

**MINUTES  
HAZLETON CITY COUNCIL  
REGULAR MEETING  
TUESDAY, AUGUST 8, 2023**

**Call to Order:** Council met in a Regular Meeting session on Tuesday, August 8, 2023 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; Ondishin-present; Perry-present

**Minutes of Previous Meetings:** The minutes of the July 11, 2023 Regular Meeting were approved unanimously.

**Presentations/Proclamations/Communications:** None

**Bid Opening:** None

**Courtesy of the Floor (ON AGENDA ITEMS ONLY):** Mark Rabo, 1<sup>st</sup> Street, Hazleton, asked if a resolution regarding the Hazleton Creek Redevelopment grant is still on the agenda. Barletta said this no longer is on the agenda.

Rabo spoke of Resolution 2023-35- Resolution Approving Application for a Multimodal Transportation Fund Grant from the Commonwealth Financing Authority for Phase III of the Alter Street Improvements Project. He asked if this is the last phase for Alter Street for paving. Mayor Cusat (*inaudible*). Rabo asked if this will be done in other areas of the City. Mayor Cusat (*inaudible*). Rabo spoke of the City's fund balance policy. He asked if this would be an administrative code change. Rabo asked if City Council would need to "sign-off" on this because they are responsible for the budget. Atty. Logsdon (*inaudible*).

Rabo, also, spoke of Resolution 2023-40- Requesting a Traffic Study be Completed by the City of Hazleton at the Intersection of East 17<sup>th</sup> Street and Carson Street to Determine if There is a Need for a Stop Sign at this Location. He asked if a traffic study was ever done to evaluate the impact of the traffic going into the south side of the City. Atty. Logsdon said he needs to "check back" with the Planning Commission whether it was either PENN DOT or the City who required the traffic study.

Rabo asked how the Redevelopment Authority needs a resolution, from City Council, to convey property unless the City owns the property and wants to convey it to the Redevelopment Authority. Atty. Logsdon said the attorney from the Redevelopment Authority sent over this resolution to present to City Council. He said they want approval, from the City, for what they are doing with the property. Rabo asked if this is regarding a liability issue.

Dee Deakos, 43 West Mine Street, spoke of Ordinance 2023-5- An Ordinance Authorizing the Erection of a Stop Sign at the Intersection of East Buttonwood Street and South Wyoming Street. She said there is a stop sign at this place, and the City needs to place a stop sign on the south side of the Buttonwood, instead of the north side of Buttonwood. Deakos said the City needs to place the sign on the other side of

the street. Ondishin said there is only one more spot to put the stop sign in this area. She said she is trying to correct the verbiage of the ordinance. She said it should be placed on the south west corner.

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**ORDINANCES AND RESOLUTIONS:**

**ORDINANCES:**

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

None

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**(2<sup>ND</sup> READINGS)**

**Ordinance 2023-4**

An Ordinance Authorizing the Erection of a Stop Sign at the Intersection of West 14<sup>th</sup> Street and North Manhattan Court (**2<sup>nd</sup> Reading**)

Presented by Barletta. Seconded by Colombo.

**On the Question:**

Barletta asked why this is being tabled. Mayor Cusat said the traffic study has not been completed yet. Barletta stated the traffic study should be done first. Mayor Cusat stated City Council, at the last meeting, requested the traffic study.

**NO MOTION TO REMOVE FROM TABLE MADE  
ORDINANCE FAILS ON 8/8/2023**

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**Ordinance 2023-5**

An Ordinance Authorizing the Erection of a Stop Sign at the Intersection of East Buttonwood Street and South Wyoming Street Court (**2<sup>nd</sup> Reading**)

Presented by Barletta. Seconded by Ondishin.

**On the Question:**

Ondishin said the verbiage should be changed to the southwest of Buttonwood Street. Barletta said reading the law, this stop sign would have to go on the railroad sign. Mayor Cusat said this is why there has never been a stop sign there because the stop sign would be far back. Barletta asked if there are any issues with cars sliding when they are coming up on Buttonwood hill. Police Captain White said, "off the top of his head", no issues he could think of. Ondishin said at this intersection, drivers are not stopping because they assume the other side has to stop. Barletta asked if the City is concerned about where the stop sign would be placed. Barletta suggested the City Engineer review this area. Mayor Cusat stated he does not know if the City Engineer would help. He said this is more of a legal issue. Colombo asked if the railroad company has the authority to tell the City to put it further back. Atty. Logsdon said yes. Barletta suggested tabling the ordinance, and go out with DPW Department to see exactly where the stop sign will be placed. Ondishin said it would not be bad if Wyoming Street was one way.

**MOTION TO TABLE:**

Presented by Barletta. Seconded by Ondishin.

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

**ORDINANCE TABLED**

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**RESOLUTIONS:**

**Resolution 2023-34**

Resolution Approving Application for a Multimodal Transportation Fund Grant from the Pennsylvania Department of Transportation for Phase II of the Wyoming Street Enhancement Project

Presented by Barletta. Seconded by Perry.

**On the Question:**

Perry asked how far up this would go. Mayor Cusat said up to Holly Street. He said the City requested this multiple times. He said the City received enough money to do two blocks.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2023-35**

Resolution Approving Application for a Multimodal Transportation Fund Grant from the Commonwealth Financing Authority for Phase III of the Alter Street Improvements Project

Presented by Perry. Seconded by Barletta.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2023-36**

Resolution of the City of Hazleton Authorizing the filing of a proposal for funds with the Department of Community and Economic Development, Commonwealth of Pennsylvania

Presented by Barletta. Seconded by Colombo.

**On the Question:**

Atty. Logsdon stated this is for the Willow Foundation for the day shelter for the homeless.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2023-37**

Resolution Approving a Donation Acceptance Policy for the City of Hazleton

Presented by Perry. Seconded by Barletta.

**On the Question:**

Atty. Logsdon said he and Mayor Cusat have been working on updating and amending some policies for the City. This donation policy encompasses people who donate tangible property such as benches. The City does not have a standard, at this point, for these donations. He stated there are a lot of "gray" areas. Atty. Logsdon stated the City, also, put limits on any property donation. He said the City is trying to limit this in terms of years.

Ondishin asked if any resident ever leaves any property to the City. Mayor Cusat said properties Donated, to the City, include Schiavo Park, Memorial Park and the airport. Ondishin asked where the money goes. Mayor Cusat stated it should be put to a specific use. He said he would leave money to the City Recreation Department. Atty. Logsdon stated it is rare that a person would make a monetary donation to a municipality. He said it is, usually, tangible items such as artwork, benches and land.

Barletta asked if in the City of Hazleton's Donation Acceptance Policy that, under #4 Naming

Rights- item i, which states, “Any proposed name must be approved by an affirmative vote of City Council and approved by the Mayor”, should be added to #1- Naming Rights of City Owned Property. All City Council members agreed.

**MOTION TO AMEND:**

Presented by Barletta. Seconded by Perry.

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

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

**RESOLUTION PASSES UNANIMOUSLY AS AMENDED**

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**Resolution 2023-38**

Resolution Approving the Fund Balance Policy for the City of Hazleton

Presented by Perry. Seconded by Barletta.

**On the Question:**

Perry said this means the City is self-funding their tax anticipation note. Atty. Logsdon said the City kept this a simple policy. He stated this is for a TAN note, any reimbursement associated with grants, Community Development projects waiting for reimbursement, and invoices associated with liquid fuels projects. Perry said the key, to this policy, is the City could move forward without waiting for the money. Mayor Cusat stated the City never knows when the money is coming.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2023-39**

Resolution Approving the Payment Plan Policy for the City of Hazleton

Presented by Perry. Seconded by Ondishin.

**On the Question:**

Atty. Logsdon stated this is more of “code stuff”. He said if there is civil action needed to be filed, in the City Code Department, the code officers would file a code action with a dilapidated property, the code officers would file a non-traffic summary citation. When the judge finds the resident guilty, and issues a fine, the court collects this for the City. The judge is authorized to accept payments, and could set up a payment plan. The magistrate office has nothing to do with the collection of the money. Atty. Logsdon said this helps the City, and with the defendant, to set up payment plans. There are interest payments applied, also. Perry asked who would administer this. Atty. Logsdon said it would be the solicitor’s office, the code department, along with Dan Lynch, City Administrator, and his department.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2023-40**

Requesting a Traffic Study be Completed by the City of Hazleton at the Intersection of East 17<sup>th</sup> Street and Carson Street to Determine if There is a Need for a Stop Sign at this Location

Presented by Barletta. Seconded by Ondishin.

**On the Question:**

Barletta stated there was a bad accident here, recently. This would be a stop sign coming down Carson Street hill. Perry stated many residents said they like the new electronic speed signs throughout the City. He said there are a lot of speeding cars.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2023-41**

Resolution of the City of Hazleton Authorizing the Redevelopment Authority to Convey Property to the Greater Hazleton Senior Citizens Services Inc.

Presented by Perry. Seconded by Ondishin.

**On the Question:**

Mayor Cusat said this refers to the courtyard outside. Atty. Logsdon said PA State Statute states, in 35PS, Section 1709K, "with the permission of the municipality, the authority has the right to convey or sell this property, to the senior citizens, with the permission of the municipality".

**MOTION TO AMEND:**

Presented by Barletta. Seconded by Ondishin.

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

**RESOLUTION PASSES UNANIMOUSLY AS AMENDED**

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**Resolution 2023-42**

A Resolution Requesting Luzerne County Local Share Account Grant Funds for Three Chief-Command Multipurpose Response Vehicles for the City of Hazleton Fire Department

Presented by Perry. Seconded by Barletta.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**New Business:** None.

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**Old Business:** None.

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**Comments from the Audience:** Dee Deakos, 43 West Mine Street, Hazleton, said she was reading the newspaper article regarding the City Land Bank. She said it spoke of the Redevelopment Authority would sell property with the understanding that the property would be used. Deakos said there is the old Powell Furniture Building on Broad Street, was knocked down, but it is still a parking lot. She said this should revert back to the City or the Redevelopment Authority to be used. Mayor Cusat said under the Downtown Overlay Authority, the property cannot be a parking lot. He said each time a developer reviewed the property, they were deterred because the only access would be on the back of Pine Street.

Mark Rabo, 1<sup>st</sup> Street, Hazleton, spoke of the six warehouses coming to the City. He asked how the Hazleton School District and City could “sign-off” on a LERTA before a traffic study and the Hazleton Water Authority could do a watershed impact study that would affect the water supply. He said there is a seventh building going behind the Niagara Plant towards the Schuylkill County side. He said there will be wildlife displaced in this area. Rabo stated there needs to be discussion with North Point, the state, DEP and PENN DOT. He said this cannot be rushed into. Rabo said he knows the City needs revenue, but cannot sacrifice the quality-of-life for future residents and our children. He stated tax delinquent properties go through the Land Bank Authority. Rabo stated the Redevelopment Authority and Blighted Committee needs to be re-activated.

Cindee DeLucca, Hazleton, spoke to Atty. Logsdon that she anticipated the City tower being present at this meeting, but he is not present. Atty. Logsdon said he wanted Paul from Paul’s Towing to meet with City Council to answer any questions regarding his fees. He said he and Mayor Cusat are in the process of getting this information to City Council. DeLucca asked if City Council met with Paul. Perry said no. He said City Council is not required to meet with Paul. DeLucca stated City Council needs to question Paul. She said there are vehicles missing from Paul’s lot. She said he is not a salver, and cannot tow a car to Harry’s U-Pull It. Atty. Logsdon said he will work out with City Council how they want to proceed.

Barletta said City Council did not approve this contract. She said she is not okay with the towing contract. Barletta said she reviewed all of Paul’s fees. All contracts are approved by Mayor Cusat. DeLucca said if Paul is contracted with the City, she asked why the fees are not gone over.

**Comments from Mayor:** Mayor Cusat said the stop sign needs to be installed no more than 6-12 feet from an intersection. He said that is why there has not been a stop sign on Buttonwood.

He stated, currently, North Point has not requested LERTA, for any of the six buildings, on Route 424. Ondishin said the six buildings are not all in the City of Hazleton. He asked if they are constructing buildings for storage or for manufacturing. Mayor Cusat said there is one tenant that signed an agreement but does not want the information disclosed to the public yet. Atty. Logsdon agreed. Perry stated this is a “long-term process”. Barletta asked if the City approved a LERTA for them. Mayor Cusat said no. Ondishin asked if PENN DOT is going to widen the beltway. Mayor Cusat said no. He said PENN DOT will require a traffic study in this area.

Mayor Cusat said the Wine Fest will be held on August 26<sup>th</sup> at City View Park.

**Comments from City Administrator:** Barletta asked how the City of Hazleton 2024 budget is coming. Lynch said he is just starting the process of meeting with the department “heads” to review their budgets and talk about next year’s needs. He is looking at the 2023 budget and keeping a close “eye” on some things. He stated there are some revenue items that he is keeping an “eye” on, such as some of the licenses for these projects. Lynch said expenses are a little lower than normal, overall. Barletta asked if it is normal for the expenses to be done at this time of the year. Lynch said yes. He said some expenses are more “up front”, some later in the year, and some are steady. He said City Council could ask department managers to come to the council meetings to discuss their budget needs. Perry stated this

would be beneficial. Barletta asked when City Council will receive the proposed budget. Lynch said the last meeting in November.

**Comments from Council:** Ondishin asked how the construction on the bus garage is going. Mayor Cusat said the contractors had some setbacks with construction. He said the November deadline seems to be okay.

Barletta asked when Church Street's paving is going to be done. Mayor Cusat stated they started paving today.

Colombo stated August 25<sup>th</sup> is the first home game for the Hazleton High School Cougars football team. He said Don Kellner's wife, Darlene, and her team will be skydiving into the game. They will present a plaque, to Darlene, in honor of Don. Colombo stated Fidelity Bank will pay for the first 150 students to the game.

Mundie said the 17<sup>th</sup> & Carson Streets need to have a stop sign there. He said people speed in that area. He said this will stop the people coming down the hill. Mayor Cusat said there was not a stop sign, installed, in the past, due to the winter conditions.

Mundie said he knows the City towing issue is a big issue. He said a resident, who parked in Carmen's lot, was fined \$300.00. He said the City needs to look into the private haulers. Mundie said West Hazleton's towing fees are half of the City's. He said West Hazleton's fee is \$225.00, where the City's is \$450.00 with the 2-hour minimum. Mundie stated this is a "towing tax". Barletta said a 2-hour minimum, with a clean-up and gate fee needs to be explained to the public. She asked how the City residents could be charged with this. She said Paul's needs to come to the City Council meeting and discuss and explain his fees. She said residents call City Council members to complain about the towing fees. Atty. Logsdon stated for the residents to send their bills to City Hall. Ondishin stated Paul's Towing needs to come to the council meeting and explain his fees. He said this "predatorial" towing is ridiculous. Atty. Logsdon said he does not think Paul's changed his fees in the three years he is the tower.

Ondishin said he, Perry and Mayor Cusat attended the grand opening at Lehigh Valley Cancer Center. Perry said it is a "world-class" facility.

Colombo asked if the speed bumps are still on back order. Mayor Cusat said yes. He said the speed bump, he has in his office, is a portable speed bump, and cannot be used on the road.

**PRESENTATION-** Presentation was made, by Junior Council Member Paul Neyhart, titled, "Make Hazleton Beautiful Project". He discussed the highlights of cleaning up the City. He handed out his project to all City Council members and City administrators.

Perry said the City has had several clean-up days in the past. He thanked Neyhart for his presentation.

**Adjournment:** Perry motioned to adjourn the meeting. The meeting was adjourned at 7:39 p.m.