

**MINUTES  
HAZLETON CITY COUNCIL  
REGULAR MEETING  
WEDNESDAY, DECEMBER 27, 2018**

**Call to Order:** Council met in regular session on Wednesday, December 27, 2018 in Council Chambers. The meeting was called to order at 6:00 pm.

**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:** The minutes of the December 5, 2018 and December 17, 2018 Regular Meetings were approved unanimously.

**Presentations/Proclamations/Communications:** Greater Hazleton's Jazz Band, Cellar Dwellarzz, were recognized for their recent performance at the White House. Neil Forte, band director, and Mayor Cusat, handed out certificates to all band members.

**Bid Opening: 2018-2019 Bid Proposal for Bulk Road Salt-**

1. American Rock Salt, Mt. Morris, NY- BID- \$79.00/ton. \$134,300.
2. Compass Minerals, Overland Park, KS- BID- **NO BID**.
3. Morton Salt, Chicago, IL- BID – **NO BID**.
4. Franzosa Trucking Inc., Hazleton, PA- BID- \$82.00/ton. \$139,400.
5. Cargill Deicing Technology, North Olmsted, OH- BID- **NO BID**.

**All bids were opened and read by Mayor Jeff Cusat.**

**Courtesy of the Floor (ON AGENDA ITEMS ONLY):** Mark Rabo, 1<sup>st</sup> Street, Hazleton, spoke of Ordinance 2018-48- An Ordinance Amending 2018-37- Modifying Consolidated Plan for CDBG Program Year 2018. Rabo asked if this income will go back into the Community Development fund, and can it be used for Code Enforcement. Rabo said the City needs more code enforcement employees. He stated funds are very "thin" in the Code Enforcement office. Rabo said one or three more code officers is better than none.

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**Old Business:**

**ORDINANCES**

None

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**RESOLUTIONS**

None

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**New Business:**

**ORDINANCES**

**Ordinance 2018-48**

An Ordinance Amending Ordinance 2018-37- Modifying Consolidated Plan For CDBG Program Year 2018 (1<sup>st</sup> READING)

Presented by Barletta. Seconded by Gavio.

**Roll Call:** Barletta-yes; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

**ORDINANCE PASSES UNANIMOUSLY ON 1<sup>st</sup> READING**

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**RESOLUTIONS**

**Resolution 2018-85**

Contract Awarding Road Materials for 2018-2019

Presented by Gavio. Seconded by Mope.

**On the Question:**

Barletta motioned to amend resolution to add American Rock Salt as the lowest bidder. Mayor Cusat stated there is a stipulation on the time requirements. He said there is a bid bond included. Barletta asked if this resolution should be tabled until the engineer reviews the bids. Mayor Cusat said it may need to be tabled. He said it can be passed with the lowest bidder in case the City may need the road salt. Mayor Cusat said the price changes upon delivery time. He stated \$79.00/ton is the lowest bid with a 3-5 day delivery period. Barletta asked if the 3-5 day period is from today's date or as needed. Mayor Cusat stated it is from the date the salt is ordered. Perry asked what the price "jumps up to". Mayor Cusat stated the price increases to \$85.00 if the salt is needed sooner. Mayor Cusat said he would award the contract to American Rock Salt pending the price and timing.

Barletta motioned to make an amendment to add American Rock Salt. Mayor Cusat said it should also state American Rock Salt is the lowest bidder with the stipulations that they apply.

**Motion to Amend:**

Presented by Barletta. Seconded by Mope.

**Roll Call:** Barletta-yes; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

**MOTION TO AMEND PASSES UNANIMOUSLY**

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**Roll Call:** Barletta-yes; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

**RESOLUTION PASSES AS AMENDED**

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**Resolution 2018-91**

Council Meetings for the Year 2019

Presented by Mope. Seconded by Colombo.

**Roll Call:** Barletta-yes; Colombo-yes; Mope-yes; Perry-yes; Gavio-yes

**RESOLUTION PASSES UNANIMOUSLY**

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**Comments from the Audience:** Fred Kudlick, 28 Laurel Hill, Hazleton, stated he still has problems with noise coming from the railyard. Kudlick said he received correspondence from the Pennsylvania Public Utility Commission (PUC). He said the letter stated there were some mechanical adjustments made to the train. He stated he does not hear any noise from the whistling. Kudlick said he still can hear the train engines idling very loudly. He said the idling starts on Friday and continues until Sunday. He said he recently called 911. He asked if a police officer can come to his house to listen to the noise and write-up a report. He stated no police officer came to his home. Kudlick said the noise is light, and other times is very loud. He said the PUC met with the employees at the railyard, and blamed Zenier's Towing Service for their trucks idling. He stated all he wants to have is peace. He stated Mayor Cusat, Jean Mope, and Tony Colombo have been very nice to him trying to resolve this problem.

Perry said the PUC will need to solve the problem. Colombo said he has gone to the railyard several times and stated Atty. Logsdon is working on this situation. Kudlick asked if there can be a noise barrier put up. Mope said she does not understand how the noise just started because the station has been there for years. Kudlick stated he has been living at his residence for 50 years, and the noise started in November, 2018. Colombo said the noise disappears when the train leaves the railyard and then parks in the township. Colombo said the township has the same problem. Perry suggested taking a recording of the noise. Kudlick said the employees come to work Sunday nights. He said the noise gets louder on Sundays around 8:00 - 8:30 p.m., then the train leaves for Lehighton and returns at 7:00 a.m., He said the train engine idles at the railyard for 65% - 70% of the time.

Gavio stated the City residents do not need to endure this. Perry said there are other residents who hear this noise. Kudlick stated employees at the Hazleton Fire House on Broad Street also complain about the noise. Mope said she has received other complaints from City residents. She suggested Kudlick write down residents names who are complaining. Mope said she has the same problem with where she lives. Kudlick said he was told he needs to get used to the noise. Gavio said city council will check with Atty. Logsdon. Kudlick thanked Mayor Cusat for all his attention to this matter.

Mark Rabo, 1<sup>st</sup> Street, Hazleton, stated out-of-town visitors taking several parking spaces in the City is frustrating. He said there are several vehicles that take up more than one parking spot. He said there needs to be off-street parking enforced in the City. He said he has reviewed the City's zoning ordinance. Rabo said, under Article 9, for enforcement, the article states, "this chapter shall be enforced by the zoning officer and police department of the City of Hazleton. Any and all permits required under this chapter shall be granted in accordance with the rules and regulations of this chapter only/and or by

written decisions from the appeal agencies established by this chapter.” Rabo said it also stated any written complaint given needs to be dealt with. He suggested Mr. Kudlick write down his complaint and send one copy to Mayor Cusat, one to Atty. Logsdon, and one copy to city council and the zoning department. He said city council has the responsibility to enforce land use regulation. Rabo said Mayor Cusat has the duty of enforcing, along with the zoning officer. He said the police department also has the responsibility to enforce land use regulation. He said the zoning ordinance needs to be enforced. Rabo said the rail engine should be considered a nuisance for its long running noise.

**Comments from Mayor:** Mayor Cusat stated it is the one year anniversary of the installation of the boiler in City Hall. He commended the Cellar Dwellarzz for their recent trip to the White House. He said when they perform at the 4<sup>th</sup> of July celebration it is heavily attended. He wished everyone a Happy New Year.

**Comments from Council:** Perry congratulated the Cellar Dwellarzz. He said they are awesome, and a well representation of the City of Hazleton. He thanked Neil Forte and all the parents for their work.

Colombo also commended the Cellar Dwellarzz. He said they make the City of Hazleton proud. He wished everyone a Happy New Year.

Mope stated it is good that all surrounding schools come together to perform in their band. She commended the Cellar Dwellarzz for their recent White House performance. She said it is a privilege, and they should be proud for being chosen to play at the White House. She told them to continue with their music because it is “the bread of the world.”

She wished everyone a Happy New Year.

Barletta also commended the Cellar Dwellarzz. She said she loves listening to them.

**Comments from Junior Council:** None- absent.

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