

**MINUTES  
HAZLETON CITY COUNCIL  
REGULAR MEETING  
THURSDAY, DECEMBER 2, 2021**

**Call to Order:** Council met in regular session on Thursday, December 2, 2021 in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 6:28 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; Sacco-present; Perry-present

**Minutes of Previous Meetings:** The minutes of the November 23, 2021 Special Meeting were approved unanimously.

**Presentations/Proclamations/Communications:** None

**Bid Opening:** None

**Courtesy of the Floor (ON AGENDA ITEMS ONLY):** None

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**ORDINANCES AND RESOLUTIONS:**

**ORDINANCES:**

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

**Ordinance 2021-22**

Re-Enacting Ordinance 1931 which Continues in Force and Effect for the Period January 1, 2022 through December 31, 2022, Imposing the Real Estate Transfer Tax **(1<sup>st</sup> READING)**

Presented by Barletta. Seconded by Sacco.

**On the Question:**

Atty. Logsdon stated there are no changes from last year. He said, "holding the line".

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

**ORDINANCE PASSES UNANIMOUSLY ON 1<sup>ST</sup> READING**

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**Ordinance 2021-23**

An Ordinance of the City of Hazleton Fixing the Tax Rate of Real Estate Located in the City of Hazleton, Pennsylvania, for All City Purposes for the Fiscal Year 2022, Beginning January 1, 2022 and Ending December 31, 2022(**1<sup>ST</sup> READING**)

Presented by Colombo. Seconded by Perry.

**On the Question:**

Perry stated the Debt Service is .21 mills, Recreation is .19, and General Revenue is 6.38 mills. Atty. Logsdon stated there is one typo- in Subsection (1) A, it states "mill mills". He said the extra mills will be removed.

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

**ORDINANCE PASSES UNANIMOUSLY ON 1<sup>ST</sup> READING**

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**Ordinance 2021-24**

Ordinance Imposing a Payroll Preparation Tax for the City of Hazleton (**1<sup>ST</sup> READING**)

Presented by Sacco. Seconded by Barletta.

**On the Question:**

Atty. Logsdon said this is new for the City. He said this is more than the usual re-enactment of the taxing ordinances. He said the City is repealing the mercantile tax and this is the proper way to do this instead of setting the mercantile tax at 0. He said this is a more modernized way to do it. Perry said this will be fair “across the board”. He said the City’s tax collector will be collecting this. Barletta asked Atty. Logsdon if the notices were sent out to the City employers for taking the tax out for payroll preparation. Atty. Logsdon said the payroll preparation notices will be out by December 3, 2021 and is due by the 20<sup>th</sup>. Perry said the tax does not come until April. Atty. Logsdon said yes. He stated they should be able to select someone “real quick”. Perry stated Scranton is doing this also. Atty. Logsdon said yes. Perry asked if they need a legal representation. Atty. Logsdon said the same time the payroll preparation tax RFP went out, the RFP for legal advisor for collecting the tax will be sent. He said the tax collectors who put proposals out to the City will point the City in the right direction on who they should use. Perry asked if there is a way for someone to appeal this for overcharging. Atty. Logsdon said yes, there will be an appeal right. He stated this will be organized and implemented by the legal counsel.

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

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**ORDINANCE PASSES 4-1 ON 1<sup>ST</sup> READING**

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**Ordinance 2021-25**

An Ordinance Repealing Ordinance 2020-35 which Re-Enacted Ordinance 1949, Imposing the Resident Tax **(1<sup>st</sup> READING)**

Presented by Sacco. Seconded by Colombo.

**On the Question:**

Perry said they are repealing the resident tax. He said this was a nuisance tax. Atty. Logsdon said it is "straight-forward". He also said it is a nuisance tax trying to get rid of. Perry said it costs more to send out the bills then to collect the tax. Barletta said it gives the City residents a nice break.

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

**ORDINANCE PASSES UNANIMOUSLY ON 1<sup>ST</sup> READING**

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**Ordinance 2021-26**

An Ordinance Repealing Ordinance 2020-34 which Re-Enacted Ordinance 1933, Imposing the Per Capita Tax (**1<sup>ST</sup> READING**)

Presented by Barletta. Seconded by Perry.

**On the Question:**

Perry stated Berkheimer Tax Office was collecting this tax. He said this was causing a lot of problems. Atty. Logsdon said it was difficult to determine a domicile versus a residence.

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

**ORDINANCE PASSES UNANIMOUSLY ON 1<sup>ST</sup> READING**

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**Ordinance 2021-27**

An Ordinance Authorizing the Vacation of the Undedicated Portion of Pardee Street having dimensions of 50 feet by 150 feet in the City of Hazleton (**1<sup>st</sup> READING**)

Presented by Barletta. Seconded by Colombo.

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

**On the Question:**

Barletta asked Atty. Logsdon to explain this. Atty. Logsdon stated he received a petition from Mr. and Mrs. Acevedo. He said they are residents at 846 East Diamond Avenue. Atty. Logsdon said they attached a map with the request. Perry asked if this is a "paper" street. Atty. Logsdon said yes. He stated Charlie Pedri was able to "pull it". He stated it is undedicated and nothing the City would be interested in opening in a normal time frame. He said this would be an ordinance vacating the street. He said if city council does this, it does not mean that the City is deeding the street to the Acevedo's. He stated it is only vacating the street and acknowledging it is a "paper" street and not opening it for any type of public use. He said if the Acevedo's want to establish, an ownership, they many need to a quiet title action. He stated they may have ownership rights, already, that are vested pursuant to the law. He said there may be other rights that are vested in others, presently, and may seek legal counsel for. Atty. Logsdon said there could be easement rights, legally, and not be able to affect. He said even though they are petitioning this, to city council, it is not a deed between the Acevedo's and the City. He said there may be other legal rights that people have, to seek counsel for, for quiet title. Perry said this was done, in the past, up the Heights.

Atty. Logsdon explained some of the items on the maps. Atty. Logsdon stated the area has not been paved or grated, in all the time, since 1909. He said this section, of Pardee Street, was planned as a street, but the street was never created. He said it is a paper street. Atty. Logsdon stated it does not exist, in terms, of Liquid Fuels or paved City roads.

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

**ORDINANCE PASSES UNANIMOUSLY ON 1<sup>ST</sup> READING**

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

None

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**RESOLUTIONS:**

**Resolution 2021-87**

Awarding Contract for 2021-2022 Winter Emergency  
Snow Removal Equipment

Presented by Perry. Seconded by Barletta.

**On the Question:**

Barletta asked where the bids are. Atty. Logsdon said this should be tabled because no one received the bids.

**Motion to Table:**

Presented by Barletta. Seconded by Colombo.

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

**RESOLUTION TABLED**

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**New Business:** None.

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**Old Business:** 1. **Resolution 2021-88** Approving Contract Between the City of Hazleton and  
**Fraternal Order of Police, Power City Lodge #18**

**Motion to Remove from Table:**

Presented by Perry. Seconded by Barletta

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

**MOTION TO REMOVE FROM TABLE PASSES UNANIMOUSLY**

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

## RESOLUTION PASSES UNANIMOUSLY

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2. **Resolution 2021-89** Approving the Contract Between the City of Hazleton and the Hazleton City Hall Employees Union

**On the Question:**

Perry stated this resolution was tabled at the November 10, 2021 meeting. He asked Atty. Logsdon if council needs to remove this from the table. Atty. Logsdon said yes. Perry said city council had a chance to look at the contract. Atty. Logsdon said the contract has been approved by the Fraternal Order of Police, City Administration, and labor counsel. Perry asked if the contract is good through 2025. Atty. Logsdon said yes.

**Motion to Remove from Table:**

Presented by Barletta. Seconded by Colombo.

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

### MOTION TO REMOVE FROM TABLE PASSES UNANIMOUSLY

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

## RESOLUTION PASSES UNANIMOUSLY

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**Comments from the Audience:** Mark Rabo, 1<sup>st</sup> Street, Hazleton, spoke of the City of Hazleton's 2002 budget. He said he saw, in the paper, there was some consideration on raising money for Code Enforcement. He said this was discussed, in the past, regarding the \$290,000 owed to the City of Hazleton from Luzerne County. Rabo said there should be a Line Item, added, for Accounts Payable, that the county still owes \$290,000 to the City. He stated that this money should be utilized for Code Enforcement for start-up money and revenue to pay for the Code Officials. He stated there are two ordinances, still "on the books"; the Vacant Registration and Abatement ordinances. Rabo said if there are any violations, and the code needs to go out "three or more times", and needs to close the property because of nuisance violations, this fee money could be used for revenue for code salaries. Atty. Logsdon agreed the ordinances are still "on the books". Rabo said CD money could also be used, for the Code Office, under the Slum and Blight Removal Provision. He said many municipalities use their allocation, of CD money, to pay for the Code Enforcement hires. Rabo said the City should not go to the "well", right away, and raise taxes, where there are other pools of money. He said he has been going to Luzerne County Council budget meetings, since the beginning of November, and stated they are "swimming" in money. Rabo stated they received \$118,000,000 from the American Recovery Act money,

\$6,500,000, he found them, from the Udag money, from the 1990's project, and \$350,000 from the Luzerne County Redevelopment Authority. Rabo said the county is not "pressed" for money, and the City administration is right in asking for this money. He stated the money should be paid, as is owed from Luzerne County, for the Broad Street Exchange building. Atty. Logsdon said the City reached out to Luzerne County and they "blanketly" disagree that they owe the City \$290,000. Rabo said they contend that the City is the secondary lien holder, and the County Community Development office is the primary lien holder. Atty. Logsdon said he will reach out to them and get something in writing.

Marie Acevedo, 846 East Diamond Ave., Hazleton, said the downhill section, on Pardee Street, cars speed. She asked if the City could get a speed monitor device or a flashing light in this area. She said a lot of people have moved, in this area, with some children.

**Comments from Mayor:** None-absent.

**Comments from City Administrator:** None

**Comments from Council:** Colombo stated the Christmas Tree Lighting will take place on December 5<sup>th</sup>, 2021 at 6:00 p.m.

Barletta stated she is happy the City has two contracts done.

Perry asked Police Chief Schoonmaker about a stop sign request on Buttonwood and Wyoming Streets. Perry stated there is another request on Laurel Street.

Sacco stated, recently, there was a bad accident on 15<sup>th</sup> & James Streets. She asked Schoonmaker if the City could put in a request to PENN DOT. Schoonmaker said *(inaudible)*.

Perry asked if there is money to put up speed signs. Schoonmaker said they could look at the price to purchase the speed signs. Barletta asked if Schoonmaker could get reports from the past two years on accidents on 15<sup>th</sup> Street. Schoonmaker said he could get PENN DOT reports, the police have access to, to see how many accidents were there. He stated it still is a decision, by PENN DOT, because it is a state route. He said they could try to get CO-STARs to get one or two for that area. He stated it would be up to PENN DOT to slow down the traffic on 15<sup>th</sup> Street. He said he will send out a request out to PENN DOT. Schoonmaker said he will look for something similar to what Broad Street has in speed signs.

Perry said the City also needs street signs. Schoonmaker said he would need to address this to the DPW Department. Perry said naming and labeling streets is what the City needs to focus on. He said people from out of town have no idea what street they are on. Perry said he does not know where the money would come from, and this could be done over a period of time.

Colombo asked about a turn signal that was out on Church and Broad Street. Barletta stated this was fixed today. He, also, mentioned the signal on Broad and Vine Streets. Schoonmaker and Barletta said this was fixed and addressed, also. Colombo stated for Schoonmaker to check on the signal on Diamond and Seybert Streets. Schoonmaker said he will check, later, on this street.

Barletta said there have been huge improvements in the police department. She said there is also a gym in City Hall. Schoonmaker said the new gym is available to all City employees. Perry stated the gym looks real nice. Schoonmaker said the mayor's Revitalization Fund helped pay for a lot of the gym equipment. Perry said the City could also get reimbursed from the insurance. Schoonmaker said Lieutenant's White and Gallagher did about 75% of the work on the gym, along with Tom and Dan from the Maintenance Department.



Sacco asked Schoonmaker to elaborate on the “cool” camera system, the license plate readers. Schoonmaker said the City purchased 44 to be put through West Hazleton, Hazleton, and Hazle Township. He stated West Hazleton decided to buy a few more and will be added onto the system, as well as Hazle Township. He said about 50% of the cameras are “up and running”. Schoonmaker stated it is looking for stolen vehicles and wanted people associated with the vehicles. Barletta asked if the information goes right to the police station. Schoonmaker said the information could go right to the police officers’ in charge phone or to the officer’s phone. He said the mayor stated this was something he thought about a few years ago. He said this program came about and they have been very receptive. Perry asked if the system is internet-based. Schoonmaker said it is all cloud-based and everything goes to their cloud and sends the City the information. Mundie asked if the system could be used for expired registrations or inspections. Schoonmaker said no. He said the only one that would do this is the state license plate readers. He stated this one is specifically for stolen and wanted vehicles. He said it also records any vehicle that goes by and records the license plate, to use, for any investigation, for hit and runs, littering, and drug investigations. Mundie asked if the system records the vehicle with outstanding warrants. Schoonmaker said yes. Barletta asked how many “spike strips” the City received. Schoonmaker said the City has two, to begin with, but the officers need training on them.

Perry thanked DPW Department for the great job they did in putting up the Christmas lights in front of City Hall. He said the next Hazleton City Council meeting will be on December 16, 2021. Atty. Logsdon said this meeting will be for the final vote on all the City taxing ordinances.

Perry congratulated Mark Ondishin, officially, in winning the last seat on Hazleton City Hall. He said the election is finally finalized.

**Comments from Junior Council:** None.

**Adjournment:** Perry motioned to adjourn the meeting. Meeting adjourned at 7:05 p.m.