

## MINUTES

### HAZLETON CITY COUNCIL

#### REGULAR MEETING

WEDNESDAY, JUNE 13, 2018

**Call to Order:** Council met in regular session on Wednesday, June 13, 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 May 23, 2018-Regular Meeting were approved unanimously.

**Proclamations/Communications:** – Presentation of Certificates of Award to Junior Council.

**Bid Opening:** Purchase of Real Estate, in the City of Hazleton:

1. 241-247 East Chestnut Street, Hazleton (PIN # 710-T8SW34-002-10A)
2. 57 North Cedar Street, Hazleton (PIN # 71-T8SW31-005-001-000)
3. 298 East Broad Street, Hazleton (PIN # 71- T8SW31-007-002-000)
4. 244 East Mine Street, Hazleton (PIN # 71-T8SW34-002-010B-000)

Atty. Sean Logsdon read the two bid openings received by the city of Hazleton.

1. One bid for 57 North Cedar Street, Hazleton, received from Jessie Gomez. Bid-\$6,850.00. Also, a property bid deposit agreement check was written for \$685.00.
2. One bid for 241-247 East Chestnut Street, Hazleton, received from Juan Santos. Bid-\$10,000. Also, a deposit check was written for \$1,000.

**Courtesy of the Floor (ON AGENDA ITEMS ONLY):**

Mark Rabo, 1<sup>st</sup> Street, Hazleton, spoke of Ordinance 2018-20- An Ordinance Approving the Action Plan For Fiscal Year 2018. Rabo said there is no funding included in this plan for the Blighted Property Review Committee. He said Mr. Pedri stated Mayor Cusat dissolved the Blighted Property Review Committee. Mayor Cusat said council approved the budget and would be on city council. Rabo said when he resigned from the Blighted Property Committee Review board, he said the previous council did fund this committee. Mope said the committee cannot be dissolved if this committee was not funded.

Mope said city council never formally dissolved the Blighted Property Review Committee. He wants to know where the city is using this money that was allocated for the committee. Joe Zeller, Director of Community Development, stated there was no funding allocated in CDBG for the Blighted Property Review Committee. He said the funding would be in the city's budget. Mope stated there is to be a Blighted Property Review Committee and a Planning Commission. Mope asked if Zeller can put money into his budget for this. Zeller stated no; CDBG is for planning dollars. Mope asked who recommends which properties are determined for demolition. Zeller said this is decided by the zoning hearing board and code enforcement. Mope asked Atty. Sean Logsdon to review who determines blighted properties in the city and for money in demolition to be utilized properly. He also spoke of Ordinance 2018-21- An Ordinance of the City of Hazleton, County of Luzerne, Commonwealth of Pennsylvania, Approving the ACT 47 Financial Recovery Plan for the City of Hazleton as Prepared by the ACT 47 Coordinator Pursuant to the Municipalities Financial Recovery Act. He said, currently, the city needs to cut expenses and freezes. He said there needs to be money sought from other sources before taxing the residents. He said this could take Hazleton out of ACT 47 sooner. Mope said Plymouth is coming out of ACT 47. She said they have increased their EIT taxes, but made a few cuts. Mope said all of PEL's recommendations will not go into place.

Gavio stated city administration and city council will be meeting with Gerald Cross of the Pennsylvania Economy League and his staff on a weekly basis.

Grace Cuozzo, 948 James Street, Hazleton, said regarding Ordinance 2018-21, she asked what time frame will the city seek the courts approval to raise the EIT taxes. Gavio said this will be done in 2018. She stated the town of Plymouth has cut back their expenses. Cuozzo said council will be responsible for all the increases.

Todd Houseknecht, 225 West Diamond Ave., Hazleton, asked how the city can have employees who are not qualified for certain positions and are raising rates. He asked if the city has a qualified building official. Gavio said PEL has reviewed all the city departments and have made their recommendations.

#### **Old Business:**

### **ORDINANCES**

**Ordinance 2018-20** An Ordinance Approving the Action Plan for Fiscal Year 2018 (**2<sup>nd</sup> READING**)

Presented by Barletta. Seconded by Colombo.

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

**ORDINANCE PASSES ON 2<sup>nd</sup> READING**

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**Ordinance 2018-20** An Ordinance Approving the Action Plan for Fiscal Year 2018 (**3<sup>rd</sup> READING**)

Presented by Perry. Seconded by Barletta.

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

**ORDINANCE PASSES UNANIMOUSLY**

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**Ordinance 2018-21** An Ordinance of the City of Hazleton, County of Luzerne, Commonwealth of Pennsylvania, Approving the Act 47 Financial Recovery Plan for the City of Hazleton as Prepared by the Act 47 Coordinator Pursuant to the Municipalities Financial Recovery Act (53 P.S. §§ 11701.101 ET. SEQ.) (**2<sup>nd</sup> READING**)

Presented by Gavio. Seconded by Colombo.

**On the Question:**

Perry stated any city employee cuts would have been recommended by PEL. He stated the fire department currently is at minimal man power. He stated if the police department staff is cut, they receive 6-month salary and 12-months of health insurance. Perry said if an employee is cut, the city still pays.

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

**ORDINANCE PASSES ON 2<sup>nd</sup> READING**

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**Ordinance 2018-21** An Ordinance of the City of Hazleton, County of Luzerne, Commonwealth of Pennsylvania, Approving the Act 47 Financial Recovery Plan for the City of Hazleton as Prepared by the Act 47 Coordinator Pursuant to the Municipalities Financial Recovery Act (53 P.S. §§ 11701.101 ET. SEQ.) (**3<sup>rd</sup> READING**)

Presented by Perry. Seconded by Gavio.

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

**ORDINANCE PASSES UNANIMOUSLY**

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**RESOLUTIONS**

None

**New Business:**

**ORDINANCES**

**Ordinance 2018-22** An Ordinance of City of Hazleton, Luzerne County, Commonwealth of Pennsylvania, Electing to Withdraw the Pension Plan of the Hazleton Transit Authority from the Pennsylvania Retirement System Pursuant to Article IV of the Pennsylvania Retirement Law **(1<sup>st</sup> READING)**

Presented by Gavio. Seconded by Mope.

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

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

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**RESOLUTIONS**

**Resolution 2018-52** Resolution Certifying the Local Match for State Operating Financial Assistance for Fiscal Year 2018/2019

Presented by Mope. Seconded by Barletta.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2018-53** Recommendation of Award for Hazleton Active Adult Center Project

Presented by Gavio. Seconded by Mope.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Comments from the Audience:** Mark Rabo, 1<sup>st</sup> Street, Hazleton, stated he hopes with the adoption of the ACT 47 Recovery Plan for the city that this takes Hazleton out of distress status. He is hoping the

city will be financially solvent again. He would also like to see uniformity of enforcement in the UCC codes. Rabo said there cannot be discrimination among the residents. He said this cannot be used as a “weapon”.

Harry Reimold, Hazleton, stated he was at a city council meeting in February, 2018, and stated there is a blighted property on Perry Court for one year with no success. He said he has called the Hazleton Code Department and there is no response. He said this property devalues the properties around it. Reimold asked why nothing is being done. He said Hazleton Fire Chief, Donald Leshko said he would take care of the problem, but nothing has been done.

Mope asked Mayor Cusat regarding the property next to the Blue Comet. Mayor Cusat said there is a demolition permit purchased on the property. He said the permit is good for one year. Reimold asked

Mayor Cusat what the city can do to property owners when their buildings are falling down. Mayor Cusat said the city sends the owner a note of violation and then is sent to court. Atty. Logsdon stated if a resident pleads for more time or does not show for the hearing, the city can execute on the judgement. He said this costs the city money. Atty. Logsdon said it can be a long process. Reimold said he would like something done with this building. Mope stated the property owner should be fined on a daily basis. Atty. Logsdon stated the ruling or fine would come from a judge. He said the code department gives a notice of violation. Mayor Cusat said the city cannot go into an imminent domain and demolish a property.

Gavio stated he was the only council member who voted to put more money into the demolition fund.

Perry said this is a long process. Mope asked if the code department sent out notices of violation on this property. She advised Reimold to take the notice to the district magistrate. Perry said Charlie Pedri, Code Enforcement Director, needs to contact him to resolve the problem.

Dan Lynch, City Administrator, said he has seen severe blighted properties in Mahanoy City. He said blight is ultimately the responsibility of a private property owner. He stated it is a “huge” challenge for the city to undertake. Lynch said it is a “money issue” for the city.

Joseph Zeller, Community Development Director, said HUD would have to approve any CDBG funding for any city demolition. He said the process is labor intensive.

**Comments from Mayor:** Mayor Cusat stated the new city hall phone system does not work properly. He said it is internet-based. He said it would cost the city between \$50,000-\$70,000 to run new wiring. He said each new phone would cost \$500-\$600. He said the phone system is inadequate and does not work correctly. Mayor Cusat said the e-mail system works fine. Perry asked if PEL would approve a new telephone system. Lynch said the IT infrastructure will be assessed by PEL. Barletta asked if there is grant money the city could receive. Mayor Cusat said yes. Mope suggested informing the public to send any complaints via e-mail or letter.

Mayor Cusat said weekly PEL meetings with city council and city administration will begin the week of June 18<sup>th</sup>, 2018. He said the city will be able to move forward with these meetings.

He stated the Blighted Property Review Committee was not dissolved. He said if this committee was unfunded, it was due to the city council's budget.

Mayor Cusat said the city is getting many complaints regarding garbage and recycling. He said the Hazleton City Authority thought they did what was best for the city residents.

He thanked the Hazleton Lion's Club for donating basketball nets for all the city courts and painting walls at the Altmiller Playground. He wished everyone a Happy Father's Day.

Mayor Cusat said the July 4<sup>th</sup> Fireworks celebration will be held on July 3<sup>rd</sup>, 2018 at City View Park. Gates will be opening at 4 p.m.

Daniel Lynch said the city recently sent out an RFP for a lease-purchase agreement for vehicles for the Hazleton City Public Works Department. He stated the lease purchase would be done, each year, through the liquid fuels fund. He said the city is allowed to use 15% of the allocation for these vehicles. He stated the agreement from M&T Bank, gave options of 5, 6, & 7 years, at 3.895%, 3.911% & 3.918% respectively. He said the total approximate cost of the equipment is \$793,644.00 which includes four dump trucks with plows, one street sweeper, and one backhoe. He stated there is a capital project budget, in the highway budget, for 2018 at \$57,000. He said some capital funds have not been used for a few years. He said \$105,000 would be an up-front payment. He said the 7-year option would be best, about \$114,000 yearly. He said the allocation would be about \$121,000 for the equipment.

Mope asked Lynch if PEL was notified. Lynch said yes. He stated Mr. McGowan of M& T Bank works closely with municipalities that are in ACT 47.

**Comments from Junior Council:** Lauren Sunder thanked all of council for the opportunity to participate in junior council. She said through her experience, she has learned about city government. She stated she can appreciate all the hard work done by council and city administration.

**Comments from Council:** Perry stated the old St. Joseph Medical Building is being renovated. He asked if the city garbage fines are the responsibility of the city or the Hazleton City Authority. Mayor Cusat said the city turned over the responsibility to the Hazleton City Authority. He stated the city could fine the hauler. Mope stated the city, in the past, was paying more in fines than any other municipality. She said the city's previous garbage hauler did a good job. She said there were complaints with recycling containers being too big. Perry stated the Hazleton City Authority earned \$4,000,000 with their garbage contract. He asked where this money has gone. Mayor Cusat said the blue bins were given out to residents for a temporary "fix". He said the bins are too big to fit into a car.

Gavio said if a resident calls the Hazleton City Authority they will deliver the containers to the residents home. He stated council and city administration needs to work together on this issue.

Mope said there were complaints, with the previous hauler, on the size of the recycling containers.

She said the city has a major littering problem, especially in the Hazleton Heights and on the Arthur Gardner Parkway. She said there has been a “political push” for the garbage to come back to the city. She said they had to put in a new billing system to accommodate the garbage issue.

Mayor Cusat said it is an extra burden, on the employees at Hazleton City Authority, in regards to the garbage issue.

Barletta asked where the city is, currently, on filing potholes. Mayor Cusat said the “pothole killer” was rented out for a certain amount of time. He said many main and side streets are complete. He said residents can notify the city of any potholes at [hazletoncity.org](http://hazletoncity.org).

Barletta asked Mayor Cusat if the city could get either a uniform or a badge for the city code enforcement employees. Mayor Cusat stated he would like to get a uniform, t-shirt or vest. He said the best option would be a t-shirt with their ID on them. He said the city got a new ID maker.

Colombo thanked Mayor Cusat for congratulating the Hazleton High School athletes at a recent city program. He said the junior council members are the future of government. He said we need to make Hazleton “great” again.

Gavio said it was a pleasure to work with the out-going junior council members.

Mope wished everyone a Happy Father’s Day.

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