

**MINUTES  
HAZLETON CITY COUNCIL  
REGULAR MEETING  
WEDNESDAY, SEPTEMBER 11, 2019**

**Call to Order:** Council met in regular session on Wednesday, September 11, 2019 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-absent; Mope-present; Perry-present; Gavio-present

**Minutes of Previous Meetings:** The minutes of the August 14, 2019 Regular Meeting were approved unanimously.

**Presentations/Proclamations/Communications:** President Gavio announced the dollar amounts of the 2020 Minimum Municipal Obligation (MMO) for each of the four pension plans, as follows:

- *Police Pension Plan - \$3,311,124*
- *Firemen Pension Plan - \$2,141,052*
- *Non-Uniformed Pension Plan - \$394,491*

- Bid Openings:**
1. Awarding Fifth & Church Streets Traffic Signal Upgrading, Furnishing and Installation Contract.  
  
Atty. Sean Logsdon opened and read all bids.
    1. Kuharchik Construction, Inc., Exeter, PA. Total unit price- **BASE BID-** \$150,454.030. Total unit price of add alternative bid- \$6,100. **BASE BID** end and add alternative total- \$156,554.030. **BID BOND** included.
  2. Greater Hazleton Historical Society and Museum Façade Weatherization/Improvement Project.
    1. Bognet, Inc., Hazle Township, PA. **BASE BID-** \$39,600. Six alternates were also provided. **BID BOND** included.
    2. Richard E. Angelo, Inc., Hazle Township, PA. **BASE BID-** \$58,200. Seven alternates were also provided- Total \$102,900. **BID BOND** included.
    3. Champion Builders, Inc., Kingston, PA. **BASE BID-** \$47,430. Six alternates were also provided. **BID BOND** included.

**Courtesy of the Floor (ON AGENDA ITEMS ONLY):** Joe Zeller, Community Development Director, spoke of Ordinance 2019-8. He asked city council to only do a second reading as to comply with the 30-day advertising. City Council agreed.

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**Old Business:**

**ORDINANCES**

**Ordinance 2019- 8**                      Modifying Consolidated Plan For CDBG Program Year 2018 (**2<sup>ND</sup> READING**)

Presented by Barletta. Seconded by Gavio.

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

**ORDINANCE PASSES 4-0 ON 2<sup>nd</sup> READING**

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**RESOLUTIONS**

None

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**New Business:**

**ORDINANCES**

None

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**RESOLUTIONS**

**Resolution 2019-32**                      Awarding Contract to Upgrade, Furnish, and Install a Traffic Signal at 5<sup>th</sup> & Church Streets

Presented by Gavio. Seconded by Mope.

**On the Question:**

Greg Pavlick, Barry Isett & Associates Engineer, said that the contract will be awarded to Kuharchik Construction, Inc., Exeter, PA as the lowest bidder. He stated their bid amount is \$150,454.030.

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

**RESOLUTION PASSES 4-0**

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**Resolution 2019-33**

Approving Intra-Departmental Transfer of Line Items for Reconciliation Purposes in the 2019 Budget

Presented by Barletta. Seconded by Gavio.

**On the Question:**

Barletta asked Dan Lynch, City Administrator, about the gasoline line item. Barletta stated the gasoline "is going" from \$4,000 to \$0 in the planned budget. She asked if the City is using gas for these departments. Lynch stated right now the front-end controls are still there for when the City distributes gas to different departments. He said, on the back end, right now, there was a report that was broken out into the budget, done in the past by Nancy Doyle, which is not being done now but needs to be done. He said all the gas is "hitting" Public Works and this is why it looks so high. He said it is just shifting the budgeted money to where it is reflecting the budget. Barletta asked Lynch if he can break down each department for the budget in 2020. Lynch stated he would like to. Lynch said the grant received by the City in ACT 47 enables administration to hire additional personnel. Barletta asked if the gas machine prints out a breakdown. Lynch stated it is "all there". He said it is done on the front-end. He said it would just be the back-end reporting. Lynch said the front-end controls have not stopped with knowing who got gas. Mope said it would be beneficial if city council knew what was going on. Mope said then administration would know how much to put in each department. Lynch stated the City could still look at the aggregate of what department is using a certain amount of gasoline. Lynch said all departments are going to use gasoline. Mope said what administration needs to determine is if a certain department needs more gasoline than others.

Barletta asked Lynch if the City was increasing overtime from \$36,000 to \$66,000. Lynch said yes.

Barletta also asked Lynch regarding the repairs/maintenance line items for street repairs. She asked why this item has gone up "quite a bit." from \$9,000 to \$24,000. Lynch stated this might be for equipment repair maintenance. He said he does not know the actual "particulars".

Barletta asked Lynch regarding contracted services increase from \$5,000 to \$20,000. She asked if there is another contract. Lynch said it is "just" at the level it is at now and adjusting for that. She asked if there was anything added from the previous year. Lynch said he does not know but will get this for her. Mope said the Streets Department seems to be behind every year for ordering supplies for the winter- i.e.- salt and gravel. She asked Lynch to make sure the City is not paying a higher price. She said with money set aside this can be ordered earlier. Lynch agreed. Lynch asked Mope if she meant ordering salt. Lynch stated he knows, in 2018, there was a problem with

salt, but this year, the salt was ordered through Co Stars, and this was on time. Mope said there is a bad winter season predicted this year.

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

### **RESOLUTION PASSES 4-0**

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**Comments from the Audience:** Dee Deakos, 43 West Mine Street, Hazleton, said she spoke about the City of Hazleton's Parking Garage at the last city council meeting. She stated during Funfest, she was forced to park in the parking garage. She said the first-floor vestibule smelled of urine. Deakos said there is a loitering law "on the books", but the Police Chief stated the City cannot enforce a loitering law. She said there are signs along the park on Laurel Street between Mine and Broad Streets that state- "No Loitering." Deakos asked if the City can enforce loitering. She said something needs to be done with all the people loitering in the garage with graffiti and urine. Deakos stated this needs to stop. She said the students at LCCC and businesses use the garage. Deakos said the City needs to "keep" people downtown. She stated the college students are our future in the downtown district. Deakos said if the students see if the City has "so little regard" for our own public buildings, this will not "bode-well" for the future of Hazleton.

Atty. Sean Logsdon stated "it is not the fact" that the City cannot enforce the loitering law, but it is the fact that when it comes to the loitering law there is also the intent for part of a crime. He said there needs to be loitering for a purpose such as prostitution or vandalism. He said stopping someone for being somewhere without the intent element runs into all kinds of constitutional issues. Atty. Logsdon said this is where the City has the issue. He said the City is not enforcing the ordinance or law but there needs to be an intent.

Police Chief Jerry Speziale said he does not want residents lingering or "hanging around the City." He also does not want litigation to come against the City or the Hazleton Police Department. Speziale stated he agrees with Atty. Logsdon as there needs to be a purpose, i.e.- prostitution or narcotics. He said it needs to be for some other crime. He said city council may want to change the Loitering Ordinance to blocking a public passageway which many cities have done. He stated then it does not become loitering. Speziale said when loitering is used it then "dips" into the constitutional issues of someone staying on the street and then this would "start to bother" everybody.

Perry asked Speziale if the Hazleton Police Department patrols the parking garage. Police Chief Speziale said yes. He stated there is directive patrol. He said, every day, the police officers have to stop there, drive thru, and check the hallways. He said the officers call this on the radio and log this on a sheet.

**Comments from Mayor:** None.

**Comments from City Administrator:** Mr. Lynch stated he sent a copy of the 2018 City of Hazleton audit to all city council members. He said it is not the official audit, but the odds of it changing are very low. He said SB & Company is awaiting on a solicitor letter and this should be the final step.

**Comments from Council:** Mope stated there is a memorial service being conducted, tonight, for a 9/11 remembrance at St. Gabriel's Church with the Hazleton Fire Department. She said she does not like to call it a celebration but acknowledging a "day like today." She stated these souls need to rest in peace. She thanked everyone for coming to the meeting and wished everyone a nice weekend.

She stated everyone needs to enjoy the weather “while it lasts”. Mope wished everyone a good night.

Perry thanked the Streets Department for their street paving. He said this is an ongoing process in the Northeast section of town. He noted Mayor Cusat has received more money from UGI to help pave the streets. He also thanked Police Chief Speziale for his special task force in enforcing the quality of life issues in the City. Perry asked if there are any stop sign resolutions. He stated this was reviewed at the last city council meeting. He said the resolutions need to come from city council. Gavio agreed. He said there first needs to be studies done in these areas to determine the traffic flow. He said there are a few requests also from last year and for South Wyoming and North Vine Streets. Mayor Cusat there also is a request “down” in the school area. Barletta said she received one e-mail from a Hazle Township resident.

Perry said city council needs to “join in” with Hazle Township in opposing the closing of the White Haven Center. He said city council needs to get together “as a group” and write a letter regarding this matter. He said it is a sad situation. Perry said they need to get together with the surrounding municipalities in opposing this. Mope agreed. Perry also stated if anyone was born in 9/11 they can now vote with the 18-year anniversary. He said it is a sad situation, but everyone will never forget.

Gavio stated councilman Anthony Colombo is absent due to participating in the 9/11 memorial services at St. Gabriel’s Church. He said our prayers go out to all the families.

**Adjournment:** Gavio motioned to adjourn the meeting. Meeting adjourned at 6:25 p.m.