on the City's Business Rental License Ordinance. He said he gets a different answer from the City's code office when he calls. Reimold said he lives in a three-unit building and rents two houses next to him. He said he always pays the rental registration fee. He asked if he needs to pay the business license fee, also. He said the units are on the same lot, but separate parcels. Reimold said the units are on two separate deeds. Atty. Logsdon said he will "touch base" with the City Code Department and call Reimold.

Al Onushak, Milnesville, PA, said he has lived adjacent to the Hazleton Municipal Airport for the past 32 years. He said he never had to address City Council before, but there are concerns at the airport. Since last year, all the trees have been taken down, big and little trees. He said there is house siding blowing off the homes. Onushak said the noise, fumes and dirt is bad, and something needs to be done. He stated there is no barrier between the homes and the airport now.

Atty. Logsdon said he will talk with the Hazleton Airport Manager to see what is going on and with the trees. He said there is, always, "interplay", with the FAA.

Barletta asked if there is a new project going on at the airport with the trees coming down. Ondishin said he thinks the FAA wanted the trees removed. Mayor Cusat said the FAA did mandate for some of the trees to be removed.

Onushak said he asked if the airport fence could not be close to the houses. He said the barb wire does not look good. He said the airport representatives stated the trees needed to be "topped" because they are a little high. Barletta asked Onushak to leave his telephone number to get in contact with him after they talk with the airport manager.

Tom Bogert, 111 Calbeth Circle, Hazle Township, spoke of the airport issue. He said he has spent \$5,000 on new siding on his house. He said he is concerned about the trees being cut down. Bogert said there are barrels and a 55-gallon chemical drum on the airport property.

Jackie Scarcella, Hazle Township, spoke of the airport issue. He said it looks like a dump "back there". He said a tree came down on her property from the airport. Scarcella said the noise, dirt and fumes are horrible.

Walter Meshofski, 15th Street, Hazleton, spoke of the 12th Ward Playground off of 15th Street. He asked Mayor Cusat if the property will be fenced in. Mayor Cusat said yes. Meshofski asked if it will be a high fence. Mayor Cusat said he is not sure if the entire park is fenced in, but the baseball field is fenced in. Mayor Cusat said he has to look at the final draft. Meshofski asked if there is a curfew "down there". Mayor Cusat stated there is a curfew on all the City parks. Meshofski asked who he would call if someone is parked in his driveway. Mayor Cusat said he needs to call 911 as a non-emergency. He said there is a "chop shop" near his house. Barletta said City Code and the Hazleton Police Department are aware of the issue. Meshofski asked if there will be tournaments on the property. He asked if there will be a concession stand there. Mayor Cusat said no.

Eugene Babula, Hazleton, spoke of cats in the area. He said stray cats are on his property.

Babula said at Laurel and Spring Streets, there is a minimum of five out-of-state license plates, parking on the sidewalk, and they never get a parking ticket. He asked when parking tickets are going "to happen". Mayor Cusat said he needs to call 911.

Babula said a neighbor's tree is doing damage to another resident's property. He said this has been going on for a few years. He said the tree is too high, and knocking bricks off his chimney, but the chimney is not being used. Atty. Logsdon said this is a civil issue. He will need to talk to a lawyer.

Babula said he thought the dumping was done on Route 309. Ondishin said it has slowed down tremendously, and nothing like it was in the past.

Cindee DeLucca, Hazleton, spoke of the proposed City transfer station. She asked if anyone from the City has reviewed the DEP application on their website. She said it is very long. DeLucca said in the application is a letter from Mayor Cusat supporting the transfer station. She asked Mayor Cusat to redact the letter, stating it is from his support, and not the support from the City residents.

Comments from Mayor: None

Comments from City Administrator: None

Comments from Council: Barletta asked where the City is with the street lights being out and not being repaired. Mayor Cusat said on Broad Street, it is a PP&L issue. Deakos stated it is a total of four blocks that have no streetlights. She said it is part of Laurel Street, part of Chestnut Street and part of Wyoming Street. Mayor Cusat said it is impossible to get in contact with PP&L. Colombo and Ondishin stated this situation are "unacceptable". They said it needs to be fixed.

Mundie asked Mayor Cusat how much money the City has saved with the recent mild winter. Mayor Cusat said the City went through a lot of street salt. He said the only thing the City may have saved on is overtime for the DPW Department. Lynch said the City has spent a little less on street salt compared to 2022. He said with CoStars, the City has to commit to a "base" amount. Mayor Cusat said the City is, currently, ordering salt for next winter.

Mundie asked how the City 2023 budget is, currently, doing. Lynch said "expense-wise", the City is close to where they were with the 2022 budget. Lynch stated the real estate taxes are just starting to come in. Mundie asked how the payroll taxes are. Lynch said the City is keeping a "close eye" on the payroll taxes. He stated the numbers are similar to their numbers and has a few questions for Berkheimer Tax Office.

Mundie wished everyone a Happy Easter.

Colombo thanked the DPW Department for starting their street sweeping right after plowing the streets. He said the high beam issue is addressed in the Motor Vehicle Code. He stated City Council will be looking into the street light issue.

Colombo thanked Mayor Cusat and Recreation Office for the Easter Egg Hunt at City View Park. He said over 800 children came to enjoy the event.

Colombo thanked all the City departments for doing a great job.

Colombo said on Easter Sunday, City Council members and Mayor Cusat are preparing Community Easter Dinner for residents. He said there is an eat-in meal at Holy Rosary Church. He said residents could call 211 to schedule a meal. He said they are preparing about 700 meals.

Colombo stated the airport issue will be addressed.

Ondishin thanked Mayor Cusat for his work in the Easter Bunny Trail, along with Alli McKittrick. He also, thanked the DPW Department for all their work.

Ondishin wished everyone a Happy Easter to all.

Perry reminded all to keep in their prayers for the people affected by the recent Nashville massacre, Mississippi tornadoes, and Reading Chocolate factory explosion.

Comments from Junior Council: None

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 7:12 p.m.