

**MINUTES  
HAZLETON CITY COUNCIL  
REGULAR MEETING  
MONDAY, FEBRUARY 10, 2020**

**Call to Order:** Council met in regular session on Monday, February 10, 2020 in Council Chambers. The meeting was called to order at 7:00 pm.

**Silent Meditation and Pledge of Allegiance:** A silent moment was taken followed by the Pledge of Allegiance.

**Roll Call:** Barletta-present; Colombo-present; Mundie-present; Sacco-present; Perry-present

**Minutes of Previous Meetings:** The minutes of the January 13, 2020 WORK SESSION & January 22, 2020 Regular Meetings were approved unanimously.

**Presentations/Proclamations/Communications:** None

**Bid Opening:** None

**Courtesy of the Floor (ON AGENDA ITEMS ONLY):** Dee Deakos, 43 West Mine Street, spoke of **Ordinance 2020-1** Amending Ordinance 2006-25 Regulating the Issuance of Handicapped Parking Spaces and Signs, Providing for Application Review and Procedures for Issuance of Handicapped Parking Spaces and Signs, and Renewal of Handicapped Parking Spaces and Signs in the City of Hazleton. Deakos said a fee to replace a handicapped parking sign is \$85.00. She stated if a resident already has a handicapped parking sign they are not paying for the pole. She said all they are paying for is that “thing”. Deakos suggested having a two-tier payment plan where residents who already have a handicapped sign; it would not be so “hard” on them. She said she understands if another person parks in their spot they would get a ticket. She suggested that the person should have their car towed. Deakos said if a resident pays a lot to “have this space” and another person parks there, they need to get a parking ticket and fine. She said the people who “own the space” cannot park there, and on the ticket should be a further penalty.

Mark Rabo, 1<sup>st</sup> Street, Hazleton, said he did a lot of research on handicapped parking since the last council meeting. He compared this ordinance to other ordinances in third-class cities throughout the state. Rabo recommended this ordinance “be tabled” until reviewed by our solicitor. He stated there are several things “lacking”. He said, for starters, with regards to other handicapped people parking in another person’s space, he reviewed other states and third-class city ordinances. Rabo stated if a person paid for a handicapped parking space and can show proof the permit was for a certain person, this person has the right to park there, and not another handicapped person. He said there is sufficient “case law” backing this up. He also looked at other cities, i.e.- Reading, PA. Rabo said there was an issue, in 2009, with respect to handicapped parking, at a city council meeting, with Councilman Spencer questioning if, “Allentown or Harrisburg have been legally challenged based on their regulations.” Their resolution, at the time, was based on the Harrisburg ordinance and the application is based on the Allentown application. “Mr. Younger said that, “Reading was challenged only because of the limitation of amount of handicapped parking spaces.” Rabo said any city limiting the amount of handicapped parking spaces cannot be allowed because the Pennsylvania Human Relations Commission will be knocking on “our door”. He said he doesn’t think that Mayor Cusat and Dan Lynch “want this”.

He also spoke of Code Enforcement. He said he spoke with Dan Lynch prior to the city council meeting. Rabo said he asked about the Code Enforcement Department. Rabo said he was told that the total

amount of employees, in the office, will be five employees. Lynch said he stated it all depends on what the needs are of these people and the City needs to budget a certain amount. Rabo asked if the total employees would be five. Lynch said it could be different; he said the City is looking at two but it could be "another combination". Rabo asked how many part and full-time employees are in this office. Mayor Cusat said, currently, there are three full-time and one part-time person who started today. He stated if the part-time person, who started today, "works out", he will then become full-time. Mayor Cusat said this will happen if the position is "funded" tonight. He said another person has filled out an application that would do the same thing within the next week or so. Rabo stated this would make five code officers. Mayor Cusat stated this is what he is hoping for. Rabo said he reviewed third-class cities, within our county, and other municipalities. He said the "sweet-spot" when it comes to how many code officers the City needs is five. He said the City of Bethlehem, Pa, has a population of 85,000-90,000 residents and Hazleton has a population of 25,000-30,000. Rabo said he thinks the City can "live" with five. He asked Perry if PEL can ask DCED to fund these positions which would have paid for itself and not result in a property tax increase. He said this would be beneficial.

Mauro Michael Denicola, 603 Hayes Street, Hazleton, said he wants to comment about his wife's handicapped parking placard which she has had for 21 years. He said he has paid the \$85.00 fee and the \$5.00 fee for the year, which is "kinda cheesy". He said this fee needs to be a little more. He said for \$10.00/month, this would come out to \$120.00/year. He suggested \$5.00/month which would be \$60.00 or \$65.00/year. He said then the City would get \$5.00 for maintaining the placard. He said his wife's car is registered to the placard. He said her Lincoln is in the spot 99% of the time. Denicola stated he gets people in the neighborhood parking in her spot. He said they go across the street to a duplex residence where there is no parking. He said if you say something to them, they ignore you. He said \$10.00/month fee is too much, but the \$5.00/month fee is "ok with the Denicola's".

Ed O'Holla, 470 Mill Street, Hazleton, asked Mayor Cusat if the new code officers will be working on the weekends. Mayor Cusat said yes, they do now. O'Holla asked if they check to see if a resident has a application to put a new roof on. Mayor Cusat said the officers canvas the City when time allows. He stated if the code officers have a complaint then they handle the complaint, and come back to City Hall, to do the paperwork. He said when there is no office work, to be done, they will canvas the City. He said they "do go" seven days a week. O'Holla said there are alot of alley contractors putting roofs on at 6:00 p.m. and alot of "fly-by-nighters".

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## **ORDINANCES AND RESOLUTIONS:**

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

#### **Ordinance 2020-4**

An Ordinance Approving the Application for a HUD Section 108 Loan  
**(1<sup>ST</sup> READING)**

Presented by Barletta. Seconded by Colombo.

**On the Question:**

Perry asked Joe Zeller, Community Development Director, to explain. Perry asked if it is for certain areas. Mayor Cusat said it is anything that is covered in the community development sections of town. Zeller said anywhere who has “low-mod” or benefit to “low-mod” people. He said it will be beneficial City wide. Barletta asked if this is what was in the newspaper, -i.e.- Buttonwood and Wyoming Streets. Zeller said yes. He said he tried to select streets that are highly traveled by motorists to reach different sections and that are very bad. Mayor Cusat stated UGI and all utilities have gone through already. Zeller stated the City will not have to deal with this in the future. Perry asked what will happen with the other streets that are not “low-mod”. Mayor Cusat said the City is looking at PIB (Pennsylvania Infrastructure Bank) that can be handled anywhere in the City. He said the City is looking to do Hilltop, Terrace Blvd., Buttonwood Street, Carleton which turns into Franklin, and Coxe which turns into Muir Ave. He said these are the highly traveled streets that do not fall under this plan. He said, on the north side, the City still has gas money that is dedicated to this area. He said he is trying to “spread out” the major paving projects throughout the City. Zeller said wherever there are curb ramps to be installed they can be in City-wide CDBG funds. Mayor Cusat stated he choose streets that already have curbs in. Zeller said this is in addition to the \$400,000 plus that was passed by city council earlier in the year for the CDBG budget as well as for those streets. Perry asked if there is a “pool” of money available. Mayor Cusat said it is the same process but is through liquid fuels community development. This can be utilized for any street throughout the City. Perry asked if this is the first time doing this. Zeller said the City has never done a Section 108 loan before. He said the 108 loan is a program to borrow from future allocations in order to get a large project done. He said without doing a program, like this, the City would not have the funds available, either from general fund or any other program. He said, each year, a portion of the allocation would go immediately to paying down the loan. He said the loan can be for either seven or ten years, and this is to be determined. He said a meeting is scheduled for February 12<sup>th</sup>, 2020 with a hearing at 5:00 p.m. Zeller said he wanted the meeting to correspond with the city council meeting, but they could not reschedule. Zeller said he has a conference call on February 11<sup>th</sup> which was “booted” down to Washington, D.C. Perry asked if city council approves this if it would go through. Zeller said, “not necessarily”.

Barletta asked who would do the paving. Mayor Cusat said the plan is to get as much paving as the City can. He said when this is “put out” for a project the City would get better bids to come in. He said, currently, there is \$400,000 from community development. He said if the City “puts out” a \$400,000 project then the City would get full price. He stated if the City puts out a \$2,000,000 project then the City would get bigger companies that would come in, bid, and give better prices. He said there are not all the “set-up” and mobilization fees. Perry asked if the amount of the loan depends on them. Zeller said the City may not get all that they want. He said, for instance, city council passed a resolution for an LSA grant that CD is seeking for major road repairs. Zeller said with things like the PIB loan and the Section 108 program, state agencies are more inclined to consider the City for an LSA grant. Mayor Cusat said when the City makes a commitment like this, they are more willing to fund the grant because the money will be “put to work”. He said it is a commitment. Mayor Cusat said the CD money was put in this year with regular liquid fuel money and these two projects, with over \$2,000,000, will be a huge paving project. Perry stated the City wants to pave more roads “then ever”.

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

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

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## **(2<sup>ND</sup> AND 3<sup>RD</sup> READINGS)**

### **Ordinance 2020-1**

Amending Ordinance 2006-25 Regulating the Issuance of Handicapped Parking Spaces and Signs, Providing for Application Review and Procedures for Issuance of Handicapped Parking Spaces and Signs, and Renewal of Handicapped Parking Spaces and Signs in the City of Hazleton (2<sup>nd</sup> READING)

Presented by Perry. Seconded by Barletta.

#### **On the Question:**

Mundie said the City of Wilkes-Barre's handicapped fee is \$30.00 and surrounding areas are pretty low. Mayor Cusat said these are general admission fees. Mundie asked if the reserved parking spaces can be lowered to \$65.00. Mayor Cusat stated the reason it is at \$120.00 is because this corresponds with the business signs throughout town and other signs in place now. He said this is why "he threw" 12 months and \$10.00. Mayor Cusat said it is "up" to city council to decide what they want to do. Mundie stated he knows it seems reasonable and his thinking is to be uniform, but not a lot of people can afford or barely this fee. Mundie said a lot of people are on disability. Mayor Cusat said a resident does not have to do this. He said this is only for a resident who wants a specific spot. He said if a resident does not have trouble with a person parking in their spot then this program is not for them. Mayor Cusat said the resident does not need to spend the extra money to upgrade their spot. Perry asked how much students are charged for parking. Mayor Cusat stated, currently, they are paying \$40.00 for a regular semester in the reserved lot. He said they do not get a break to park on the street or in the parking garage. He said the school takes care of the maintenance. He said the student pays \$10.00/month, but the school pays for the upkeep of the lot. He said the school stated they paid \$9,000 in 2019 for the maintenance. He said it is not an easy question to answer, "on the floor". Barletta asked how much businesses pay. Mayor Cusat said if it is a non-metered spot, they pay \$10.00/month. He stated if it is a metered spot, they pay \$72.00/month for the first meter, \$108.00 for the second, and \$144.00 for three meters. He said their "footprint" must be pretty big to get this. He said if it is a reserved spot in the parking garage or parking lot, it is \$61.00/month. Mayor Cusat said there are several discounts- one to three, four to ten. He said there is one client purchasing sixty spots. Barletta said \$60.00/year to start sounds reasonable. She said this would be an extra \$27,000 for 422 handicapped spots in the City. She said if they want to pay, but they do not have to pay it. Mayor Cusat said it is \$80.00 to install the green post and this covers the cost of the drilling and green post. He said it is \$25.00 fee to create the sign, and \$5.00 GIS fee. Mundie asked if there is already a sign there. Mayor Cusat stated the new sign needs to have the placard number on it. He said if the green post is there, there is no charge. He said some are not properly aligned with the current parking regulations. He said the signs need to be 20 feet from the corner for the first spot and 20-22 feet in. He said one sign maybe taking up two spaces. He said the City started, about two years ago, to fix the signs. He said the meters were moved and are now properly marked and started the NO PARKING HERE TO CORNER signs.

Mundie said the ordinance needs to be amended from \$85.00 to \$80.00. He also said to make the fee to \$60.00 and agrees with Barletta. Perry asked Mayor Cusat if anyone asks for more than three spaces in a block. Mayor Cusat said this happens all the time. He said, according to the ordinance, if there is off-street parking available on your property, the request is to be rejected. Also, if there are more than two spaces this request would be rejected. He said he will "go out" and look

at the cars. He said with a driveway or garage, he will allow a sign to “go in” if it will not impede or congest “more than it is”. Perry said it would be on an as needed basis. Mayor Cusat said the City turned down three people in the last four years for the excess signs.

Atty. Sean Logsdon stated the maintenance and upkeep is all going to be on the City. He said city council needs to factor all these costs into the consideration. He said if signs fade and poles need to be replaced; this will “all be on the City.” Barletta asked if this includes the \$80.00. Mayor Cusat said if the sign gets damaged, the City “is on the hook” to replace them. He stated a lot of signs get knocked down. Mundie said the fee needs to be changed from \$85.00 to \$80.00 and \$5.00 per month. Barletta asked who makes the signs. Mayor Cusat said the streets department makes the signs. He said it is much cheaper to make “our own”. He said some signs take awhile to put up because it depends on the weather to allow “inside work” to be done.

Perry said the changes are as follows: Section D3 will be \$80.00, Section 5 will be \$5.00, and Section 1 will be \$80.00. Mayor Cusat said the City just purchased a new generator to make the holes in the sidewalks that cost \$20,000. Perry said the City has increased the signs from 295 to 422 in 2019. He said Wilkes-Barre requires a handicapped license plate. Barletta said Wilkes-Barre, Pottsville and Scranton charge \$10.00 for the annual installation.

Presented by Perry. Seconded by Mundie.

**Roll Call (On Motion to Amend):** Barletta-yes; Colombo-yes; Mundie-yes; Sacco-yes; Perry-yes.

**MOTION TO AMEND PASSES UNANIMOUSLY**

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**Roll Call (As Amended):** Barletta-yes; Colombo-yes; Mundie-yes; Sacco-yes; Perry-yes.

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

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**Ordinance 2020-1**

Amending Ordinance 2006-25 Regulating the Issuance of Handicapped Parking Spaces and Signs, Providing for Application Review and Procedures for Issuance of Handicapped Parking Spaces and Signs, and Renewal of Handicapped Parking Spaces and Signs in the City of Hazleton (**3<sup>rd</sup> READING**)

Presented by Colombo. Seconded by Barletta.

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

**ORDINANCE PASSES UNANIMOUSLY AS AMENDED**

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**AMENDED BUDGET ORDINANCE 2020-2**

An Ordinance Providing for an Amendment to 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, 2020 and Ending December 31, 2020 (**2<sup>nd</sup> READING**)

Presented by Perry. Seconded by Sacco.

**Roll Call:** Barletta-no; Colombo-yes; Mundie-no; Sacco-yes; Perry-yes.

**ORDINANCE PASSES 3-2 ON 2<sup>nd</sup> READING**

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Presented by Perry. Seconded by Sacco.

**Roll Call:** Barletta-no; Colombo-yes; Mundie-no; Sacco-yes; Perry-yes.

**ORDINANCE PASSES 3-2**

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**Ordinance 2020-3**

An Ordinance of the City of Hazleton Amending the Tax Rate of Real Estate Located in the City of Hazleton, Pennsylvania, for All City Purposes for the Fiscal Year 2020, Beginning January 1, 2020 and Ending December 31, 2020 (**2<sup>nd</sup> READING**)

Presented by Perry. Seconded by Colombo.

**On the Question:**

Perry said he reviewed a report from Charlie Pedri, Code Enforcement Manager, from 2018. He said the amount of code complaints and rental registrations is dramatic. He said the rental registrations went from 1,672 to 1,802 in 2017. He said the City is currently at 2,180. Perry stated the City is "so far behind". He said the code department needs people. He said the department cannot be proactive but only reactive. Perry said the complaints, on the streets, need to be addressed. He said it is necessary to have these people. He said, at one time, there were eight part time employees and the City may still need them. He said the City cannot "keep anybody".

**Roll Call:** Barletta-no; Colombo-yes; Mundie-no; Sacco-yes; Perry-yes.

**ORDINANCE PASSES 3-2 ON 2<sup>nd</sup> READING**

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**Ordinance 2020-3**

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Presented by Perry. Seconded by Sacco.

**Roll Call:** Barletta-no; Colombo-yes; Mundie-yes; Sacco-yes; Perry-yes.

**ORDINANCE PASSES 4-1**

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**RESOLUTIONS**

**Resolution 2020-11**                      Approving and Hiring Police Officer in Accordance  
with Police Civil Service Rules- Matthew Sutton

Presented by Barletta. Seconded by Colombo.

**On the Question:**

Perry asked if this would be a replacement. Mayor Cusat said yes.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-12**                      A Resolution Authorizing an Increase in the Spending Limit for the City  
Credit Card

Presented by Perry. Seconded by Colombo.

**On the Question:**

Perry asked if Mayor Cusat wants to respond to this resolution. Mayor Cusat said “times have past”. He said he needs more than \$1,000 a month. Perry said it makes it harder for the City to do things with a lot of checks and balances. Colombo said as long as it follows the proper purchase orders.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-13**                      A Resolution for Plan Revision For New Land Development

Presented by Barletta. Seconded by Perry.

**On the Question:**

Atty. Logsdon said this resolution “was sent over” by Dominic Yannuzzi and had “briefed” city council on this resolution. The background is that the development has received zoning and planning approvals. He said the sewage flow being requested, for this project, has been coordinated with the

Greater Hazleton Joint Sewer Authority. Upon approval by council, Pedri will have a copy of all sewage module related documents, at his desk, for 30 days of public review. Tammy Rae Barr from Liberty Engineering will be placing the legal ad in the newspaper for public notice for the public review period. He stated this came from the developers. Perry said this is the article that was done in the newspaper. He asked if this is on Route 309. Mayor Cusat said yes; 309 South. Perry said this is just a “legal thing”.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-15**

A Resolution Approving the Agreement to Authorize Electronic Access to PennDOT Systems

Presented by Perry. Seconded by Barletta.

**On the Question:**

Atty. Logsdon said he also “briefed” council on this resolution. He stated this resolution will allow the City to use the electronic access system to submit applications and all electronic usage through PennDOT. He said PennDOT needed this resolution from city council in order for the City to execute this agreement with PennDOT to access their electronic access system. He said he had no problem with the agreement itself. He said it is very standard and there are no issues with the City’s responsibilities. Atty. Logsdon said this is a way to access PennDOT’s “stuff” electronically. He said, currently, it is a “paperless society”.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-16**

Authorizing the Administration to Dispose of or Sell Certain Decommissioned Vehicles of the City of Hazleton Police Department

Presented by Barletta. Seconded by Colombo.

**On the Question:**

Barletta asked how these vehicles will be sold. Mayor Cusat said they will be put out for bid. He said the City is trying to put the vehicles on a list that will be getting rid of. He said the fire department has been done, and now the police department and the DPW departments will be done. He said there are also assets, in City Hall, that need approval to get rid of. Mayor Cusat said when there is enough stuff to get rid of “they will be unloaded”. Barletta asked what the money will go towards. Mayor Cusat said the money will be put back into the general fund account. He said the new purchases will come out of the general fund account. He said there are cars “over there” that are scrapped, beat-up and do not have much of a value.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-17**

Approving Proposal to Apply for an Automated Red-Light Enforcement (ARLE) Transportation Grant in Conjunction with Hazle Township

Presented by Perry. Seconded by Barletta.

**On the Question:**

Perry said this is for 22<sup>nd</sup> and Church Streets.

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

**RESOLUTION PASSES UNANIMOUSLY**

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Perry said he would like to go off the agenda and nominate John Keegan for the Hazleton City Water Authority position. Mundie nominated Joe Zeller. Perry said there needs to be a second to go off the agenda. Sacco seconded. Atty. Logsdon said if this is not on the agenda, city council needs to allow a public comment. Perry said there will be public comment.

**PUBLIC COMMENT:** Dee Deakos, 43 West Mine Street, Hazleton, said she used to attend Hazleton City Water Authority meetings. She said at one meeting, Mr. Keegan decided to point bug spray at the audience. Deakos said Mr. Farley, seated next to him, kept putting it on the floor. She said Mr. Keegan kept bringing it “back up” with a camera pointed to the audience. She said Sam Galski, Standard Speaker news reporter, can confirm this with a story written on this incident. She said this is not an act of a mature man. Deakos said Keegan cannot make “multi-million dollar” decisions when he is so petty that he feels he needs to harass the public.

Mark Rabo, 1<sup>st</sup> Street, Hazleton, said for someone who is nominated again for the Hazleton Water Authority position, as chairman of the board, he did not do a very good job. Rabo said that he was on the board previously, saw what he did and the decisions he made. He said Keegan allowed for the occurrence of a lot of debt for the water authority. He said under his ten-year as chairman of the board the water authority, it was “massively disserved” and should be denied a position on the HCA.

Atty. Logsdon said the way to handle this, for going off the agenda, is to make a motion to accept nominations for the vacant water board seat and seconded. He said then take nominations for this.

Perry said he just went “off the agenda”. He said he thought this was the correct procedure. He asked representatives from PEL if this is correct.

PEL’s response (*inaudible*).

Perry asked even though he “put a name up” that there needs to be a second. Atty. Logsdon said there does not need a second for the names, but a second for putting a motion on the table. Perry stated Sacco did second this. Atty. Logsdon said he did not hear this. He said the motion is to place the seat for the water authority in front of council. He stated this was seconded by Sacco with a nomination for John Keegan. He said then take any other nominations from council and do roll call in order of the nominations. Perry asked if Mundie’s nomination needs a second. Mundie said “his Joe Zeller” does not need a second. He said it was just a nomination for the water department.

**Roll Call (For John Keegan):** Barletta-abstain; Colombo-yes; Mundie-no; Sacco-yes; Perry-yes.

**RESOLUTION PASSES 3-1-0**

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**New Business:** 1. Perry said when looking at the audits from the water authority, there is \$4,000,000 in the bank and sitting somewhere that needs to be back to the public. He said this is what the City should be arguing about. He asked why the City is not getting a refund on “our money”. He said the residents did get \$3.00, but they did negotiate lower contracts and are still paying the same amount. Perry said the residents need to be told they are paying more than they should be. He said everyone should be asking why there is \$4,000,000 sitting there and should be back in the resident’s pockets. He said it is about the rate payers. He said it is not about anyone who works at the water company, city council or even Mayor Cusat. Perry said he is surprised the City has not gone to “look at this”.

Mundie stated he thinks the water company is run well. He said with a big company as this has money in the bank it is because it is run well. He said then the money is put back “in the system”. He said he had attended a water authority meeting. Mundie said he tried to get John Keegan to change (to go out for bid) for the garbage contract but disagreed. He stated the following year they did “bid-it-out” and received lower bids for \$300,000/yr. which saved \$1,000,000. He said this could have been money that could have been saved earlier. Mundie said Mascaro had the bid and extended it. He said he disagreed with Keegan. Perry said there was County Waste in between there. He said the residents were taken care of with garbage cans. He said yet the residents, now, must buy garbage cans with Tamaqua Transfer. Perry stated there is garbage all over the City.

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**Old Business:** None.

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**Comments from the Audience:** Mark Rabo, 1<sup>st</sup> Street, Hazleton, said the City had incurred problems with the garbage because it was not put out for bid and there was an extension that was not voted on. He said the “person” elected tonight for the water department did not want to vote for a bid because he wanted the prior garbage contractor to stay in. Rabo stated because of the board putting the garbage out for bid they got a better rate. He said this money was utilized to pay down the debt that was incurred by the former chairman who has now been appointed. He asked why would you put in a person who “has problems” to a board who has been well managed and well run. He said he will be a heckler and has not been a positive contributor.

Perry stated Rabo is disparaging someone.

Dee Deakos, 43 West Mine Street, Hazleton, said she would like to talk about the project behind the Beltway Diner. She said this was to be a reclamation project started in 2005 and to be done within five years. She said it is fifteen years later. Deakos said it is being used as a landfill but not seeing the economic benefits or the safety of a landfill. She said they were planning to get drill cuttings to make “millions of dollars” on this. She said other landfills took them to court because, they said, they need to follow the rules for pits that are concrete due to radioactivity of the cuttings, but “they get to do it”.

Deakos said a multi-national corporation in Australia now owns it. She said there was a “change a hands” where the mine lands were sold for at least \$1,000,000 more than the previous owner paid. Deakos said there is no “end in sight” on it being a reclamation. She said the City will never see the amphitheater. She said with the original contract they were supposed to pay “so much” a ton into a fund, but when Barletta sold it this was taken out. Deakos said it appears that they are using it as a landfill. She asked if they reclaim it, when will the City know when it is reclaimed. She said the City should ask for it to be treated as a landfill because the City needs to be protected as a landfill. She said if it is a landfill they need to pay the municipality “so much a ton”. Deakos said the City is not seeing the benefits of it. Deakos said the City does not know what damage is being done to the environment. Deakos said no one is “really” watching this. Deakos said the City needs to demand this to be treated as a landfill. She said it needs to be shut down because there are no set parameters. She said all the trucks are coming from New Jersey and New York adding stress to our roads. She said the City needs to do something about this.

Perry asked Mayor Cusat if something is being done over there. Mayor Cusat stated the previous solicitor said “we can’t” and the current solicitor said “we can’t”. Perry asked if they are trying to reclaim this area. Mayor Cusat stated it is very slow. Perry asked if they applied for an LSA grant. Mayor Cusat said they applied for an LSA grant and was awarded “some kind of grant” several weeks ago. Perry said they want to build in this area. He said it is not for the City “to say” because it is private company. Deakos said it is the state’s. He said city council needs to listen to their solicitor’s opinion. Sacco asked who would be in charge in checking this. Mayor Cusat said DEP checks this on a daily basis. Perry said they are controlled by the state. Perry stated this is “out of our hands”. Mayor Cusat said they control what comes into the area. He said the City can look to see if this can be charged as a landfill. He said when he was on city council the city solicitor said no and the City’s current solicitor said no.

Deakos said every truck that delivers “stuff” can be charged a business license for other income. Perry said there are a lot of trucks in the City. Deakos said she is referring to the trucks, from out-of-town-, conducting business, coming into the landfill. She said code can “go after” someone who has a broken step, but the City cannot go after someone who has 200 acres. Deakos said this is a disservice to the citizens. She said when she was very active “in the group” there were a lot of violations. Deakos said DEP checked the violations and they agreed with the City. She stated they fired the guy who was going along with the violations. She said if you really believe DEP is protecting us, then you must believe in “Santa Claus”.

Theodore Sherrock, 67 Franklin Street, Hazleton, said a little less than five years ago, he had the honor of being appointed to a position on the Greater Hazleton Joint Sewer Authority to replace councilman Cusat. He said he considered this an honor and worked very hard at it. He said, just last month, he had the honor and privilege to be reappointed to this position. Sherrock thanked “each and every council member”; the ones that gave him the opportunity to start with. He said, just like being re-elected, being reappointed is something, as what happened tonight with the water authority appointment. He said he is honored and is very humbling. Sherrock stated he will pledge he will do “all he can” to continue this. He said councilman Colombo “reached out to him” to come in and update city council, on a quarterly basis, with the Greater Hazleton Joint Sewer Authority’s activities. He said the board re-elected him to chairman at their last meeting. He said in the beginning of March, the GHJSA is going to “fire-up” the new incinerator which is “state of the art”. He said he gave all council members an invitation and will give them a tour who have not been there yet. He said it is an “eye-opener” being a big operation. Sherrock stated he met with the City of Hazleton and the City of West Hazleton on the ACT 537. He said the GHJSA is meeting with Sugarloaf and Hazle Township and has the “blessings” of these agencies. He said this will be a big and very expensive “undertaking”. He said the GHJSA is trying to keep rates down. He said there some “irons in the fire” and the incinerator is one of them that will help to keep the cost down with “that money” going into the ACT 537 project. Sherrock said, hopefully, the GHJSA can get some funded mandates instead of un-funded mandates. He thanked everyone, again, “from the bottom of his heart” for their confidence.

Perry stated city council members receive meeting agendas from the GHJSA but would be happy if Sherrock or anyone from the water authority can attend the city council meetings to keep them updated on their projects. This would keep them “in the loop” on pending projects. Perry said he appreciates this.

**Comments from Mayor:** Mayor Cusat said he is glad the authority appointments are done. He said the City has lost one of their great men this week, Rocco Colangelo, Jr. He said Colangelo was one of the first guys to get Cusat into fundraising for local charities. He said this started when he was in high school. He started doing projects with Colangelo. He said Colangelo was involved with a lot of great things in the City. He said it will be a loss without him. He said he was in so many great organizations.

He wished everyone a Happy Valentine’s Day.

**Comments from City Administrator:** None.

**Comments from Council:** Colombo said Colangelo truly was “Mr. Hazleton”. Colombo worked with him at CHIPPS and Helping Hands. He said he was an outstanding man and will be hard to replace. Colombo said everyone should keep him in your prayers. He said everyone should take time and do a good gesture. He said he is happy all the authority appointments are done. He said the City will keep moving forward.

He also commended Ralph Sharp, Hazleton Transit Director, for the new “wrap-around” buses. He also commended the DPW with the recent snowstorms. He thanked all the City departments.

He wished a Happy Valentine’s Day to all the ladies.

Perry also extended his condolences for Mr. Colangelo. He said he worked with him at CHIPPS and Helping Hands. He said he was also president of the football boosters and involved with Funfest. He said it will take an “army to replace him” for all he did. He said city council will “put together” a proclamation for Mr. Colangelo for their next meeting. He said it is a big loss for the City.

Perry also thanked the police and fire departments for all their work. He said, recently, there has been a lot of accidents and fires. He said 15<sup>th</sup> Street seems to be a “war zone”. He also commended the police department for all the car chases and securing criminals.

Perry said the Governor of Pennsylvania wants to pass a law for the City of Hazleton to pay \$92,000 for state police. He said this is based on the City’s population. He said all residents need to be in favor of not paying this fee. He said this \$92,000 can be put somewhere else. Perry said he saw the list in the newspaper and is “amazing”. Perry stated he does not think this “will fly”.

He said he got to look at the City Park and it is beautiful. He said the pavilion and the band shell is amazing. Mayor Cusat said the Easter Bunny will be visiting there soon.

Perry also thanked Sacco, Barletta, Mayor Cusat and Don Leshko in entering the HGTV contest. He said the video looked good. He said city council will need to write SSPTV and Jeanine Lesante a thank-you letter. Sacco said SSPTV did the whole production with no cost to them. Perry said there are “amazing” aerial views. He said Sacco and Barletta did a great job.

Perry also acknowledged Zeller for being a good worker in the City. He stated regarding the water appointment, he has “nothing against him”. He said the City does not need a city council member or an administration worker on the board. Perry said there are a lot of residents and business owners who would like to be appointed to the board. He said this is his personal view. He said it would be a “bad precedent” to appoint a City worker.

Sacco said she knows all the city council members and administration personally. She said it “hot home” when she did the video, last week, with Leshko, speaking about “one team and one family.” Sacco said city council went back to the drawing board. He said the city council president needs the respect, in his decision, in ensuring city council is a “united front” in working for the people. She said she knows Mayor Cusat and Zeller outside of here. She said everyone does an outstanding job. She said this last couple weeks got a “little ugly and a little heated” and now can move past this. Sacco stated there a lot of good people to support the president and everyone behind him.

**Comments from Junior Council:** None.

**Adjournment:** Perry motioned to adjourn the meeting. Meeting adjourned at 8:10 p.m.