

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
WEDNESDAY, MAY 8, 2019**

Call to Order: Council met in regular session on Wednesday, May 8, 2019 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 April 24, 2019 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 of Ordinance 2019-4- An Ordinance Allowing On-Street Parking on the West Side of Laurel Street. He stated there needs to be an introduction to amend the Zoning Ordinance since the methodology or means of parking, on city streets, is being changed. He said there also needs to be a traffic study in this area. He said this might present “consternation”. Rabo said previous council members passed a resolution to update the comprehensive plan which included parking. He stated the City solicitor needs to look into this because this cannot be done on a “stand-alone” ordinance.

Old Business:

ORDINANCES

None

RESOLUTIONS

None

New Business:

ORDINANCES

Ordinance 2019-4 An Ordinance Allowing On-Street Parking on the West Side of Laurel Street
(1st READING)

Presented by Barletta. Seconded by Mope.

On the Question:

Mope asked Atty. Sean Logsdon what his “take is on this”. Atty. Logsdon said he is not aware of any study that would need to be done on this parking ordinance. He stated he is not aware of any zoning issues that “would come up”. Atty. Logsdon said he would be happy to look into this “to double-check everything.”

Barletta asked if it would be better to put parking spaces on the opposite side, and putting permit parking spaces on this side since it is closer to all the buildings and their offices. Barletta said meter parking can be put on the other side of the street. She asked if this would make a “big difference”. Barletta said it is just an option, and something to think about.

Mayor Cusat said the intention was to put no meters, and put reserved parking spaces. He said there is no change to the meters.

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

ORDINANCE PASSES UNANIMOUSLY ON 1st READING

RESOLUTIONS

None

Comments from the Audience: Mark Rabo, 1st Street, Hazleton, stated he has the answer to the process of a removal of a board, authority, or commission member. He said 5610-D Successor of the Municipal Authority’s Act states, “members shall hold office until their successor’s has been appointed and may succeed themselves except members of boards of authorities organized and created by a school district shall receive salaries. A member may be removed for a cause by the Court of Common Pleas of the county in which the authority is located after been provided with a copy of the charges against him for at least 10 days, and after having provided a full hearing by the court. If a vacancy shall occur by reason of death, disqualification, resignation or removal of a member, the municipal authority shall appoint a successor to fill his unexpired term.”

Rabo stated the process is to give notification of 10 days, and if the City intends to go to court.

Perry stated city council will “stick” with Atty. Logsdon on this matter. He said this is why Atty. Logsdon is a lawyer. Gavio stated Atty. Logsdon is looking into this matter.

Rabo stated over the past few years, and with the City in ACT 47, there has been talk of looking into alternative sources of generating revenue instead of raising taxes on the City's residents. He said he has not heard "a single thing", except from PEL, with their recommendations. He said city council, Mayor Cusat and the public can make recommendations. He said nothing has been considered. Rabo said this needs to be addressed. He said the PA State Representatives are currently working on the budget. He said it is time to lobby them to see what can be brought back from our state tax dollars. He stated 4.2 billion of the gas tax money is going towards the PA State Police who patrols areas that choose not to have their own police force. He stated this does a disservice and is a "slap in the face" for every resident who pays state and local taxes for our police. He said Mayor Cusat and city council needs to talk to our state representatives to demand our share. Rabo said the residents pay all "the same thing", and we need our police department. He said the gas tax money cannot be used for any other thing except repair and remediation of state roads and bridges. He asked why the state cannot give more to the City for our streets from the gas tax money. He said this sounds reasonable, but city council and Mayor Cusat need to talk with our state representatives. He said the gas tax money is to protect PENN DOT highway crew members during the day. He said this money is used, instead, for pensions. Rabo implored city council to lobby our PA state representatives for the City to get their "fair share" of money the City is paying.

Comments from Mayor: Mayor Cusat said on May 17th, 2019, there will be an electronic recycling event. He said this will be held between 12:00 p.m. until 4:00 p.m. at City Vue Park. He said this event is open to Hazleton residents only. Mayor Cusat stated it is a "little different" from 2018. He stated the grant changed a little. He said the paper shredding event went smoothly.

Perry asked if the event is for paper shredding and electronic recycling. Mayor Cusat stated this event is only for electronic recycling. He said paper shredding is over.

Mayor Cusat wished everyone a Happy Mother's Day.

Comments from Council: Colombo asked Atty. Logsdon as city council is the appointing authority if council has the right to remove a board member, from a current authority. He asked if there is a procedure to remove a board member on a City Authority. Atty. Sean Logsdon said the first procedure is to declare a seat on one of the authority's vacant. He said if this seat is declared vacant then city council can fill this seat. He stated if city council wants to pursue this then he will look into this and/or start the process.

Mope asked Atty. Logsdon if he received any correspondence regarding the legality of this process.

Gavio stated Atty. Logsdon is currently reviewing and looking into the legality. He stated Atty. Logsdon has sent a letter to this effect.

Atty. Logsdon asked if Colombo was talking about looking into the process to declare this seat vacant. Colombo said this includes any authority. Colombo asked if city council has the authority to declare the seat vacant. Atty. Logsdon said yes, city council can. Atty. Logsdon said if city council wants, he can explore this. Atty. Logsdon asked if the members want to vote on this.

Mayor Cusat asked if Colombo means if there is a process for this and, not a vacant seat. Mayor Cusat stated city council does not want to remove a member. Colombo asked if there is a process or procedure, and what it entails for city council to do.

Atty. Logsdon said he can research this to see what the process is to declare a seat on any authority vacant. Mayor Cusat asked if this is the same for any board, authority or commission board member. Mayor Cusat said administration and city council need to "know the process". Atty. Logsdon said it should be similar to the Planning Commission, etc. Atty. Logsdon said the City needs to know this.

Perry asked if city council needs to make a motion for this. He stated city council is just asking to look into the process. Mayor Cusat stated, in 2018, it was discussed whether city council and administration would like to look into this procedure and spend money on research, He stated there needs to be a consensus.

Mope stated issues are researched “all the time”, and there is no need for a motion.

Colombo made a motion for Atty. Logsdon to conduct a research on a board members seat. Mayor Cusat stated city council is looking to define the process if a seat can be vacated. Gavio asked if there needs to be a motion. He stated he spoke with Atty. Logsdon and he said he would research this. Atty. Logsdon said he is okay researching, and giving city council any feedback as long as city council has no objection.

Atty. Logsdon stated he sent a letter to Dave Sosar regarding this matter. He said Mr. Sosar sent a response back to him, and this will be shared with city council members.

Colombo and Barletta wished everyone Happy Mother’s Day.

Perry commented on Mr. Sosar’s board seat. He said the question is why would someone who moves out of the City, to Mountaintop, and wants to come back here and not resign. Perry stated this is unethical. He said he does not qualify and asked if he is accepting money. He stated he has a business, but no license associated with it. He said then there is no water bill associated with it.

He said there has been garbage, at the City of Hazleton’s Water Authority, for three years. He said the garbage can be from other places. He said this should be cleaned up this weekend. He said they have their own truck “up there”.

Perry wished everyone Happy Mother’s Day.

Gavio wished everyone Happy Mother’s Day. He wished all the mayoral candidates good luck. He encouraged everyone to go out and vote. He said this is not an easy thing to do.

Mope wished everyone Happy Mother’s Day.

Comments from Junior Council: None

Adjournment: Gavio motioned to adjourn the meeting. Meeting adjourned at 6:35 p.m.