

**MINUTES  
HAZLETON CITY COUNCIL  
REGULAR MEETING  
TUESDAY, AUGUST 23, 2022**

**Call to Order:** Council met in a Regular Meeting session on Tuesday, August 23, 2022 in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 6:08 p.m.

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

**Roll Call:** Colombo-present; Mundie-present; Ondishin=yes; Perry-present

**Minutes of Previous Meetings:** The minutes of the August 9, 2022 Regular Meeting were approved unanimously.

**Presentations/Proclamations/Communications:** None

**Bid Opening:** None

**Courtesy of the Floor (ON AGENDA ITEMS ONLY):** Dee Deakos, 43 West Mine Street, Hazleton, spoke of Ordinance 2022-7- An Ordinance Amending the Code of Ordinances of the City of Hazleton, Part II, Chapter 490, Taxation, Article IV Earned Income and New Profits, Providing for Assessment Levy, and Collection of a Tax for Earned Income, Earned or Received, and to Net Profits, Earned or Received for Both Residents and Non-Residents of the City of Hazleton for General Municipal Purposes and to be Paid Pursuant to Act 205, known as the Municipal Pension Plan Funding Standard and Recovery Act, Beginning July 1, 2022 and Continuing in Force on a Calendar year basis. She said you do not know if the tax is a net profit versus corporation versus non-corporation. She asked if Giant Food Store makes a net profit or a corporate net profit.

Deakos, also, spoke of Resolution 2022-59- A Resolution Suspending the Use of Web Conferencing Platforms such as Zoom in Conjunction with City Council Meetings. She said she and the City residents were glad to watch the Hazleton City Council meetings via ZOOM. Deakos said this should not be taken away.

Kevin Schadder, Assistant Principal, Heights-Terrace Elementary School, & Betsy Durso, Heights-Terrace School PTA President, spoke of Resolution 2022-58- A Resolution Authorizing the City of Hazleton to apply for a Luzerne County Local Share Account Grant on behalf of the Heights-Terrace Elementary Middle School Parent-Teacher Association. He stated their playground is, currently, a safety issue. He said he sent their proposal to the City. Schadder stated their plan is in place and they are working with Barry Isett and Associates. He said he contacted many businesses to support this project.

Yoshie Gonzalez, Downtown Alliance for Progress Director, stated past director, Krista Schneider, did a very good job.

Gonzalez spoke of Resolution 2022-57- A Resolution Authorizing the City of Hazleton to apply for a Luzerne County Local Share Account Grant on behalf of the Downtown Hazleton Alliance for Progress. She said Schneider started the Launch Box program, along with Penn State University, Hazleton campus, two years ago. Gonzalez said the second phase is essential for the community. She said people are

interested in this space. She stated support would be amazing for renovation. Mary Malone, 101 St. Charles Drive, Hazleton, spoke of Resolution 2022-59- A Resolution Suspending the Use of Web Conferencing Platforms such as Zoom in Conjunction with City Council Meetings. Malone said the City is, already, seeing a resurgence in COVID-19. She said this resolution would be “premature”. She said she agrees with Deakos that ZOOM offers a great “step” for participation.

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**ORDINANCES AND RESOLUTIONS:**

**ORDINANCES:**

**(1<sup>ST</sup> READING)**

None

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**(2<sup>ND</sup> AND 3<sup>RD</sup> READINGS)**

**Ordinance 2022-7**

An Ordinance Amending the Code of Ordinances of the City of Hazleton, Part II, Chapter 490, Taxation, Article IV Earned Income and New Profits, Providing for Assessment Levy, and Collection of a Tax for Earned Income, Earned or Received, and to Net Profits, Earned or Received for Both Residents and Non-Residents of the City of Hazleton for General Municipal Purposes and to be Paid Pursuant to Act 205, known as the Municipal Pension Plan Funding Standard and Recovery Act, Beginning July 1, 2022 and Continuing in Force on a Calendar year basis  
**(2<sup>nd</sup> READING)**

Presented by Perry. Seconded by Colombo.

**On the Question:**

Atty. Logsdon stated the City of Hazleton is coming out of ACT 47. He said the City needed to increase the rate as ACT 47 allowed the City to go above that. He stated this is a “good sign.” He said, now, it is an adjustment down. Atty. Logsdon said this is a good sign.

**Roll Call:** Colombo=yes; Mundie=yes; Ondishin=yes; Perry=yes

**ORDINANCE PASSES UNANIMOUSLY**

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**RESOLUTIONS:**

**Resolution 2022-51**

A Resolution Authorizing the Application for the Edward Byrne Memorial Justice Assistance Grant (JAG) and for the Mayor and or his designee to enter into the appropriate agreement

Presented by Perry. Seconded by Ondishin.

**On the Question:**

Police Chief Schoonmaker said the City applies, for this grant, every two years.

**Roll Call:** Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2022-52**

In Memoriam- Carmen DeLese

Presented by Perry. Seconded by Colombo.

**Roll Call:** Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2022-53**

Appointment of Vice-President of Council- Anthony Colombo

**MOTION TO TABLE:**

Presented by Perry. Seconded by Ondishin.

**Roll Call:** Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

**RESOLUTION TABLED**

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**MOTION TO REMOVE FROM TABLE:**

Presented by Perry. Seconded by Barletta.

**Roll Call (TO REMOVE FROM TABLE):** Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

**MOTION TO REMOVE FROM TABLE PASSES**

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2022-54** Appointment to Vacant City Council Seat

Presented by Perry. Seconded by Ondishin.

**On the Question:**

Atty. Logsdon stated the floor is “open up” for nominations. Perry nominated Allison Barletta. He said city council received a lot of information and emails. He thanked everyone for this. He said it is not an easy decision to make.

Allison Barletta was sworn in, by Mayor Jeff Cusat, as a Hazleton City Council member.

**Roll Call:** Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2022-55** Appointment to the UCC/IPMC Appeals Board

**On the Question:**

Perry stated this resolution will be tabled for now.

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

**RESOLUTION TABLED**

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**Resolution 2022-56** Appointment to the UCC/IPMC Appeals Board

**On the Question:**

Perry stated this resolution will be tabled for now.

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

#### **RESOLUTION TABLED**

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**Resolution 2022-57** A Resolution Authorizing the City of Hazleton to apply for a Luzerne County Local Share Account Grant on behalf of the Downtown Hazleton Alliance for Progress

Presented by Colombo. Seconded by Ondishin.

**Roll Call:** Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

#### **RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2022-58** A Resolution Authorizing the City of Hazleton to apply for a Luzerne County Local Share Account Grant on behalf of the Heights-Terrace Elementary Middle School Parent-Teacher Association

Presented by Colombo. Seconded by Ondishin.

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

#### **RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2022-59** A Resolution Suspending the Use of Web Conferencing Platforms such as Zoom in Conjunction with City Council Meetings

Presented by Perry. Seconded by Ondishin.

**On the Question:**

Atty. Logsdon stated there are “perks” behind this resolution. He said city council has kept ZOOM option for participation of attendants. He said if this resolution is passed, it will not be the same as it is now. He stated any technical difficulties with the ZOOM platform could affect the participants decisions. Perry asked if this would happen right away. Atty. Logsdon said the City is getting ready to start the budget process for year 2023. He stated the residents will have to come to City Hall to attend the meetings.

Barletta stated the ZOOM participation really worked for the City residents. Atty. Logsdon said this will not go into effect until the new city council meeting dates are “in place”. He stated the City could offer a way to stream the meeting. He said this could be done by either Microsoft Team or by You Tube. Barletta asked if city council could make an amendment to the resolution. Atty. Logsdon said yes. The amendment will read, “The suspension will not take effect until properly advertised and the City has a proper streaming service.”

**MOTION TO AMEND:**

Presented by Colombo. Seconded by Barletta.

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

**MOTION TO AMEND PASSES UNANIMOUSLY**

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**Roll Call (AS AMENDED):** Barletta- yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes

**RESOLUTION PASSES AS AMENDED**

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**New Business:** None

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**Old Business:** None

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**Comments from the Audience:** Cynthia Cheeseman, 560 Peace Street, Hazleton, said snow and ice are falling on her property, from her neighbors, installed, solar panels. She said other neighbors have, also, complained. Cheeseman said it sounds like an “avalanche”. She said she has air conditioning units, on this side of her house, upstairs and downstairs. She said this has caused damage inside, and outside, of her home. She said this happens when there are six-inch snowstorms. Cheeseman said the company that installed the panels was negligent. She said the houses are so close together. She stated

when it rains, it falls on their side and it goes into the foundation.

Perry stated Hazleton City Council received a lot of Cindy's pictures and information. He said Hazleton City Code Department and Charlie Pedri are involved in this matter. Mundie asked Cheeseman when the solar panels were installed. Cheeseman said they were installed in either September or October of 2021.

Cheeseman said she wants to do the right thing. She stated she does not want anyone to get hurt. She wants to protect her property and her neighbor's property. She stated the City needs to have an ordinance regarding solar panels. Perry stated the City has a recourse for this. Atty. Logsdon stated solar panels are permitted in the City of Hazleton. He said solar panels are allowed in the City's Zoning Ordinance, but it does not allow someone to encroach on their property. He said Cheeseman may want to consult an attorney, privately. Atty. Logsdon stated this is a civil issue between two neighbors. Mundie asked if the Code Department if they looked at this. Atty. Logsdon said the Zoning Department did.

Donald Leshko, Hazleton City Fire Department Director, stated he spoke to Charlie Pedri about this matter. He said every solar panel is inspected by Tino Nocchi, City of Hazleton Building Inspector. Pedri said that the panels need PAL approval and approval by Leshko. He said they deal with location of the panels. Leshko stated a lot of houses have "kill" switches. Perry stated they city council may have to look at the solar panel issue.

Linda Spallone, 620 North Church Street, Hazleton, spoke of the Quality-of-Life Ordinance. She asked if there is an on-going investigation the criminals who terrorized former council woman Lauren Sacco. Spallone said she is not criticizing anyone but is afraid for the community. She stated something needs to be done. She said this could happen to anyone, even the mayor. She said she is afraid this will impact the Quality-of-Life Ordinance.

Spallone, also, asked if the noise situation, in the City, is being addressed. Perry stated the City is working on this issue, mainly Police Chief Brian Schoonmaker.

Nicarol Soto, 206 Berner Avenue, Hazleton, congratulated Allison Barletta for being appointed to fill the city council vacancy. She said she wrote a letter, to city council, asking them to appoint her to fill this position. Soto said she has been a candidate for six years now. She said she wanted to represent the Hazleton community and wants Hazleton to move forward. She asked if city council could read her letter out loud.

Mary Malone, 101 St. Charles Drive, Hazleton, said there is another COVID-19 outbreak. She said there will be changes coming down the "pike". Malone asked Atty. Logsdon if there are any lawsuits, in the Commonwealth of Pennsylvania, that were brought against the City, if they do not use a streaming service. Atty. Logsdon stated it is different if a municipality is violating the Sunshine Act versus a lawsuit. He said this would be somewhat of a "pro-active" measure.

**Comments from Mayor:** Mayor Cusat congratulated Allison Barletta and Tony Colombo on their council appointments.

Mayor Cusat stated the City is, currently, "breaking ground" at three City playgrounds at one time.

Mayor Cusat said school will be returning shortly. He reminded all to drive safely. He stated there will be more enforcement of driving around the City schools.

Mayor Cusat wished everyone a Happy Labor Day.

Mayor Cusat reminded all about Funfest.

**Comments from City Administrator:** None

**Comments from Council:** Mundie thanked Lauren Sacco for her service as a council member. He said she did the “best she could” and wished her well. He, also, congratulated Barletta and Colombo on their council appointments.

Ondishin thanked Sacco for all her efforts. He, also, congratulated Barletta and Colombo.

Ondishin reminded all of the Rotary Club Wine & Beer Festival happening this weekend.

Barletta stated it is “great to be back” and looks forward to the next two years. She thanked Sacco for her service. She, also, congratulated Colombo as being nominated as city council vice-president. She stated the residents and community come first.

Colombo congratulated Barletta.

Colombo reminded all of the September 11<sup>th</sup> truck coming from California that will be in the City for the three-day weekend.

Colombo said Funfest will be held on September 2<sup>nd</sup>, 3<sup>rd</sup> & 4<sup>th</sup>. He also thanked Sacco for her service.

Perry stated Sacco was an asset and will be missed greatly.

Perry said Barletta knows the City budget process.

Perry stated City residents will be receiving questionnaires from the Comprehensive Plan committee. He also said City View Park is growing.

**Adjournment:** Perry motioned to adjourn the meeting. Meeting adjourned at 7:11 p.m.