

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
TUESDAY, SEPTEMBER 21, 2021**

Call to Order: Council met in regular session on Tuesday, September 21, 2021, 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; Sacco-present; Perry-present

Minutes of Previous Meetings: The minutes of the September 8, 2021 Regular Meeting were approved unanimously.

Presentations/Proclamations/Communications: Council President Perry announced the dollar amounts of the 2022 Minimum Municipal Obligation (MMO) for each of the four pension plans, as follows:

- Police Pension Plan - \$2,671,957
- Firemen Pension Plan - \$1,572,282
- Non-Uniformed Pension Plan - \$342,659
- Public Transit-\$0

Bid Opening: None

Courtesy of the Floor (ON AGENDA ITEMS ONLY): Mark Rabo, 1st Street, Hazleton, asked when pets were allowed in Council Chambers. Perry stated, "I do not see why".

Rabo spoke of the LSA grants for the airport. He asked if there would be an increase, in the contributions, with all the money that has gone, into the airport, over the years. He said this should be returned on the City taxpayers investment.

Rabo also spoke of the Adult Active Center. He stated the Luzerne County Redevelopment Authority had a discussion on using the LSA grant for private versus public use. He asked if the state would give guidance on this.

Rabo spoke of the LSA grant for St. Paul's Church. He asked if this is part of the Downtown Project.

Rabo asked if the City Hall Improvements request "went through" last year, because it was awarded in 2020.

Rabo spoke of the fire equipment resolution. He said Chief Leshko spoke of the capital budget and asked if he submitted his proposal to council for this. Rabo stated this is supposed to be submitted, to city council, by September 1st, per the City Code.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

None

(2ND READING)

None

RESOLUTIONS:

Resolution 2021-64

A Resolution Requesting Local Share Account Funds for the Hazleton Regional Airport

Presented by Colombo. Seconded by Barletta.

On the Question:

Perry stated Rabo had a question about the funding and return on the money. Perry said the City tries to do a cost analysis to try to get the money back. He asked Atty. Logsdon if the City is just the "conduit". Atty. Logsdon said yes. He said the City is applying, as the sponsor, for the LSA grant for the eligible municipality. Perry said it is not the City's job to apply. Atty. Logsdon said "exactly". He stated they would apply for the grant, pay the fee and then it would be analyzed, by the people, at the CFA.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-65

A Resolution Permitting the City of Hazleton to Apply for a Luzerne County Local Share Account Grant for the Hazleton Active Adult Center

Presented by Perry. Seconded by Barletta.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-66

A Resolution Requesting Local Share Account Funds on behalf of the Hazleton Integration Project

Presented by Perry. Seconded by Colombo.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Sacco-no; Perry-yes.

RESOLUTION PASSES 4-1

Resolution 2021-67

A Resolution Authorizing Use of Luzerne Local Share Account (LSA) Grant for St. Paul's Church Phase 1 Stabilization as Match to Keystone Communities Program Grant and Cooperation Agreement for Use of the Same

Presented by Perry. Seconded by Sacco.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-68

A Resolution Requesting Local Share Account Funds for City Hall Improvements Project

Presented by Perry. Seconded by Colombo.

On the Question:

Barletta asked what improvements administration is making. Mayor Cusat said some of the "stuff" the City was not funded in 2020. He stated, "this roof", the walls and ceiling in Council Chambers, the roof upstairs is still leaking, the roof, about the elevator, needs to be replaced, the steps were shut down "here", the front sidewalk- there was not enough to do in 2020, and handicapped walkways.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-69

A Resolution Authorizing the City of Hazleton to apply for a Luzerne County Local Share Account Grant on behalf of the YWCA of Greater Hazleton for the Hazleton YWCA Wellness Center Upgrade Phase II

Presented by Colombo. Seconded by Sacco.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-70

A Resolution Authorizing the City of Hazleton to apply for a Luzerne County Local Share Account Grant on behalf of the Pennsylvania Theatre of the Performing Arts

Presented by Perry. Seconded by Sacco.

On the Question:

Atty. Logsdon asked Jane Dougherty, of the PA Theatre of Performing Arts, if this is the right amount for the LSA grant. Dougherty stated this is not the right amount. He asked her if she has the new amount. Dougherty stated no. Atty. Logsdon said they need the new amount to submit. He asked Dougherty if it is "more or less than \$300,000". Dougherty stated, "approximately the same". She asked if it could be made for \$300,000. Atty. Logsdon said this is fine. He said when filling out the application, this is where they need it "to fit".

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-71

A Resolution Requesting Local Share Account Funds for the City of Hazleton's Fire Department Turnout Gear Upgrade Project

Presented by Colombo. Seconded by Sacco.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-72

A Resolution Requesting Local Share Account Funds for Air Packs for the Diamond Engine Hose Hook and Ladder Company Number 2 of Hazleton

Presented by Perry. Seconded by Sacco.

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

RESOLUTION PASSES UNANIMOUSLY

New Business: None.

Old Business: None.

Comments from the Audience: Angela Spanial, City's Payroll Specialist, said she is the President of the Hazleton's City Hall Employees Union. She wants to address the memos that Mayor Cusat sent, on September 10, 2021, increasing the annual salaries of nine bargaining unit employees. Spanial said she wants to know if council is aware they are bargaining unit employees. Atty. Logsdon stated they are not going to discuss personnel issues. Spanial stated it is not a personnel issue being it is an unlawful violation against the union contract. She said it would cost the taxpayers money to pursue this legally. She said any other unit, i.e.- fire, police, or DPW, it would not get this far, and would incur a huge expense. She stated the Hazleton City Hall Employee Union is a legal union. Spanial said they want to be recognized "as such" and have left out five senior members on the memo. She stated many departments are depleted, especially the financial administration department. She said she has been

writing e-mails to city council members. Atty. Logsdon said the union contract needs to be discussed in an Executive Session and he would exercise this privilege. Spanial asked if council would approve this, knowing it is an illegal action against a legal contract and legal union. She said they approved a \$8,000 raise for unit members and the unit members who are left out. Atty. Logsdon stated this is a personnel issue and would not advise discussing personnel or union contract issues in this form. Spanial asked if Mayor Cusat issued a memo for 10 police officers that were threatening to quit, and give raises to the 10, would it get to this point. She stated they are not recognized or respected by this mayor, has been in serious negotiations, for one year, and he could just "override" the negotiations and just do "what he wants". Spanial stated, "she thought it was a democracy".

Barletta asked if it is a \$8,000 total raise, or a \$8,000 raise per employee. She asked if it is for the City Administrator. Mayor Cusat asked to have an Executive Session to discuss the matter.

Perry stated city council and administration will have an Executive Session on personnel issues.

Perry stated they had an Executive Session, on personnel issues, and they will "leave it at that". Atty. Logsdon stated Mayor Cusat has apprised city council, of the situation, and will "move forward". Spanial asked if this is the answer to her question. Atty. Logsdon said yes.

Spanial said this is \$48,000 of salary increases that city council has decided not to vote on. She said the remaining five members of this union, would like to have the same courtesy. She said they want increases without council voting on them. She said this is costing taxpayers a lot of money because she works in the Financial Administration Department. Spanial said the taxpayers have a right to know where their money is going. She suggested council get the attorneys invoices to see the increases since this administration has been in power. Spanial stated she is very disappointed in their answer. She said this is going against the collective bargaining unit's laws, to do an increase, like this, unless there is a state of emergency. She said she does not think there is one in the Code Department with seven employees, a manager, a supervisor and five officers. Spanial stated she is very disappointed in their answer.

John Nilles, 575 North Church Street, Hazleton, spoke of the LSA grants. He said all LSA grants are helpful for all community functions going on. He also thanked council for voting for the air packs for the Diamond Fire Company, as being its president. Nilles said it goes a "long way" for the volunteers who come out of their way, "24-7", to help the community. He stated it is great for the church and other functions, going on, right now.

Mark Rabo, 1st Street, Hazleton, asked if the deed transfer went through for the City purchase through the Land Bank. Atty. Logsdon said the City has not gotten the deed back. Rabo asked if the Land Bank intends to make any other purchases in 2021. He also inquired about the Land Bank's budget.

Frank Cusat, 963 North Vine Street, stated he has a property on 14th & Vine Streets with no gutter left. He said everyone parks on his sidewalk, and his gutter is destroyed. Cusat said he went to DPW and was told it is his responsibility. He stated he thought it belonged to the streets.

Cusat showed Atty. Logsdon and city council members pictures of this property. Mayor Cusat stated his responsibility would be "up to the brick line". He said it cannot be "milled-out" because it is cobblestone. He said the City will look to see if there is any way to patch it, without digging up the cobblestone.

Comments from Mayor: Mayor Cusat said on September 23, 2021, there will be a Swearing-In Ceremony for the police and fire departments, with some awards, at 3:00 p.m., at City View Park. Mayor Cusat said if there is inclement weather, it will be postponed and rescheduled.

Mayor Cusat said Colombo had a nice event for 9/11.

Mayor Cusat said there are two city council meetings in November listed. He said there could only be one for the budget process. He said November 10th is "pushing it". Barletta asked when the City's budget will be presented. Dan Lynch said the budget draft needs to be presented, to city council, by November 15th, 2021.

Comments from City Administrator: None

Comments from Council: Colombo asked Atty. Logsdon if he is still working on the Subdivision and Land Division (SALDO) Ordinance. He stated council members are receiving telephone calls. Atty. Logsdon stated their next larger, drafting project will be the SALDO Ordinance. He said the Comprehensive Plan will be done, and then the revisions, to the new SALDO, will come in front of council. He stated it will take a little time. He said there were environmental concerns when discussing the City Zoning Ordinance. He said any land developments needs to go through the Land Development Director and Planning Commission. He stated any amendments, in the SALDO Ordinance, will be beneficial for protecting any areas in impact studies. Atty. Logsdon said the City wants to encourage and make sure any development is done in a safe way. He stated the current SALDO Ordinance is old. He said there may be something on the next city council agenda to address these concerns.

Colombo told residents that their concerns are being addressed and until now, when the new SALDO Ordinance, is instituted, that everything needs to go before the Planning and Zoning Departments. Atty. Logsdon stated the City has a good Land Development Ordinance and are making adjustments to it. He said any land developments, in the City, currently, has to be presented to the City Planning Commission and Land Director.

Perry said Lynch stated the 2019 City audit is close to be completed. Lynch said by September 24th, he will have a more precise update. Perry said the City needs this for the purchase of the fire trucks.

Perry said Jim Rose, DCED, mentioned, at a recent weekly PEL meeting, that the City needs to have a public hearing for the ACT 47 Comprehensive Plan grant. He said this is scheduled for the next Hazleton City Council meeting on October 13th @ 5:00 p.m.

Perry stated the City has the off-street parking initiative.

Perry said Pedri is looking into illegal apartment conversions.

Pedri asked where the City is at for the LERTA for the Altamont Building. Mayor Cusat said LERTA states the property needs to be in an I-2 area, and the downtown is not I-2. Atty. Logsdon stated the Altamont Building application stated no. He said it does not qualify and this is noted in the ordinance.

Perry said a lot of residents are putting more garbage out then they are required to. He said some areas are "piled high" in certain sections. Mayor Cusat said, according to the ordinance, it is the Health Officers responsibility to enforce this, and, currently, the City has no Health Officer. Colombo stated Tamaqua Transfer is short on employees. Mayor Cusat said they "are trying". He said it is not just a problem, in Hazleton, but everywhere.

Barletta asked where the City is in their paving project. Mayor Cusat stated they did 3rd and 4th Streets, today, and next is Hilltop. Barletta asked if it will be done by October. Mayor Cusat stated H & K is extremely busy, doing a lot of work, and is a huge company. He said after Hilltop, then it will be Muir and Carleton. He said the whole Terrace will not be done this year. Mayor Cusat said the money is there. He

said it depends how long they keep the asphalt plant open. Barletta asked if H & K posts NO PARKING signs or does the City. She said the last time, the signs were facing the wrong way. Mayor Cusat said Alan Wufsus, City Engineer, voiced the City's concerns to them, and it was corrected for today.

Mayor Cusat said from Diamond Avenue from Broad to Vine Street, 5th Street from Church to Locust Streets, and Carson from Diamond Ave to 17th Street will be going out for bid this week. He said the Terrace project will, also, be started with the entire Terrace being done and adding Random Lane and Virginia Circle. Mayor Cusat said if there is enough money, they will do the Wilson Drive and Circle, if the City does have any "overages".

Barletta asked if the salt is ordered. Lynch said yes. Mayor Cusat said the City would have to commit to such much tonnage, a year, or pay for it. He said the City needs another salt shed. He said the City repaired the old salt shed. He said he would like to invest in a bigger, newer shed. He stated the City got the lease, for the property, from Pagnotti, to build the salt shed. He said the property is where they park all the cars.

Colombo extended condolences to Mundie on the passing of his father. All agreed.

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 7:15 p.m.