

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
TUESDAY, DECEMBER 19, 2023**

Call to Order: Council met in a Regular Meeting session on Tuesday, December 19, 2023 in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 6:15 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; Ondishin-present; Perry-present

Minutes of Previous Meetings: The minutes of the December 5, 2023 Regular Meeting were approved unanimously.

Presentations/Proclamations/Communications: None

Bid Opening: – None

Courtesy of the Floor (ON AGENDA ITEMS ONLY): Mark Rabo, 1st Street, Hazleton, spoke Ordinance of 2023-9- An Ordinance of the City of Hazleton Providing for a Tax Exemption for Deteriorated Areas and Property Pursuant to the Pennsylvania Tax Exemption and Mixed-Use Incentive Program Identified as Act. No. 61 of 2020 (P.L. 631) July 14, 2020; Designating the Area to be Subject to the Program; Providing for an Exemption Schedule; Procedures for Obtaining an Exemption from Real Property Taxation; and Properties Not Eligible for the Exemption. He asked if the City is paying this through the ARP money or would it come from the “charge”, in the budget, for stormwater project. Rabo suggested looking into the state ARP money and using the City’s portion of the money as a match. He said he is not sure if the solicitor looked into the blighted area. He said it may not “jive” with the compliance of the state statute.

He suggested the Garbage Ordinance be amended for bulk garbage items. He said something needs to be worked out with the HCA.

David Fatula, 105 Mark Road, Hazleton, spoke of Ordinance 2023-9- An Ordinance of the City of Hazleton Providing for a Tax Exemption for Deteriorated Areas and Property Pursuant to the Pennsylvania Tax Exemption and Mixed-Use Incentive Program Identified as Act. No. 61 of 2020 (P.L. 631) July 14, 2020; Designating the Area to be Subject to the Program; Providing for an Exemption Schedule; Procedures for Obtaining an Exemption from Real Property Taxation; and Properties Not Eligible for the Exemption. He said the attorney spoke of the deteriorated property. He said all the land is “virgin” land. Fatula said at the last meeting, the developer discussed all the benefits the taxes would bring to the City. Fatula said the projection is to build 60 houses per year. He said each property would be about \$2,034/yr. in taxes. Fatula stated the City would be expending money for police, fire, and all City services. He said the City would not be collecting about \$900,000 in taxes with the anticipated tax break. He said the current taxpayers should not be “footing” the bill for this development.

Tom Fayock, Hilltop Road, Hazleton, said the City needs to think about the “irate” Hazleton taxpayers with the tax exemption. He said he had lived in Hazleton for 50 years. He said the people coming from New York and New Jersey would not have to pay taxes. Fayock said this is not fair.

Nate Lee, 19th Street, Hazleton, said the City would not get a growing tax base if this development would not come into Hazleton. He said this is a great opportunity for the City. Lee stated he has spoken to other people and feel the same way.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

None

(2ND AND 3RD READINGS)

Ordinance 2023-7

An Ordinance Amending the Code of Ordinances of the City of Hazleton, Part II, Chapter 404, Solid Waste, Article I, Garbage, Rubbish, and Refuse, Amending Section 404-9, Garbage Collection and Disposal Fees
(2nd READING)

Presented by Colombo. Seconded by Mundie.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-no; Perry-no

ORDINANCE PASSES 3-2

Ordinance 2023-9

An Ordinance of the City of Hazleton Providing for a Tax Exemption for Deteriorated Areas and Property Pursuant to the Pennsylvania Tax Exemption and Mixed-Use Incentive Program Identified as Act. No. 61 of 2020 (P.L. 631) July 14, 2020; Designating the Area to be Subject to the Program; Providing for an Exemption Schedule; Procedures for Obtaining an Exemption from Real Property Taxation; and Properties Not Eligible for the Exemption **(2nd READING)**

**NO MOTION TO REMOVE FROM TABLE
ORDINANCE TABLED**

Ordinance 2023-10 An Ordinance Authorizing and Making a Portion of 14th Street a Two-Way Street between Sherman Court and Alter Street **(2nd READING)**

Presented by Perry. Seconded by Colombo.

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

ORDINANCE PASSES UNANIMOUSLY

Ordinance 2023-11 An Ordinance Authorizing and Making a Portion of 13th Street a Two-Way Street between Vine Street and Laurel Street **(2nd READING)**

Presented by Perry. Seconded by Ondishin.

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

ORDINANCE PASSES UNANIMOUSLY

BUDGET ORDINANCE 2023-12 An Ordinance Providing for the Appropriation of Specific Amounts Estimated as Required for the Various Departments of the Government of the City of Hazleton, Luzerne County, Pennsylvania for and during the Fiscal Year, dating from January 1, 2024 and Ending December 31, 2024 **(2nd READING)**

Presented by Perry. Seconded by Ondishin.

On the Question:

Lynch gave City Council some information about contemplating making amendments to the budget. He stated he reviewed budget information from 2017 and gave the figures.

Ondishin asked Lynch the total millage increase with the 2024 budget. Lynch stated 1.15 mills. He said City Council could make amendments, and still, pass a balanced budget. He said a City resident's total median tax bill would be \$1,938.58. He said the PA state average for property taxes is \$3,022.00.

Barletta motioned to make three amendments to the 2024 budget. She said the first amendment would be to Revenue Line Item #001-331-3100 to increase it to \$54,974.

Barletta stated the second amendment would be to Expenses in the Road Materials. She said to decrease this by \$100,000, from \$400,000 to \$300,000 and use Community Development LSA grants.

Barletta stated the third amendment would be to the Stormwater Project- Line Item #001-430-5250, and reduce this by \$98,000.

Atty. Sean Logsdon suggested City Council do the three amendment votes "one at a time".

Lynch said if all three amendments were made, there would be a .28 mill reduction. He said the final increase would be .87 mills. The percentage would be 12.8% and per median household would be \$21.39.

Mayor Cusat said the City is looking at a 18% tax increase next year, plus the money City Council is taking out today, there would be a 21% tax increase without negotiating any contracts. He said he wants City Council to choose, the eight to ten blocks, that will not be paved next year. He said if

taxes were raised, in 2015, the City would not have gone into ACT 47. He said if City Council keeps “pushing off” the tax increases, they are not doing the residents any favors. Mayor Cusat said the City will be back in ACT 47.

#1 Amendment-

Presented by Barletta. Seconded by Colombo.

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

FIRST AMENDMENT PASSES UNANIMOUSLY

#2 Amendment-

Presented by Barletta. Seconded by Colombo.

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

SECOND AMENDMENT PASSES UNANIMOUSLY

#3 Amendment-

Presented by Barletta. Seconded by Ondishin.

Roll Call: Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-no; Perry-no

THIRD AMENDMENT PASSES 3-2

Roll Call (On Amended Ordinance): Barletta-yes; Colombo-yes; Mundie-no; Ondishin-yes; Perry-yes

ORDINANCE PASSES 4-1, AS AMENDED

Ordinance 2023-13

Re-Enacting Ordinance 1931 which Continues in Force and Effect for the Period January 1, 2024 through December 31, 2024, Imposing the Real Estate Transfer Tax **(2nd READING)**

Presented by Perry. Seconded by Colombo.

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

ORDINANCE PASSES UNANIMOUSLY

Ordinance 2023-14

An Ordinance of the City of Hazleton Fixing the Tax Rate of Real Estate Located in the City of Hazleton, Pennsylvania, for All City Purposes for the Fiscal Year 2024, Beginning January 1, 2024 and Ending December 31, 2024 **(2nd READING)**

Presented by Colombo. Seconded by Ondishin.

On the Question:

Perry stated they need to make changes in the General Revenue Purposes section. Lynch stated the rate would be changed from 7.17 mills to 6.89 mills with a total of 7.65 mills.

MOTION TO AMEND:

Roll Call: Barletta-yes; Colombo-yes; Mundie-no; Ondishin-yes; Perry-yes

MOTION TO AMEND PASSES 4-1

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

ORDINANCE PASSES 4-1 AS AMENDED

Ordinance 2023-15

Re-Enacting Ordinance 2021-24 which Continues in Force and Effect for the Period January 1, 2024 through December 31, 2024, Imposing the Payroll Preparation Tax for the City of Hazleton (**2nd READING**)

Presented by Perry. Seconded by Ondishin.

Roll Call: Barletta-yes; Colombo-yes; Mundie-no; Ondishin-yes; Perry-yes

ORDINANCE PASSES 4-1

Ordinance 2023-16

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 January 1, 2024 and Continuing in Force on a Calendar year basis (**2nd READING**)

On the Question:

Perry asked Atty. Sean Logsdon if the new City Council members could “re-open” the budget. Atty. Logsdon said yes, and the budget needs to be passed by February 15, 2024.

Presented by Colombo. Seconded by Ondishin.

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

ORDINANCE PASSES UNANIMOUSLY

RESOLUTIONS:

Resolution 2023-81 Council Meeting Schedule for 2024

Presented by Perry. Seconded by Colombo.

On the Question:

Atty. Sean Logsdon stated the meetings will be on the second and fourth Tuesdays of the month. He stated the Inauguration/Organization Meeting will be held on January 2, 2024. The rest of the meetings will be held at 6:00 p.m. He said one small adjustment was made to the first meeting in November. The first November meeting fell on Election Day, so this meeting was moved to Thursday, November 7, 2024.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023- 82 Awarding Contract for 2023-2024 Winter Emergency Snow Removal (Equipment and Operators)

Presented by Perry. Seconded by Ondishin.

On the Question:

Atty. Sean Logsdon stated the only bidder was Wanick Construction, Inc. and they will be awarded the bid.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-83 A Resolution Confirming the Fee Schedule for the City of Hazleton

Presented by Perry. Seconded by Colombo.

On the Question:

Atty. Logsdon said the City will keep the fees the same as year 2023. Perry asked if the user fee analysis results would change this. Atty. Logsdon stated when the City gets the user fee results, then the City could make any adjustments in 2024.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-84 A Resolution Authorizing the City of Hazleton to Transfer Funds to
General Fund

Presented by Perry. Seconded by Ondishin.

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

RESOLUTION PASSES UNANIMOUSLY

New Business: None.

Old Business: None.

Comments from the Audience: Dee Deakos, 43 West Mine Street, Hazleton, asked if the ARP money went into the City Treasury. Lynch said it went into a separate account and is not supposed to be intermingled with City funds. He said it is not City money, it is grant money. Deakos stated Section 11-25, in the City Code, states, "No money should be paid, out of the treasury, except by appropriations made by City Council". She said to give all the power to one person is not good. Lynch said the residents of the City voted to have this form of government.

Deakos said she saw on Facebook there is a mold problem with the new police department building. She said the seller should repair this issue and give the City a discount. Lynch said she heard this, on Facebook, and said this person was acting in "bad faith".

Mark Rabo, 1st Street, Hazleton, said when Mayor Cusat presented the first budget, the \$645,000 equates to the same amount of the delinquent taxes that he gave his friend the job to collect the taxes. He said the HCA offered to the City Streets Department to pave up to the Administration Building to offset any shortfall. Rabo said the City needs to be "real" and honest with the residents. Lynch said when the City would monetize delinquent real estate taxes, the firm gives the City a lump sum payment, at the beginning of the year. He said they make their money by keeping some of the delinquent taxes they collect. Lynch said this does not fill a budget gap because the City would get less money.

Comments from Mayor: Mayor Cusat said he saved the City \$400,000, over eight years, by not taking the lump sum money.

Mayor Cusat thanked Lynch for the tough work on the 2024 City budget. He said maybe the City will receive more fines in 2024. He said the residents need to realize there will be a tax increase each year. There are four City contracts to be negotiated in 2024. He said if the City institutes a tax increase, a little a year, then the City will not get into the "double" digits.

Mayor Cusat said Santa Claus is coming through town one more time. A Live Nativity will be held on December 23 at Memorial Park.

Mayor Cusat thanked Barletta in filling the council vacancy two years ago. Barletta thanked Mayor Cusat. She said it was a pleasure to work with him. Mayor Cusat thanked Mundie for twenty years of service to the City.

Mayor Cusat wished everyone Happy Holidays.

Comments from City Administrator: Lynch reviewed some more numbers in the 2024 budget.

Comments from Junior Council: None

Comments from Council: Perry thanked Lynch for all his work on the 2024 budget.

Perry thanked all Junior Council Members for coming to the meeting.

Barletta wished everyone a Merry Christmas.

Colombo wished a speedy recovery to Junior Council Member Paul Neyhart. Colombo invited all to the Santa parade one more time.

Colombo thanked Jess from the Hazleton Police Department for the coordination of the first responder Christmas party.

Colombo wished everyone a Merry Christmas.

Mundie thanked all. He said this is his last meeting he will be voting at as a City Council Member. He said he always did what was good for the City. He said the City has the best police department in the state, and the fire department does very well.

Ondishin wished good luck to Mundie and Barletta. He said they are a true asset to the City. He wished all a Merry Christmas.

Perry thanked all department managers for attending the meeting. Perry stated the old Altamont building is progressing in the renovations. Mayor Cusat stated the new owners are waiting for the electrical approval.

Comments from Junior Council: None

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 7: 40 p.m.