

## MINUTES

### HAZLETON CITY COUNCIL

### SPECIAL MEETING

THURSDAY, JANUARY 11, 2018

**Call to Order:** Council met for a Special meeting on Thursday, January 11, 2018 in Council Chambers. The meeting was called to order at 6:00 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; Mope-present; Perry-present; Gavio-present

**Minutes of Previous Meetings:** None.

**Proclamations/Communications:** None.

**Bid Opening:** None.

**Courtesy of the Floor:** Mark Rabo, 8 West 1<sup>st</sup> Street, Hazleton, spoke of Resolution 2018-8 - A Resolution Reconsidering and Overriding the Mayor's Veto of Ordinance 2017- 31- An Ordinance

Approving the Sale of 2017 Tax Claims & Resolution 2018-9 A Resolution Reconsidering and Overriding the Mayor's Veto of Ordinance 2017- 32- An addition to the Hazleton Administrative Code Regarding Decisions on Delinquent Taxes as related to the City Budget. He said at the January 2, 2018 city council meeting, it was discussed that there is a legal opinion for the tax claims. He said he would dispute that it is an administrative function. He said, in the recodified third class city code, it states that city council decides on delinquent taxes. He said he disputes the solicitor's opinion. He questioned if the taxes from the sale of St. Joseph's Hospital building will be included in the 2018 budget. He said the sale of authority land, from the state, for PENN DOT 424 extension, will be income coming into the city. Mope said this was included in council's budget. He also stated a recent paving project for \$150,000 and a \$290,000 loan to Luzerne County is income owed to the city. He said this is money that needs to be collected. He said the vacant registration fees can also be collected. He said two other third class cities, Bethlehem and Easton, collect this and is included in their 2018 budget. Rabo said they have the vacant registration ordinance, in place, for several years. He said the city should also review any fees collected at the Hazleton City Municipal Airport. Rabo stated the city needs to pay back \$1,500,000 from the pension fund.

Judy Yurcho, 984 North Locust Street, Hazleton, said the city residents cannot afford a tax increase. She said the city needs to come up with a better solution. She said city residents are complaining about the city's downtown living conditions.

Grace Cuzzo, 948 James Street, Hazleton, spoke of the override of the delinquent taxes. She said if city council fails to override this, she said this will tell residents there will be a guaranteed tax increase. She said council has the authority to direct the mayor to enter into a contract with MRS. She asked why would the city put the burden of \$690,000 on the city residents. She said the city needs to "tighten" their belts. She stated city council needs to think before they vote. Cuzzo said council needs to be fair to the people.

Gavio stated that city council held an Executive Session, on January 9, 2018, to discuss pension, litigation & personnel issues.

**Old Business:**

**ORDINANCES**

None

**RESOLUTIONS**

None

**New Business:**

**ORDINANCES**

None

**RESOLUTIONS**

**Resolution 2018-7** A Resolution Reconsidering and Overriding the Mayor's Veto of Budget Ordinance 2017-24 Providing for the Appropriation of Specific Amounts Estimated as Required for the Various Departments of the Government of the City of Hazleton, Luzerne County, Pennsylvania for and during the Fiscal Year, Dating from January 1, 2018 and Ending December 31, 2018

Presented by Mope. Seconded by Barletta.

**On the Question:**

Mope stated that she placed these resolutions on the agenda. She said she believes in the city council budget. She stated that if the city sold the delinquent's, up-front, this was money the city could use to start the year. She said the sale of the authorities were taken "off the table". She said it gave the new council members time to present their budget. She said without approving

this override, the new council members need to prepare a budget by February 15, 2018. Mope said the amended budget needs to be presented for public viewing for 10 days. She said if a new budget is done, the public viewing needs to be for 20 days. She said Mayor Cusat has 10 days to veto the budget and 3 days to override. Mope said it is not easy to do a budget. She said if there is a legal problem and by doing these overrides, it will take the ability to sell the sewer and water authorities “off the table”.

She said it provides money “up-front” for the tax payers. She said Mayor Cusat refused to sell the delinquent taxes in the beginning of the year. Mope said the city was facing employee layoffs. She said Mayor Cusat opted to take \$1,500,000 out of the pension fund, with interest, that needs to be paid back. She said \$700,000 does not need to be paid back. Mope said it guarantees the sewer and water authorities will not go “up for sale”. She said the new council members will have to present an amended budget for 10 days. She said the resolutions are on the agenda to prevent the sale of the sewer and water authorities. She said council’s budget avoids a “major” tax increase.

Gavio said he does not agree with either council’s or Mayor Cusat’s budget. He said he will not “subject” the residents to a 40% tax increase and the sale of the authorities. Gavio stated he reviewed both budgets. He said he voted no for council’s budget. Gavio said he obtained information from the city’s administrator. He said he does not “like” either budget. He said with DCED’s recommendations, the city will be subject to their recovery plan. He said the residents see the city deteriorating. Gavio said he is prepared to vote no on these resolutions. He said he does not want to subject the residents to a 40% tax increase. He encouraged the senior citizens to apply for any tax or fuel relief programs.

**Roll Call:** Barletta-yes; Colombo-no; Mope-yes; Perry-no; Gavio-no

### **RESOLUTION FAILS 3-2**

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**Resolution 2018-8** A Resolution Reconsidering and Overriding the Mayor’s Veto of Ordinance 2017-31- An Ordinance Approving the Sale of 2017 Tax Claims

Presented by Mope. Seconded by Barletta.

**On the Question:**

Gavio said he voted for the sale of the tax claims. He said Atty. Logsdon gave him a legal Opinion and that it is Mayor Cusat’s decision and approval. He said he will not subject the taxpayers to a court case. Gavio told Mayor Cusat to act on the best interest of the city’s residents.

**Roll Call:** Barletta- yes; Colombo-no; Mope-yes; Perry-no; Gavio-no

### **RESOLUTION FAILS 3-2**

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**Resolution 2018-9** A Resolution Reconsidering and Overriding the Mayor’s Veto of Ordinance 2017-32- An addition to the Hazleton Administrative Code Regarding Decisions on Delinquent Taxes as related to the City Budget

Presented by Mope. Seconded by Barletta.

**Roll Call:** Barletta=yes; Colombo=no; Mope=yes; Perry=no; Gavio=no

**RESOLUTION FAILS 3-2**

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**Comments from the Audience:** Mark Rabo, 8 West 1<sup>st</sup> Street, Hazleton, said a legal opinion is “just” an opinion. He said it is not a court order. He said legal opinions are not binding. Rabo stated if council overrides a veto, council does not need the mayor’s signature.

**Comments from Mayor:** None- absent.

**Comments from Junior Council:** None.

**Comments from Council:** Mope thanked Allison for her support. She said if council approved the override, the budget could have been amended. She said \$700,000 was put on the “back burner”. She said with Mayor Cusat’s approach, in 2017, the total income was not received. She said this is the reason the city was “shortened” money. Mlope said with the new budget, there will be a tax increase.

Colombo congratulated Lackawanna Junior College for their move, from the old courthouse building, to their new facility on East Broad Street. He wished them well. He thanked everyone for coming to the council meeting. He said council will move the city forward, as promised.

Gavio said he only has the best interest of the taxpayers in mind.

**Adjournment:** Gavio motioned to adjourn the meeting.