

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
TUESDAY, SEPTEMBER 12, 2023**

Call to Order: Council met in a Regular Meeting session on Tuesday, September 12, 2023 in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 6:19 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 August 22, 2023 Regular Meeting were approved unanimously.

Presentations/Proclamations/Communications: None

Bid Opening: None

Courtesy of the Floor (ON AGENDA ITEMS ONLY): Dee Deakos, 43 Mine Street, Hazleton, spoke of the resolutions for hiring police officers in the City. She said she read, in the newspaper, the City was sending them for training. She asked why the City did not pass, a City ordinance, regarding new police officers, leaving after their training. Perry stated Police Chief Schoonmaker could answer her question. Police Officer Schoonmaker stated the police department has an arrangement, with the police officers, that if they would leave their job, the police officers would pay back the City

Deakos, also, spoke of Resolution 2023-44- A Resolution Requesting Local Share Account Funds for the Dominican House "La Casa Dominicana De Hazleton". She asked if the Dominican House provided the information on what the grant would be used for. She stated this is not more than a "social club". Deakos said she is concerned that they may not be doing these services.

Mark Rabo, 1st Street, Hazleton, spoke of all the LSA grant resolutions. He stated he hopes this council considers the LSA applications on a "case by case" basis. He said a lot of these organizations could have charity fund raisers. Rabo stated the LSA grants were never meant to be a "cash cow" but was intended to help the community as a "whole".

Rabo spoke of the LSA for the corner park on Broad and Laurel Streets. He said this organization received a lot of Keystone Community grant money and Redevelopment money several years ago.

Rabo said there needs to be a resolution "tied" to the LSA grant for the Land Bank. Atty. Logsdon (*inaudible*). Barletta said Atty. Logsdon stated the Land Bank voted on this issue and the Land Bank has a meeting tomorrow.

Rabo said he hopes Mayor Cusat goes through with the Blighted Committee instead of going through the Land Bank for everything.

Vianney Castro, 126 West Tamarack Street, Hazleton, said he has a concern for the LSA grant for the Dominican House. He stated the City should seek more information on this grant. Castro asked City Council to ask more Spanish people if they agree with this investment in the Dominican House.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

None

(2ND AND 3RD READINGS)

None

RESOLUTIONS:

Resolution 2023-43

Resolution Certifying the Local Match for State Operating Financial Assistance for Fiscal Year 2023/2024

Presented by Barletta. Seconded by Ondishin.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-44

A Resolution Requesting Local Share Account Funds for the Dominican House "La Casa Dominicana De Hazleton"

Presented by Perry. Seconded by Barletta.

On the Question:

Atty. Logsdon stated there is another City Council meeting before the deadline for the LSA grant application. He stated a representative from the Dominican House could come to speak at the next Council meeting.

MOTION TO TABLE:

Presented by Perry. Seconded by Colombo.

Roll Call (TO TABLE): Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes.

RESOLUTION TABLED

Resolution 2023-45

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.

On the Question:

Barletta asked if there is a representative for the Hazleton Active Adult Center. Atty. Logsdon said there is not a representative here tonight. Perry said Dominic Yannuzzi was unable to attend the meeting. Barletta said there is information given to City Council to review their project. Perry stated the Hazleton Active Adult Center did go through the LSA grant questionnaire process with Joe Zeller.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-46

Resolution of the City of Hazleton Authorizing the Application for a Highway Occupancy Permit under 67 Pa. Code Chapter 441 or 459 in Connection with the Hazleton Logistics South Project Center

Presented by Perry. Seconded by Barletta.

On the Question:

Atty. Logsdon said Charlie Pedri gave him this resolution for approval. He said Hazleton Logistics South needs to apply for a highway occupancy permit due to connecting to a state road. Barletta asked if this resolution is for the new warehouses. Atty. Logsdon said yes. Mayor Cusat said this area is in the industrial park, next to Samsung.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-47

Substantial Amendment Modifying Annual Plan for CDBG Program Year 2020-2021

Presented by Barletta. Seconded by Ondishin.

On the Question:

Perry asked if this money is going for the hockey rink. Atty. Logsdon said this is for the Hazleton Street Hockey League on Beech Street. Perry stated this is good for the kids.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-48

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 Barletta. Seconded by Colombo.

On the Question:

Perry said this grant would be to replace the HVAC system. Jane Dougherty, PA Theatre of the Performing Arts representative, stated this would be the fourth LSA grant they would receive. She stated this would replace the old HVAC system and would complete the project. Dougherty thanked City Council for their past support.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-49 A Resolution Requesting Local Share Account Funds for Hazleton City for the Remaining Street Paving in the Heights Neighborhood of the City

Presented by Perry. Seconded by Ondishin.

On the Question:

Barletta asked Mayor Cusat what streets this would include. Mayor Cusat said the rest of Samuels Avenue, East and Mill Streets, East Court, F Court, and A, B, C, D, E and F Court on the other side of Poplar Street. He said this paving will finish the Heights project.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-50 A Resolution Authorizing the City of Hazleton to apply for a Luzerne County Local Share Account Grant on behalf of the Hazleton City Land Bank for the demolition, removal, and restoration of the 625 W. 6th Street Property

Presented by Barletta. Seconded by Colombo.

On the Question:

Mundie asked if the City is still in litigation with the property. Atty. Logsdon said this is the other property that is next door, the dairy building. Barletta said the Land Bank considered this property to be demolished. She asked if this is the quote to "take the property down". Atty. Logsdon said yes. Atty. Logsdon stated the City tried to sell the property, but is unable to be rehabilitated, and is an expensive project. Barletta asked who will be "taking it down". Mayor Cusat said the property will go back out for bid.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-51 Approving and Hiring Police Officer in Accordance with Police Civil Service Rules – Alexander Bishop

Presented by Ondishin. Seconded by Colombo.

On the Question:

Mundie asked if all the police officers have ACT 120. Police Chief Schoonmaker said the first two police applicants have the ACT 120 certification, and the other three officers do not, and the City will be passing them as cadets. The City will pay for their ACT 120 certification, and the state will reimburse the City. Barletta asked how long the police officers has to stay with the City. Schoonmaker said five years. Schoonmaker said this will “bring up” the police officer staff to 51. Mundie asked if the three candidates ever worked in law enforcement. Schoonmaker said no. Perry stated after their schooling they will be working as an officer. Schoonmaker stated the first two police officers will start their field training tomorrow. Perry asked if the City will have a bigger street patrol. Schoonmaker said yes.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-52 Approving and Hiring Police Officer in Accordance with Police Civil Service Rules – Zachary Kehler

Presented by Colombo. Seconded by Perry.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-53 Approving and Hiring Police Officer in Accordance with Police Civil Service Rules – Katherine Lopez Cortes

Presented by Barletta. Seconded by Colombo.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-54 Approving and Hiring Police Officer in Accordance with Police Civil Service Rules – Patryk Sulewski

Presented by Perry. Seconded by Ondishin.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-55 Approving and Hiring Police Officer in Accordance with Police Civil Service Rules – Sydney Buggy

Presented by Perry. Seconded by Barletta .

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-56

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

Presented by Perry. Seconded by Barletta.

On the Question:

Bob Curry, Hazleton Integration Project representative, thanked City Council for their support in the past. He said this is a continuation grant and third "go around". He said the building is 75-76 years old, and the windows were installed 40 years ago. He said most of them are cracked, and a lot of windows are nailed shut. Curry said they need to make upgrades to the building. He said there are three stories with 48,000 square feet. He said this grant is for replacing all the windows.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2023-57

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

MOTION TO TABLE:

Presented by Barletta. Seconded by Ondishin.

On the Question:

Perry asked if there is a representative from the Heights Terrace PTA at the meeting. Atty. Logsdon suggested tabling the resolution until City Council members could receive information for the request of the grant.

Roll Call (TO TABLE): Barletta-yes; Colombo-yes; Mundie-yes; Ondishin-yes; Perry-yes.

RESOLUTION TABLED

Resolution 2023-58

A Resolution Requesting Local Share Account Funds for

Hazleton City for Projects and Improvements at City View Park

Presented by Perry. Seconded by Barletta.

On the Question:

Perry stated this includes an ice cream stand and all associated site improvements at the City View Park. Mayor Cusat said this is for the central section along the roadway. He stated this includes a permanent ice cream stand, miniature golf, batting cages, and an all-inclusive playground for children aged 2-5. Perry stated there is a grand opening on Monday, September 18 at 11:00 a.m. Colombo asked if it is handicapped accessible. Mayor Cusat stated it is for all children. Ondishin stated it is a great idea. Mundie asked if Mayor Cusat has a business plan. Mayor Cusat said the City is looking to rent out the ice cream stand, and the City would receive the revenue from the miniature golf. Barletta asked whoever rents out the ice cream stand if they would need to work the miniature golf. Mayor Cusat stated they would manage miniature gold, but the City would get the receipts. Perry stated Mayor Cusat has beautiful plans, in his office, for the project.

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: Walter Meshofski, 927 West 15th Street, Hazleton, asked if the City would put up No Parking Signs at Roosevelt Park. Mayor Cusat said there are signs that need to be placed yet. He said the parking spaces need to be repainted and resurfaced, and the grass needs to be replanted. Meshofski said people are at the park at 2:00 a.m. Mayor Cusat stated the ribbon cutting is scheduled at City View Park on Sept. 18th, and after this, in two weeks, the City should finish this area, and have the ribbon cutting there. Barletta said the City could still look at the needs for this park. She said Meshofski could call non-emergency 911 to report people there at the park in the early morning hours.

Mark Rabo, 1st Street, Hazleton, said he has a problem with the garbage in the City. He said the first line, of defense, for preventing blight is the Code Enforcement office. Mayor Cusat said the City cannot cite the violator until after 10 days. Rabo said he looked at the International Property Maintenance Code, of 2015, Section 308. He read the code to all. Rabo stated there is no mention of 10 days in the City code, and also the PA State Admin.Code states communities need to cite a violator in a reasonable amount of time. He asked why Code Enforcement is not citing the violation as it occurs. He stated this needs to be taken care of. Rabo said the City's garbage problem is not the HCA's problem, it is on the City administration, under Optional Plan B.

Atty. Logsdon said City administration is aware of the problem. He said the administration will talk to the Code Officers to see if they are citing under the Quality-of-Life Ordinance or the International Property Maintenance Code. He stated this will be taken care of. Barletta said they are all aware of it and are working on this issue.

Dee Deakos, 43 West Mine Street, spoke of parking downtown. She said there is a limited amount of parking. She said people are afraid to park at the private car park, on Mine Street, because there is a \$40 ticket. She said the Laurel Street side, of the parking garage, has a smell of urine and there is graffiti. Deakos said years ago, the City received a grant to upgrade the parking garage. She said it was only painted "half-way", it was not inspected correctly, and there is a window with wood. She said there is no feeling of "safeness" at the City parking garage.

Cindee DeLucca, Hazleton, spoke of the All-American Softball League, who play at the 17th Street field. She said anything that belongs to the league, they should be able to take. DeLucca asked Mayor Cusat why he is threatening them if they remove their property. Mayor Cusat stated this would be destruction of City property. DeLucca said their items are not "affixed". She said Mayor Cusat should not "push" them out of the City because they have been playing for 43 years in the City.

Robert Matuse, 826 Hayes Street, Hazleton, said he has been living, in this area of the City, for 14 years. He said there are people in the parks until 2 a.m. He said there are signs posted, at the field, stating open from "dusk until dawn". He said their responsibility is not to babysit a park. He said the neighbors are concerned the lights, at the park, are on until 3 a.m., at the pickle ball courts. Matuse said he met the new City Athletic Director, Frank Stish, and spoke to him about it. Matuse asked Mayor Cusat if he would set up a meeting to discuss this issue. Mayor Cusat stated he would like to meet with Matuse and the neighbors. He told Matuse to call either Alli McKittrick, Frank Stish or Chris Pavlick to schedule a meeting. Perry asked if the All-American Girls Softball League is leaving the 17th Street field. Mayor Cusat said he is constant communication with the Hazleton Boys Little League Board of Directors and is the parent company of the All-American Girls Softball League. He told Matuse to contact them to discuss the All- American issue.

Atty. Logsdon said the fixtures, that are placed on the Little League Field, stay on the field, such as the score board. Atty. Logsdon said when the Code Department issues a notice of violation (NOV), the NOV would provide 10 days to apply or appeal. He said, then, it goes onto a civil process. Perry asked if the City knows who is dumping all the garbage. Atty. Logsdon stated the Code Department is aware of this issue. Mayor Cusat said business owners are required to have private haulers. He said for food and restaurants, they need to have a commercial dumpster with a closing lid.

Schoonmaker said there is a non-emergency 911 line. He told Matuse to call 911. Schoonmaker stated everything is logged into their system. Mayor Cusat told Matuse to state it is a non-emergency.

DeLucca said at the last City Council Meeting, there were six business towing owners' who had their social security numbers "leaked" regarding the City towing policy. She said they were offered a one-year life lock protection. DeLucca stated she responded twice and have not heard anything. Atty. Logsdon said a letter was sent out stating the City is offering a one-year life lock protection to them. He said DeLucca was not happy and wanted more than this. DeLucca said she accepted their offer, not once, but twice, via email.

DeLucca said there was an incident, on Dominican Day, on Diamond Avenue. She said they caused traffic congestion, restricted flow of traffic, and quality-of-life issues. She asked City Council if they are aware of the situation. Police Chief Schoonmaker said the police department filed multiple violations against those establishments in this area. He said the police department caused the traffic congestion, inadvertently, by recovering a stolen motorcycle. He said the incidents are being addressed by the police department.

Gene Babula, Hazleton, said he wants to be reimbursed for his back window, on his car, being smashed out, from people involved with motorcycles, traveling around town. He said the City, currently, has a "no pursuit policy". Babula said the police, supposedly, know who the violator is. Ondishin said if you do not know who did it, you cannot make anyone pay. Schoonmaker asked Babula when the incident was. Babula stated the beginning of August, on Diamond Avenue, by Craig's, going toward Stockton. Schoonmaker said the police department cannot pursue these vehicles by law. He asked Babula if it was one of the ATV's or a dirt bike. He said the police could pursue motor vehicles. Schoonmaker said this is not only a City law, but a state law. Babula stated he spoke with Dane Watro, PA House of Representative- District 116. Watro said this law has nothing to do with the state of PA. Schoonmaker said there is a case law regarding this issue. He stated police departments and municipalities have been sued for pursuing ATV's and they get in an accident. Schoonmaker told Babula he cannot disrupt this meeting, by a court of law, or he will be cited for disorderly conduct.

Ricky DeLucca, Hazleton, asked Mayor Cusat if "Rinaldi's property", the "dredge site", has received a LERTA tax. Mayor Cusat said they were approved, several years ago, for a LERTA tax. He stated he did not hear that they were stopping construction.

DeLucca requested DPW to patch potholes on Mill Street, between Broad and Mine Streets.

DeLucca asked if the City is purchasing the Gottstein building. Mayor Cusat said the City is buying and will own the Gottstein building.

Comments from Mayor: Mayor Cusat stated Colombo did a great job with the 9/11 Memorial Service at Holy Annunciation Church.

Mayor Cusat stated the City View Park ribbon cutting ceremony and grand opening will be on September 18th.

Comments from City Administrator: None- absent.

Comments from Council: Mundie asked Mayor Cusat if City Council should be voting on buying the Gottstein building. Mayor Cusat said the City is using American Rescue Plan Act (ARPA) money for the purchase. Mayor Cusat stated he consulted his legal team and was told the City could purchase the building with ARPA money. He said the purchase will cost \$1,700,000. Barletta asked if only the police department would be moving into the building, and not the fire department. He said he is unsure of when the police will be moving in. Mayor Cusat said only the police department will be moving in. Mayor Cusat said he purchased short-term CD's, at 5%, and the interest earned, over the last three years, will cover the cost of the building. Mundie asked if Mayor Cusat has a budget made out. Mayor Cusat said he has the current expenses for the building. Colombo asked if the cancer equipment was still in the building. Mayor Cusat said the equipment is gone. Mundie said this will be an expensive move. He stated people could be taxed "right of their homes" with the cost of it. Barletta asked Mayor Cusat to give City Council

members the details. Ondishin said he thought the City was not moving the police department. Mundie said, "down the road", the ARPA money will run out.

Ondishin said the 9/11 Memorial Ceremony was outstanding, and commended Colombo.

He thanked Mayor Cusat for letting the Rotary Club use City View Park for their fundraiser. He said miniature golf, at City View Park, is a good thing.

Ondishin said the City should shut down the playground lighting at 10:00 p.m.- City wide.

Barletta said there has been a huge improvement at the Altmiller Playground.

Colombo thanked Mayor Cusat for the 9/11 Memorial Ceremony and letting the police and fire departments come.

Colombo reminded all to be alert with school returning and children walking and school buses.

Perry thanked DPW for stripping of the streets in the City.

Perry said there is a new police public information officer, Jessica. She is, also, in charge of the DARE program. Perry stated the police department officers will be at its highest levels.

Perry asked which departments, in the City, received 4,000 radios, from Luzerne County EMS.

Perry said the Comprehensive Plan has been a success at the Laurel Mall. He said the City is moving on to a ten-year plan.

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 7:37 p.m.