

**MINUTES  
HAZLETON CITY COUNCIL  
REGULAR MEETING  
TUESDAY, NOVEMBER 10, 2020**

**Call to Order:** Council met in regular session on Tuesday, November 10, 2020 via ZOOM Teleconferencing. The meeting was called to order at 6:01 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 October 27, 2020 Regular Meetings were approved unanimously.

**Presentations/Proclamations/Communications:** Hazleton Creek Commerce Center- Atty. Ray Rinaldi said he represents Hazleton Creek Commerce Center Holdings. He stated his client, led by Mr. Robert Kiel, who is here tonight, via ZOOM, will be putting one of the largest private developments, in the City of Hazleton, and in Luzerne County. Rinaldi said the property, he is seeking to develop, has received land variances for the zoning requirements needed and necessary, submitted four land development plans, and is scheduled to have land development review hearings in December. He said, his client, has a very aggressive timeline. Rinaldi said it could be “challenging”, at times, but also beneficial during this time when many jobs are needed with development within the City and Luzerne County.

Rinaldi stated the property, in question, is the old Pagnotti Mining site, located primarily within the City of Hazleton and growing into Hazle Township. He said it is the large deep mine and surface mine area recently taken over by Hazleton Creek Properties to “bring it up” up to development grade. Rinaldi stated it is at that process, currently, where Mr. Kiel is looking to develop this property. He said it is centered in the City. He stated it provides great access to the interstate highway system, utility access, and the determined work force of the Hazleton area and surrounding communities. Rinaldi stated the proposed capital investment, in this project, is approximately \$500,000,000. He said, currently, the real estate taxes collected, on the sublimation of these properties, is approximately \$16,000-\$17,000, total, between the school district, City, township, and county. He said his client is requesting a LERTA exemption. Rinaldi said he is sure members of council and Mayor Cusat have dealt with other LERTA exemptions in the past. He said his client is seeking a 10-year abatement on any improvement placed on the property. Rinaldi said any current tax dollars collected would continue to be received by the same taxing bodies. He said the benefit is at the end. Rinaldi said utilizing some of the large-scale buildings, in the area, one million square feet, or plus, and estimating total tax dollars, the three taxing bodies would realize between \$3,500,000-\$6,000,000 per year. He stated this is a private development and all the roads would remain with his client with no services- snow plowing, lawn or tree maintenance, within the City. Rinaldi said all the buildings will be fire-rated and fire-suppressant to a degree. He said security of buildings this size and scope would be private. Rinaldi said the project is 5,500,000 square feet of space. He said this is a great project for the City and the surrounding communities. Rinaldi stated they are requesting a LERTA exemption for the period 10 years. He said he or Mr. Keil could address any questions.

Mundie asked who the owners are of the new Hazleton Creek Properties. Rinaldi said Mr. Kiel is the owner. Mundie asked where Mr. Kiel is from. Mr. Kiel said he is from Bethlehem, PA. Mundie asked if they know what the effect, on the traffic in the area, would be. Rinaldi said they are moving through the engineering process. He stated one of the processes is to get a highway occupancy permit from the state. He said the access, primarily, would be on State Route 309. He said they have property that

touches Harwood Road and Route 924. Rinaldi said any traffic impact studies would be coordinated through the Pennsylvania Department of Transportation.

Perry asked how many buildings there are. Rinaldi said there are a total of five buildings with a total square footage of 5,500,000 with the largest being 2,500,000 square feet. Mundie asked if they are spect buildings or does he have prospective tenants. Mr. Kiel said it is a little early to determine this since working on the project and "going public". He said he has gotten numerous telephone calls from manufacturing, warehousing and some assembly companies. Kiel said there would be some spect development throughout the project. Mundie asked if there is rail access. Kiel said yes. Mundie asked if he would utilize this. Kiel said there is about a 90% chance someone would use the rails and with markets changing. Mundie asked if all the buildings could use the rail access. Kiel said, currently, where the rail comes into the site, there are only two buildings accessible to it. He said there are two buildings total of over 2,000,000 square feet. Mundie asked how many acres, in total, are there. Kiel stated there is a total of 363- 365 acres. Mundie asked Kiel if he owns all the land "outright". Kiel stated they are all under contract. Mundie asked if they are options. Kiel said no, an agreement of sale. He said money has been down, and he is closing within the next couple of months. Mundie asked if he has a contract to purchase all the land. Kiel said all the terms, dollar amounts, and all the stuff has been "ironed-out". Mundie asked if the engineering studies would do something about the traffic flow. Kiel said he has been doing this kind of development for over 30 years. Kiel stated he already has a traffic design firm for this project. He said he will then submit this information to PENN DOT. Mundie asked if he needs to get PENN DOT's approval before he gets the City's permission. Kiel said, ultimately, will need PENN DOT, to sign off, on a HOP (Highway Occupancy permit).

Perry asked what his timetable. Kiel said he "went through" Hazle Township, last night, and received their approval. He said he is coming to city council tonight and is going to the Hazleton Area School District on Thursday. Perry asked him his timetable for the process to build. Kiel said he, anticipates, to be well under way, by March or April, 2021. Perry stated the benefit of employees working there and living in the City would be helpful. Kiel said he mentioned this, to Rinaldi, earlier, and that attracted him to this site and the benefits with the jobs he could get there. He said with LERTA, he wants to attract companies that are available, on the marketplace, to come to this site. Mundie asked if one company owns the property, does Pagnotti own it, or contracts with multiple people. Kiel stated multiple people. Mundie asked where he has done this before. Kiel said he is based out of the Lehigh Valley area in Allentown, Bethlehem, and Easton. He stated he did about 35,000,000 square feet of these "down there". Kiel said he did a lot on the old Bethlehem Steel (*inaudible*) when they went bankrupt. He said it is a similar situation, in the City, when Bethlehem Steel went out of business and they redeveloped 1,800 acres. He said there were about 25,000 people that were unemployed from Bethlehem Steel. Kiel said this was a great opportunity for that town. He stated he has developments in Chicago, Milwaukee, Michigan, and Minneapolis. He said he has done about 70,000,000 square feet in total. Mundie asked if his company owns the buildings outright or are they owned by investors. Kiel said it may be a combination of both, but he may bring in some investors depending upon which building and if a company requires a tremendous amount of capital. He said he has used typical bank financing and Wall Street money. Mundie stated the City has approved LERTA a few times. Perry said city council approved, in 2019, one for Blue Cup. Mayor Cusat said it was for Blue Rock. Mundie said he was not on council then, but city council has approved LERTA's for a couple companies. He asked Mayor Cusat if he would be exempt from the mercantile tax. Mayor Cusat said it depends on the ordinance and what product would be in the building. He said he does not think they would be subject from the mercantile tax in manufacturing. Mundie stated this is something they would need to look into. He said they would not be exempt except it was stated in the statute. Mayor Cusat and Atty. Logsdon stated correct. Mundie said he hopes they get a traffic study done.

Atty. Logsdon said the land development plan is on the Planning Commission agenda for next week.

Barletta asked if this is the location where the restaurant was "taken down" and going further back. Perry stated it is up above there by Craigs. Rinaldi said it is by Craig's extending to Harwood Road and out to Route 924. He said one of the key entry points, of the park, is (*inaudible*). Perry asked Kiel if he owns all the frontage. Kiel said no. Barletta said this is a great opportunity for the City and for a lot of jobs.

She said she appreciates Kiel taking the time and investing in Hazleton. Kiel said this is a project he could not do alone. Kiel said this is a “we thing”. He said their support, guidance, and direction are something he appreciates.

Perry said it is a great opportunity for the City with getting “out of ACT 47” and moving forward. He said there are two things, on the horizon, within a mile or two of each other. He said manufacturing has always been outside of the City. He said he is grateful Kiel came to the City. Perry asked if it is ready to be developed and “filled in”. Rinaldi said there is still some site work to be taken care of. He said the engineers will tell them how much more they will need. He said it is at a point to “push dirt” in the Spring of 2021. Mundie asked if he will “push” manufacturing first. Kiel said he will not just put anyone in these buildings. Kiel said he is doing this a very long time and has relationships with every company. He stated he would love to fill the space with manufacturing companies. Kiel said this would be his focus. Mundie stated he does income taxes and did a lot of workers from Dial who moved from New Jersey. He said when they came here and the company saw the work ethic of the City’s workers, they moved their whole plant here. He stated the people from this area are hard workers who take their jobs seriously. Mundie said they decided to move whole manufacturing plants to our area. Kiel said, when they did that, they moved the warehouse requirement to Allentown. He said he did a building for Dial in Allentown. He said Dial was bought by Henkel. He stated Dial always talked about the facility in Hazleton and spoke of moving the facility back to Hazleton.

Atty. Logsdon said he has put the LERTA resolution on the agenda tonight. He asked if there are any issues, “timeline wise”, that council wants the Planning Commission to review before the resolution is voted on. He said there are December 1<sup>st</sup> and December 11<sup>th</sup> city council meetings. Atty. Logsdon asked if there are any timeline issues if the resolution was put back, on the agenda, in December.

Rinaldi stated his client has him on a tight schedule. He said they are looking to have all land development approvals by December 15<sup>th</sup>, 2020. Rinaldi said he is looking to have a start for the first quarter of 2021. Rinaldi said as soon as Mr. Kiel has this, the sooner he could go out to the large companies, like Dial, to promote this area. He said he received Hazle Township’s approval last night, and is seeking council’s approval. Mundie asked when they are going to the school district. Rinaldi said on Thursday. Rinaldi said the county is last, but they usually follow suit.

Daniel Lynch, City Administrator, 2021 City of Hazleton budget review and presentation. Lynch said this will be a presentation on the 2021 budget that the council has received today. He said he will have a couple more materials, over the next couple days, and will continue to generate things “like this”.

Lynch said the true operating cost increase for the City, in this budget, is 21% to \$13,378,213. He said the big thing, to recognize, and under the ACT 47 Plan, is the EIT funds that the City went to court to send to the General Fund, through ACT 47, and is, currently, being redirected back to the ACT 205 fund, and is in the plan documents- 11-8. Lynch said this will show how the EIT will be distributed in the first half of this year, and into the second half of the next. Lynch stated if looking at the EIT portion of the budget, the whole thing looks to be \$634,604 less, but he removed the ACT 47 specific EIT initiatives. He said he left most of these in the department heads budgets and as they bring them to city council, it would be things they feel worthwhile. Lynch said going forward with the budget process, they will discuss as they go and get “a feel” for what they cost.

Lynch said going through the Revenue and Real Estate Taxes, the largest change would be an increase to real estate taxes in order to offset new expenses and lost revenue. He said this would be an increase to 6.75 in the General Fund, and 8.25 overall. Lynch said as a percentage, this would be 44.2% increase to the General Fund and 33.4% as an overall tax increase. He stated this amounts to 2.07 mills. He said if a median home value is \$75,000, this would represent a \$155.25 increase and the total bill would

become \$618.75

Lynch said there are a couple changes. The Delinquent taxes increases are a moderate \$28,000. He said the City had increased taxes in 2020. Lynch said collections for delinquent taxes has been very good. He stated the collection rate is in the 89-90% range and continuing to stay there. Lynch said the collections, on delinquents, are very good. Lynch said turning this around, in a couple years, and the City is getting all of the delinquents back. Lynch said two important lines, to discuss, in the taxes section of the budget are the EIT, specific to ACT 47, has decreased. The ACT 47 EIT begins the year at .25% and this is what the City went to court for earlier in the year and decreases to .1% for the latter half of next year when the City goes to court again. Lynch said the EIT funds are then directed to the ACT 205 fund per the plan, and the non 511 EIT, in the budget, decreases to \$682,000. Lynch said he anticipates, a drop, in the mercantile tax and he and Mayor Cusat were going "back and forth on". He said the received amounts are higher than \$460,000. Lynch said there will also be an impact due to COVID-19 on sales. Lynch said the mercantile tax will go down and is always a struggle. He said doing the audit the City did not get what they wanted out of it with budgeting higher in 2020. Lynch said it looks better, in 2020, with over \$500,000 but the City foresees a drop and could be lower.

Lynch spoke of Revenues on Licenses and Permits. He said the budget has a reduction to licenses, rental registrations, and cable TV. Lynch stated the first two are COVID-19 related especially with the protections, in place, it will continue. He said the City will see a drop of people moving around and a reduction to the subsequent licenses. He stated the budget has an increase due to the towing agreement of about \$85,000. He said the overall increase is about 3% or \$17,000.

Lynch spoke of Fines and Forfeits. He said because of COVID-19, the City anticipates this continues into 2021 and just like it is affecting the revenue, this year, it will continue next year. He said there is a budgeted \$215,000 decrease or 32%.

He spoke of the Remaining Revenue. This includes declines in the alcohol beverage tax of \$5,000, PA recycling grant is \$10,000, and monthly parking permits is \$20,000. Lynch said the City does anticipate a smaller medical rebate of \$58,000. He said the City has received a COPS grant and will pay 100% of expenses the first 4-year hires and is reflected as a \$400,000 increase in public safety revenue. The budget calls for a revenue increase of \$2,331,140 or 21.1% after factoring-out the EIT's.

Lynch said the Council expenses increased by \$5,000 to add funding for a conflict counsel. He said this was discussed. He said Executive expenses increased by \$27,615. He said there is a line, in there, for overtime to fulfill right-to-know requests that have become cumbersome. Lynch said there is a lot of requests coming in and the secretary may have to work extra time to fill requests. He said other people may have to take time to fill the requests. Lynch said there are a lot of private businesses using the right-to-know law asking the municipalities for all the data, and using it to aggregate the data, to sell.

He said in the Financial Administration Department, the City "picked-up" two additional salaries with one for the Assistant City Administrator and grant related. Lynch said the other position is for Human Resources, which was discussed, when Allison Keegan moved into this role. He said this cuts overtime and 3<sup>rd</sup> Party contract costs by \$39,000. Lynch said it is a total cost increase of \$5,881 or 2%. He said the Solicitor costs increased by \$70,000 or 64%. He said this reflects its usage of the cost associated with the recodification portion of the ACT 47 grant. Lynch said the grant pays for the process through General Code. He said Mayor Cusat and Atty. Logsdon have spent a lot of time on this process. He said this has driven up the cost and will keep going, as well.

Lynch spoke of the City Clerk, Payroll, and Engineering Departments. He stated these are all increases with 2% pay increases and benefits.

Lynch spoke of the Police and Fire Department budgets. He said the police budget increases by \$992,211, as mentioned previously by Police Chief Schoonmaker. He said the primary drivers of this increase are salaries with a large portion of both the salary and benefits are grant-related and will be reimbursed to the City. He said the City plans for the highest possible cost for healthcare benefits but may

not be the actual cost. Lynch said the other increase, in the police budget, are uniforms, and due to hiring. He stated the capital purchases line item is \$101,210. He said, in this number, includes the lease agreement the City has entered.

Lynch said the Fire Department increases \$93,168 due to healthcare costs and wage increases.

Lynch spoke of the Parking and Code Departments. He said Parking has increased by \$81,699 or 40%. He said primary drivers are wage increases due to making a part-time employee to full-time and needed benefits, and a capital line to purchase gates for certain city lots.

Lynch said the Code Department increases to \$155,820, but this is associated with the hiring of an internal building inspector for the City. He said the City does not have to give the revenue to engineering firms when inspections are done. The budget also adds estimated costs for a Health Officer of \$72,470.

Lynch spoke of the DPW and Garage Departments. He said aside from contractual wage increases and healthcare cost increases, the budget includes funding for road projects. Lynch said \$200,000 of this is UGI funded and would see revenue, on the front side, in the form of permits and \$500,000 in a General Fund commitment. He said the City has been budgeting about \$234,000, for many years, out of Liquid Fuels, which was in the neighborhood of 10%, the optimal amount for the City. He said it may be, upwards, of about \$2,000,000 given the number of roads and a 7-year schedule. Lynch said this may be a major commitment to do \$500,000. He said this would be about 40-45% of what would be optimal for streets.

Lynch broke down Expenses. Expenses by Departments: Police- 42.3% of all expenses, Fire- 18.1%, Public Works- 21%, Code Department- 5.3% and all other sources- 11.1%. Lynch stated this is the first step and there is a lot of work, ahead of us, to do. He said as city council looks over the budget, they could schedule a meeting with Lynch or with him and Mayor Cusat to move it along.

Perry stated he would like to schedule budget WORK SESSION meetings for November 18<sup>th</sup> & November 24<sup>th</sup>. He said the first reading is December 1<sup>st</sup>. Lynch said whatever city council schedules, he will make it work for him. Perry said council members could go "two at a time" to go see Lynch. He said they need to absorb all of this and read, "it through". Lynch said they could also set up a ZOOM meeting for two members. Perry asked if the 18<sup>th</sup> is good for all. Mayor Cusat stated the 18<sup>th</sup> is not good for him. Barletta asked Lynch if he is available. Lynch said he, "should be". Mayor Cusat said he is good for the 24<sup>th</sup> & 25<sup>th</sup>. Perry asked for either the 19<sup>th</sup> or 17<sup>th</sup>. Lynch said the 19<sup>th</sup> is not good for him because he needs to attend a school board meeting. Mayor Cusat said the 18<sup>th</sup> is good for him in the morning. He said they could come in individually. Perry said he wants to schedule a session as a group. Perry said they could go in anytime to City Hall. Barletta asked Lynch if they could meet with him on the 18<sup>th</sup>, and again, with Mayor Cusat on the 24<sup>th</sup>. Lynch said this could be advertised. Barletta said they could be a WORK SESSION. Perry said city council will do the 18<sup>th</sup> with Lynch and 24<sup>th</sup> with everybody. He said the meetings will need to be advertised. Perry asked if Atty. Logsdon needs to be at these meetings. Mayor Cusat said no. Perry asked what time the meeting would be. Lynch said 6:00 p.m. Perry said the 18<sup>th</sup> and the 24<sup>th</sup> meetings will be at 6:00 p.m. via ZOOM Teleconferencing. He said, in the meantime, they could go see or call Lynch with any questions.

Perry asked if the budget is looking at a total millage of 8.25. He asked Lynch if it is currently at 6.18. Lynch said yes. Perry said this would be a 33.5% increase. Lynch said yes, overall. Perry said the items mentioned is why it went up. Lynch said there are some big proposals with \$500,000 paving and a mixture of normal cost increases, revenue declines, and some proposals. Lynch said between these three big factors, they will work on "hashing it all out".

Barletta asked Lynch if he could send city council reports for the month. Mundie asked Lynch if he could send city council members a copy of this presentation. Lynch said he already sent this out and will have

a couple other things by the end of the week. Perry said the city clerk will have copies of the budget and his presentation printed for council members. He said hard copies are easier to look at.

**Bid Opening: None**

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

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**BUSINESS AT HAND: RESTAURANT LIQUOR LICENSE INTER-MUNICIPAL TRANSFER HEARING @ 5:30 P.M.**

A public hearing for an application for the Approval of Inter-Municipal Transfer of Restaurant Liquor License #R-17804, from Hanover Beverage, LLC, 1045 S. Main Street, Hanover Township, Pennsylvania, 18706, for premises located at Fireside Lounge Restaurant, LLC, 250 West 21<sup>st</sup> Street, Hazleton, Pennsylvania, 18201, presently held in safekeeping by the Pennsylvania Liquor Control Board, was held at 5:30 p.m. prior to the city council regular meeting.

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**ORDINANCES AND RESOLUTIONS:**

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

None

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

**Ordinance 2020-25**

An Ordinance Creating the City of Hazleton Land Bank **(2<sup>nd</sup> READING)**

Presented by Perry. Seconded by Barletta.

**On the Question:**

Barletta asked if the money collected from the properties would go back to the City, on the tax rolls or get paid and go to the Land Bank. Mayor Cusat said if the property is sold, the money from the property goes back to the Land Bank because they are the seller. He said the tax money would go to the City, however, the Land Bank could make an agreement with the school district, City, and county to have a percentage the first, second third year, etc., like the LERTA agreement, that goes back to the Land Bank to utilize the money. He said, technically, the money belongs to the City. Barletta said they need to make sure the City is not cutting themselves short, of the tax roll, in the City. Mayor Cusat said, currently, these properties are not paying taxes. Barletta said the money would go to the Land Bank once the property is sold, but the tax rolls would go back onto the City and collect the real estate tax. Mayor Cusat said if the taxes are \$400.00, the \$400.00 would go back to the City, unless the City wants to forgo the money to the Land Bank, and this is their option. Perry asked if the same is for the county and the school district. Mayor Cusat stated the City would ask the school district and county. Perry asked if this is a once a year "thing". Mayor Cusat stated the City could make any agreement they wanted with them. Perry asked if it is done at the tax sale. Mayor Cusat said the Land Bank could acquire a property in many ways. He said once it is acquired, it would go to the Land Bank, which is tax-exempt. He stated once the Land Bank sells the property, it would go on the tax rolls. He said the taxes go to the county, municipality, or school district unless these entities want to donate the money back. He said it is not necessary, but some places do this to fund it to keep it moving. Barletta said to start the Land Bank, the City would not take anything from the General Fund, but from Community Development, and no cost from

taxpayers. He said they would get it back on the tax rolls. Mayor Cusat stated correct. Barletta asked if the Land Bank could fund the attorney's fees from the Land Bank, so it is not taken out of the General Fund. Mayor Cusat said, eventually, that is the plan to have its own solicitor. He said, currently, at the beginning, the city solicitor will do the work and are, currently, doing the work now. He stated when the Code Department goes through the demolition process, and using the "legal", the City pays the legal. He stated the City will assume the same expenses, in the beginning, with no additional costs to the City, whether the Land Bank would get the property, or the original owner would maintain ownership of the property. Barletta asked if the additional fee, in the ordinance for the solicitor is not for the Land Bank. Mayor Cusat stated it is not. He said there is a lot of work they are doing. He said, as Lynch mentioned, that the City is over-budgeted, quite a bit in 2020. He stated there are other major projects, in 2021, the City wants to work on. Mayor Cusat said the City is expecting to utilize the solicitor office a "little more". He said they have been doing a lot more work with Atty. Logsdon spending a few more hours in his office. He stated he wants to maintain the relationship he has, in 2020, with him. Mayor Cusat said he is spending more with the extra work. He said there are several lawsuits they are handling. He said there are a "ton" of the right-to-know requests that require the solicitor to handle. Mayor Cusat stated this line item also encompasses the labor attorney and there are three contracts, 2021, that need to be negotiated, and may be all four that come up, in 2021, to spend money on. Barletta asked if special litigation is for the labor attorney. Mayor Cusat said the special litigation is for lawsuits and not for our solicitor or labor attorney. He stated it is for the City's deductible for cases. Atty. Logsdon stated if the City has outside counsel, appointed through Traveler's or whatever insurance company is covering the City with a suit that has insurance coverage attached to it, the City would pay the deductible on these cases although the City has an insurance defense lawyer. Mayor Cusat said the City's deductible is \$25,000 and budget two or three cases per year. Perry said if the City covers \$25,000, the City should "be good". Mayor Cusat said for this situation yes. Barletta asked if the Land Bank ordinance, passes tonight, if city council could do their "picks". Mayor Cusat said if it passes tonight, they will move on to get the school district and county to "jump on board, also". He said they could start talking or interviewing, but the City needs to get the commitment, in place, from the school district and county before starting to put the board together. Barletta asked if it would take about two or three months. Mayor Cusat said it could be. He said he wants to get it together sometime over the winter. He stated he would like to get everyone "in line", go through the process, come up with a plan, and right in the spring, "going out". He stated there is a little bit of "leg work" that the City needs to do after the City passes the ordinance. Barletta asked if he is going to them for the approval and then getting the City the tax money. Mayor Cusat said correct, but the Land Bank would get the tax money, not the City. Perry said the idea would be for the Land Bank to obtain the property and get rid of it right away. Mayor Cusat said correct. He said his plan is to not hold properties. He stated he wanted to acquire a property to move or be utilized, in a different way immediately and not have an inventory of properties for the Land Bank to maintain.

Perry asked if the demolition list is something the City wants to do right away. Mayor Cusat said the list that Pedri gave them are the properties that need strict attention. He said the City needs the owner to agree to turn over the property. He stated the City is not going to buy a property, at market value, to pay to knock it down and get rid of it. He said there are several properties, on the demolition list, the City could discuss and make an agreement, with the owner, to turn it over to them. He said every property, on the list, will never be addressed. Mayor Cusat stated the owner does not have to give up the property to them. He stated, in Pittston, doing their "whole strip", one guy had a property right in middle of their zone that would not give up the property. He said it took about five or six years to get the property off the owner and then could do their redevelopment work. He said the City will not use eminent domain to force a resident to sell the property. Barletta asked if the City would do the same demolition bidding that is done for anything else. Mayor Cusat said it would need to be bid the same way but it would not be the City doing the bidding, but the Land Bank. Barletta asked who approves the Land Bank group or city council. Atty. Logsdon stated the Land Bank board would approve. Barletta stated the Land Bank would receive the bids but opening

them up and approving them. She asked if it still needs to be contracted out. Mayor Cusat said if the price is over \$20,300, the City needs to follow the bidding thresholds. Atty. Logsdon said whatever 2021 is "set up for", then the Land Bank would follow the same thing the City would do as taking down a building. He said if the City is estimating the cost for a large structure to come down, this would have to get formal bids. He stated if it is a "rinky-dink" place that the City would estimate would come down under \$15,000, it would, then be, the "telephonic" quotes situation. Barletta asked if the owner would determine who could demolish the property. Mayor Cusat said no, it would be the City's. He said the City could not do the work if the new owner already had it. He stated it would become their situation. He said they could purchase the property, from the Land Bank "pre-demolished", and then do it themselves. Atty. Logsdon said the City would not want a dilapidated building that needs to be demolished taken out of the Land Bank hands and placed in private property so Pedri would have to be "down there", the next day, citing them. He said the City would have an agreement if they wanted to do it privately, it would be part of the agreement, of sale, to be taken down.

Mundie said Mayor Cusat stated he would get city council a business plan, on money they will spend, once he gets his people set up. He stated he spoke to Pittston's director but never received their bylaws and budget. He suggested Mayor Cusat get their bylaws, budget, and agreement they have with the county and school district and use as a template to save on legal fees. He said he could then just put "our name" instead of their name on the agreement. Mundie said he agrees with Mayor Cusat in getting the agreement with the county and school district. He said this is "key" for the taxes and should be done first. He stated it should be a long-term agreement where if the City would buy the property, they would work, with the City, on the taxes or forgive them if a resident owns taxes. Mundie suggested he contact the director at Pittston, to remind him, to send him their agreements with the county and school district. Mayor Cusat said that is what they already do when the City looks to do something. He said they get agreements that are already created and then select certain parts, out of each one, that would work best for the City, and then "fine-tune it". Atty. Logsdon said he will not sit down and draft bylaws. He said they do not want to "reinvent the wheel". Mundie stated the City could use their bylaws; they are public.

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

**ORDINANCE PASSES UNANIMOUSLY ON 2<sup>nd</sup> READING**

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**Ordinance 2020-25** An Ordinance Creating the City of Hazleton Land Bank (**3<sup>rd</sup> READING**)  
Presented by Perry. Seconded by Colombo.

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

**ORDINANCE PASSES UNANIMOUSLY**

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**Ordinance 2020-26** An Ordinance Amending Ordinance Nos. 10-108, 94-12, 95-18, 95-26, 2003-07, 2005-8, 2006-34, 2007-9, 2007-29, 2009-17, 2010-2, 2011-8, 2012-9, 2015-25, & 2013-5, 2016-31 and Chapters 24, 140, & 203 of the Hazleton City Code for the Setting of Licenses, Fees and Inspections (**2<sup>nd</sup> READING**)

Presented by Barletta. Seconded by Sacco.

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

**ORDINANCE PASSES UNANIMOUSLY ON 2<sup>nd</sup> READING**



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**Ordinance 2020-26**

An Ordinance Amending Ordinance Nos. 10-108, 94-12, 95-18, 95-26, 2003-07, 2005-8, 2006-34, 2007-9, 2007-29, 2009-17, 2010-2, 2011-8, 2012-9, 2015-25, & 2013-5, 2016-31 and Chapters 24, 140, & 203 of the Hazleton City Code for the Setting of Licenses, Fees and Inspections (**3<sup>rd</sup> READING**)

Presented by Perry. Seconded by Colombo.

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

**ORDINANCE PASSES UNANIMOUSLY**

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**Ordinance 2020-27**

An Ordinance Establishing a No Parking Zone on Both Sides of North Manhattan Court Between West Aspen Street and West Acacia Streets (**2<sup>nd</sup> READING**)

Presented by Barletta. Seconded by Sacco.

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

**On the Question:**

Mundie asked if the residents, in this area, complained about this and are they okay with this. Perry said he went by this street today and it was blocked. Perry said she is complaining of one block section and is not all the time. He said there is one property that has a garage and a driveway. He said the rest are backs of houses but cars are parking along the fences people cannot get through. Perry said he does not know when the City would put up the sign. He said, may be, the City could put up a temporary sign notifying residents about no parking.

Mundie said he does not know what the process is. He said he does not remember, the City, doing this. He said, may be, Mayor Cusat or Chief Schoonmaker knows. Mundie said people need to drive through there. Perry asked Mayor Cusat if he has any questions. Mayor Cusat said he does not have any questions. Mundie asked Mayor Cusat if he is okay with this. Mayor Cusat said something needs to be done there and needs to be addressed. He stated it is like everywhere else, in the City, where there are too many vehicles for the amount of spaces in the City. He stated it is a hazard "up there". Mayor Cusat stated all these people are causing the hazard. He asked where these cars will go. He said he does not know. Mayor Cusat said the City rents a lot, across Diamond Avenue, and this could be utilized. He said he does not know if this is the answer. He said if there are enough cars causing a problem where will they go and cause another problem. He asked if they would start parking on Liberty Court. Perry said they will start parking on Aspen Street. Mayor Cusat said there are not enough spaces in the City. He said until the City starts creating InterCity parking lots, it will be a problem with too many people and vehicles in the town. Perry stated St. Joe's has some parking lots in the Northeast section of town. Mayor Cusat said, currently, they are privately owned. Perry said Wyoming and 8<sup>th</sup> Streets are a disaster. Mundie asked about the lot across from Jimmy's. He said the developer is not doing anything with it. Perry said they will not let people park there. Mayor Cusat stated it is a liability to park there. He said it is like someone parks in their driveway, and falls, the person would sue them. He said why would someone who owns a property, this big, take the chance. Mundie said they could turn it into a parking lot. Mayor Cusat stated there may be something "in the works".

**ORDINANCE PASSES UNANIMOUSLY ON 2<sup>nd</sup> READING**

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**Ordinance 2020-27**                      An Ordinance Establishing a No Parking Zone on Both Sides of North Manhattan Court Between West Aspen Street and West Acacia Streets  
**(3<sup>rd</sup> READING)**

Presented by Perry. Seconded by Colombo.

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

**ORDINANCE PASSES UNANIMOUSLY**

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**RESOLUTIONS**

**Resolution 2020-82**                      A Resolution Approving the Action Plan for Fiscal Year 2021

Presented by Perry. Seconded by Sacco.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-83**                      A Resolution of the City of Hazleton, County of Luzerne,  
Commonwealth of Pennsylvania, Approving the Transfer of Liquor  
License No. R-17804 into the City of Hazleton from Hanover  
Township

Presented by Barletta. Seconded by Sacco.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-84**                      A Resolution Approving the exemption Request of Hazleton Creek  
Commerce Center Holdings, LLC from municipal real property taxes  
under Local Economic Revitalization Tax Assistance Act (LERTA) for  
a period of ten (10) years

Presented by Perry. Seconded by Barletta.

**On the Question:**

Perry asked Atty. Logsdon if they need to have an Executive Session. Atty. Logsdon said this is the first-time city council is seeing this. Mundie asked if this is the original property that Hazleton Creek was sold that the dump was on. Mayor Cusat stated it was not a dump; it was reclaimed mine lands. Mundie said Rinaldi originally owned it, now Kiel owns the whole property. Mayor Cusat said this is "what it looks like. He said, under the agreement, "the natural coal company owned one piece, three pieces were owned by Hazleton Creek property, one piece by Pagnotti, and one piece by Yamulla's". Mundie asked if, "any is Pasco Schiavo property". Mayor Cusat stated no, he does not believe he is part of any of these. He said he does not know who owns Natural

Coal, Hazle Creek, or Pagnotti's, but he does know the Yamulla's. Mundie said Rinaldi originally owned it but is now out of the picture. Mundie asked if this is the property the amphitheater was going to be on. Mayor Cusat said yes. He stated Mr. Rinaldi was involved with Hazleton Creek properties but is not the new or proposed owner. Perry stated the description states all the new owners.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-85**

A Resolution Honoring Charles Gennaro, Hazleton City Housing Authority

Presented by Perry. Seconded by Colombo.

**On the Question:**

Perry asked if anyone is here from his family. The City Clerk stated she talked to both of his sons. She said they have computers but could not get on ZOOM. She stated they are aware of the recognition for their father.

Perry said he could read a list, a "mile long" for Charlie. He stated he is an amazing man. Perry said he is about 99 or 100 years old. He said if you have buildings named after you, "you know what you have done". Perry said he is a "treasure of the community". He said he is still getting around.

Colombo said he had the pleasure of being on the Hazleton Housing Authority with Charlie. He said he is a true "Hazletonian". He said he loved the City and worked hard for it. Colombo wished him well.

Mundie stated Charlie is an amazing man. He said he used to see him at his nephew's baseball games. Mundie stated Gennaro really cared about the Hazleton Housing Authority and ran it the way it should be. He wished him well in his retirement.

Perry said he still goes to basketball games in his wheelchair. He said he is a "living treasure". He said they need to get recordings of his information for posterity. He said there is no one like him.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-86**

In MEMORIAM-Nicholas "ICE MAN" Caputo

Presented by Colombo. Seconded by Perry.

**On the Question:**

Perry thanked Nick Caputo, Jr., for attending the meeting. He gave his condolences for all of his losses. Perry stated it is never easy losing family members. He said his mother and father were amazing people. He said they were pillars and a foundation of the community. Perry said they left a

legacy that everyone could follow. Perry said they were loving members of the community. He stated if everyone could follow a little of what they did, it would be a better community.

Barletta gave her condolences to Mr. Caputo and his family. She said his father always had a smile on his face. She stated he was always friendly, and this will stick in "everybody's" mind. Barletta said city council is honored to do this tonight. She said she is happy he is on the meeting with his family.

Colombo also gave his condolences. He stated he had the honor of driving school buses with Nick and Blazer. He said he was a true gentleman and "loved by all". Colombo said his prayers are with him for the recent loss of his mother. He said he is honored to do this for a great man.

Mundie stated they were both pillars of the community. He said they worked hard and raised their family. He said this is what Hazleton is all about. He said they were honest, hard-working who care about other people. He said if they funerals were opened, there would be a "zillion" people there. He stated his friend who passed away, Tom Marnell, had an overflow of people at his funeral.

Nick Caputo, Jr., said on behalf of the whole Caputo family, he thanked city council for all of this.

Perry said they may be lost, but never forgotten. He said 2020 could not go "fast enough" for him.

Sacco gave her condolences from her, herself, and the Vito family. She said his father was a pillar in the community. She said it is a "blessing and a curse" to be in a close family because, sometimes, you cannot find a light "at the end of the tunnel". She said he has a very good legacy to be proud of, and they are very proud he is part of this community.

Mayor Cusat said he knows his parents a long time. He said they are pillars of the community. Mayor Cusat said he appreciates everything they have done as business owners. He also sent condolences, to him, for the loss of his mother this week.

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

#### **RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-87**

A Resolution Requesting Local Share Account Funds towards the Purchase of Fire Apparatus for the Hazleton Fire Department

Presented by Perry. Seconded by Colombo.

**On the Question:**

Leshko stated this is the resolution he promised city council and is part of an LSA grant that he will "put in" for \$600,000 towards the purchase of fire apparatus. Barletta asked when the City would be awarded this. Leshko said he is still waiting for current LSA grants, requested in December, 2019. Perry asked if there are less funds available due to COVID-19. Mayor Cusat said there will definitely be less funds, due to the casino, that was closed for 3-4 months. He said he expects one-third less funds due to operating at a low capacity. He stated he expects very little, to be given away, next year. Perry asked if last year's funds are based on this year's funds. Leshko said they changed the deadline from December 31<sup>st</sup> to November 30<sup>th</sup>.

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

#### **RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-88**

A Resolution Requesting Local Share Account Funds for the City of Hazleton's Fire Department Station Upgrades

Presented by Perry. Seconded by Barletta.

**On the Question:**

Leshko stated he currently has money, in LSA funding, to do water remediation. He said there was a bid out for the Diamond station which came in but has some issues. Leshko said this is to continue work at the Diamond, 14<sup>th</sup> Ward, and the Southside Stations.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-89**

Appointment of Director of Community and Economic Development Joseph Zeller, III

Presented by Perry. Seconded by Barletta.

**On the Question**

Barletta asked who the last Community Development Director was. Mayor Cusat said the last Appointed director was Fallon Fermin, but Zeller was "acting". He said he has been doing that job, and his job, for about 3 ½ years. Zeller said it is 3 years in August. Mayor Cusat stated appointing Joe would "free up" some money from the recreation fund to do other things. He said there is enough money to pay his entire salary, in the Community Development budget, currently, and could be spent on parks, playgrounds and children's programs in 2021. Barletta asked if he will do both Community Development and Recreation. Mayor Cusat said yes, he will still do the work. Barletta said this is just making it official. Mayor Cusat stated correct.

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

**RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-90**

A Resolution Requesting Local Share Account Funds for Improvements to City Hall in the City of Hazleton

Presented by Perry. Seconded by Sacco .

**On the Question:**

Barletta asked what the City is improving. Mayor Cusat stated the City has been working on City Hall, in phases, over the years. He said there were two sidewalks, and the wall was completed this year. He stated when put out for bid, in 2019, the front steps came in close to \$200,000. He said he still needs to get handicapped ramps, Council Chambers done, and a lot of the building needs to be done. Mayor Cusat said he is trying to slowly get the grants. He said instead of being greedy in asking for three or four million to do the whole building, the City has been asking for smaller amounts every year. He said the City has been lucky in getting awarded the grants.

Mundie asked if he ever tried to get any grants from the First Federal Foundation. He said he saw either Tamaqua or Mahanoy City received money. Mayor Cusat stated they gave the City some

money for some little projects. Zeller stated their maximum amount is \$50,000. He said the City received \$7,500 towards cameras to be put in various locations in the City. Zeller said if they work out, they would be inclined to give some more money to the City. Mundie said if the City is doing the work for the building, he could ask for a bigger grant. Zeller said he could try.

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

### **RESOLUTION PASSES UNANIMOUSLY**

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**Resolution 2020-91**

A Resolution Requesting Local Share Account Funds for Hazleton City Street Improvements

Presented by Perry. Seconded by Barletta.

**On the Question:**

Zeller stated the \$3,000,000 amount is being based on being amended prior to the submission. He said, hopefully, they announce the 2020 LSA awards. He said there is a CFA meeting on November 17<sup>th</sup>, and, hopefully, Luzerne County's LSA' awards will be announced. Zeller said the City requested around \$1,700,000, for street improvements, in 2019. He said he does not know what the City will get. He stated, hopefully, the City would get a "nice chunk" of the money. Zeller stated this money will be deducted from the \$3,000,000 and the have some CDBG money. He said the City is also looking for the PIB loan. He said this is arbitrary number, but this would be the total cost with all the funding sources. Barletta asked what streets, could be paved, with the LSA grant. Zeller stated any streets could be paved. Barletta asked what streets will be paved. Mayor Cusat said anything that is not considered "low mod". He stated Community Development money could be utilized, anywhere, with "low-mod". He said the hardest thing, to do, is to get funding for parts of the City that has not been done in 40 years. Perry asked the alleys. Mayor Cusat stated the south side of town are the higher income levels and the City is not able to use Community Development. He said the developments were put in the late 1960's, early 70's, and the streets were never done. He said he would like to move, some money, up there. He said as things are improving, in Hazleton, the "low-mod" is shrinking. He stated some of the streets being done, currently, the City could only go to 15<sup>th</sup> Street, doing Grant Street, and only could go to 6<sup>th</sup> or 7<sup>th</sup> Streets because of the property values. He said this is making it harder for the City to do this. He said this is why he wanted to get the Section 108 work done. Mayor Cusat said in a couple years, these areas might not be "low-mod" areas and could not do them again. He said this is why the City wants to get money, up front, currently, to do projects that are "low-mod" and may not be in the future.

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

### **RESOLUTION PASSES UNANIMOUSLY**

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**New Business:** None.

**Old Business:** None.

**Comments from the Audience:** None.

**Comments from Mayor:** Mayor Cusat thanked city council for honoring the two-great people from Hazleton. He stated they have been long-time pillars in the City.

He stated on Veterans Day, November 11<sup>th</sup>, 2020, at 11:30 a.m. will be the tree lighting ceremony. He said Winter Fest will be the following week on December 6<sup>th</sup>, 2020, at City View Park. He said his charity has paid to plant 50 Christmas trees. He said the plan is to have them decorated by different individuals or organizations, in memory of someone, or a "Penn State fan" could decorate a tree. He said he wants to turn this into a tradition for Hazleton. He said there will be food trucks, 20 vendors and music. He said Santa will be there. He said anyone who decorates a tree will have a sign put up there with their family name on it. Mayor Cusat stated this will be done a couple days earlier. He said they have started decorating City Hall.

Mayor Cusat said he and Atty. Logsdon have finished the first version of the code book with 240 pages of questions. He said he did install the new Zoning Ordinance with 328 pages. He said the code book is over 900 pages. He stated a lot of useless stuff was "cut out" with some state statutes taking over. He said it was a long process, but they have additional work to do on this.

He said the business license stickers have arrived. He said they will be placed in the front door or window of an establishment when they pay their business license or when they are inspected. Barletta asked if there could be a ticket given if they do not show their permits. Mayor Cusat stated the City cannot fine them for not posting them. He said the budget, put "out there" today, would have an increase of \$825.00 per \$100,000 of assessed property. He said the assessment for the median home is between \$96,000-\$101,000. He said, in 2016, the first year he put the "budget out", the average home was \$60,800. He said this is how property values have increased. He said, on Zillow today, properties were up 19.2%, in 2020, and are expected to go to a \$103,000 value for the average, median home. Mayor Cusat said these are a lot of positives for the City. He said it works out to an additional 57 cents per day per \$100,000 of assessment. He said this gives the City additional \$700,000 to pave with and additional help with the Code Department and a Health Officer.

Perry asked how the City is doing with paving. Mayor Cusat said Grant Street will be done this year. He said H&K is just about finished with the big project in Center City. He said there are a lot of problems with the gas and water company on Wyoming Street. He said this will be put off until Spring, 2021 when the plants open. He said he does not want to pave with the cold weather and the digging will not be settled.

Perry asked about the PIB loan. Mayor Cusat said this could not be moved forward until the 2019 City of Hazleton audit is completed. He said he and Atty. Logsdon have reached out to the auditors to give them a "drop-dead" deadline. He said he may ask city council to choose a new audit company. Mayor Cusat said it will cost the City money but not having it done.

**Comments from City Administrator:** Lynch told Junior Council members and city council members to feel free to e-mail him with any questions regarding the budget.

**Comments from Council:** Mundie said there will be a leaf pick up on November 14<sup>th</sup>, 2020 by the HCA. He asked Mayor Cusat if they should remind everyone. Mayor Cusat said he did an interview with the Hispanic newspaper and this on his Facebook page. Perry said it was in the newspaper. He said he sees some residents with leaf bags. Sacco asked if they are picking up or dropping off. She said she will put this on the city council Facebook page. Mundie said they are picking up leaves. Perry said Tamaqua Transfer will pick-up. Mundie stated they are haulers. Mundie asked Atty. Logsdon for an updated list of

lawsuits, for the City. Mundie asked if he could send a sheet to city council members. Atty. Logsdon said, today, he got a request from the City's insurance company to do this. He said he will prepare this for everyone.

Barletta thanked Lynch for putting together the budget and his presentation. She asked if city council will receive the zoning ordinance and updated code book. Mayor Cusat said he will send council the new zoning ordinance. He said it is a big file. He stated the code book is, currently, being reviewed by General Code, for about three or four weeks, to make any changes. He said they, "marked it up". Mayor Cusat said it will be a long process. Perry said the intent is for it to be on-line and "check it out". Mayor Cusat stated once it is finished it will be. He said it will be in several languages. Perry said people could look up other community's code books through e-code 360. He said this will be at the City's "fingertips" shortly.

Perry extended condolences to the James Shellhamer family. Colombo stated he was a great officer. Perry commended the paving of the City's streets. He said he saw the newspaper article on the body cams. Brian Schoonmaker, Hazleton Police Chief, said they will be operational soon. He stated he and some of the command staff have attended the training to instruct the officers how to properly use them. He said they will be deployed, on the street, soon. Perry asked where the funding came from for the body cams. Schoonmaker said they were all donations. Perry asked if Mayor Cusat's Revitalization fund contributed, also. Mayor Cusat said yes. Perry asked if the City would pick up the yearly maintenance. Schoonmaker said correct.

Colombo said there will not be a service, in 2020, for Veteran's Day, due to COVID-19. He stated this does not stop the residents, community, and the world to take time out, to remember the veteran's that got us where we are and served. Colombo said Bonanza Restaurant is honoring the veterans with a free meal on Veteran's Day.

Perry said the City is moving forward with a request for proposal for the Hazleton City Comprehensive Plan, per Ted Ritsick of the Department of Community and Economic Development (DCED). Perry said it could be about \$100,000, from the federal government, added to the \$30,000. He said the City of Allentown has a good comprehensive plan called Allentown Vision 2020. He said it is a good read and discusses what the City expects from a vendor. Perry stated as soon as the money comes in, the City will get a real good plan together. He said it will involve a lot of people.

**Comments from Junior Council:** None.

**Adjournment:** Perry motioned to adjourn the meeting. Meeting adjourned at 7:47 p.m.