

**MINUTES
HAZLETON CITY COUNCIL
WORK SESSION
WEDNESDAY, AUGUST 26, 2020**

Council met for a WORK SESSION on Wednesday, August 26, 2020 via ZOOM Teleconferencing. The WORK SESSION began at 6:52 p.m.

In attendance were City Council President James Perry, Vice-President Anthony Colombo, Allison Barletta, Lauren Sacco and Jack Mundie. City Officials present were Mayor Jeff Cusat, Atty. Sean Logsdon, Dan Lynch, Fire Chief Donald Leshko, and Police Chief Brian Schoonmaker. Also, in attendance was Gerald Cross and Matt Domines- Pennsylvania Economy League representatives.

Perry stated the City Department Managers will present their 2021 draft budgets. He said most of this is under the collective bargaining agreement.

Leshko stated city council members, have in front of them, the 2021 Hazleton Fire Department draft budget, which was submitted to the City administration on July 1, 2020.

He said the first two-line items: wages, health insurance, incentive pay, and longevity, all pertains to the collective bargaining agreement. He said Lynch will implement the numbers per the raises, and anything with longevity and incentive pay. He said regarding overtime, the fire department is doing very well and is "way under". He said there was a \$40,000 budget in 2020. He asked to keep this at \$40,000 in 2021. Leshko said the big part will be seeing an uptick in wage costs. He said there were two more personnel added with the SAFER grant. He said this is due to expire in 2021. He said his department is due to finish out, this year, with 70% of the salary, and next year drops down a little. Leshko stated he will apply for another SAFER grant in 2021 to maintain these positions. He said these positions are keeping his overtime down drastically. He said this can enable the City to open up more stations, more apparatus and putting more people on the streets. He said it is a "win-win" for the City.

Leshko said Medicare, life insurance, health insurance, workers compensation, unemployment compensation all goes through the CBA. He said the workers compensation did some changes with the safety committee in 2020. He said he hopes this brings some savings. For uniforms, his department was over budget, in 2020, due to the new hires and the uniform allowance that comes out of here. Leshko said that is why he asked to have this increased by \$1,500. Turnout gear- He said in 2020, there was a budget of \$15,000. He asked to raise it to \$20,000, for 2021, due to a lot of turnout gear that needs replacement per the NFPA standard. He said they need to be replaced every 10 years. Leshko stated he was just denied a FEMA grant for turnout gear, for 40 sets, but was awarded a new SCBA compressor. He said this was accepted last week. Leshko stated FEMA has not made this announcement yet. Leshko said the City will be receiving \$59,000 for the SCBA compressor. He said the last SCBA purchase was back in the 1990's with Mayor Marsicano. He said the compressor has served the City well and cannot get parts for this anymore. He said there will be a 10% match which he already has taken care of and is working on this. Leshko stated the turnout gear costs \$4,500 a set. He said he will be ordering gear through some state grant money and budgeted money for 2020. He said he still has an LSA grant in for turnout gear. Leshko said he received a recent letter, from Tarah Toohill, that there has been no decision on LSA grants and will not know when these will occur. He stated the City may be lucky in getting an LSA grant for some turnout gear. He said this is why he is asking for an increase. He said turnout gear is under the NFPA standard to be replaced every 10 years. Leshko said, in the CBA, he has it every 8 years, but working with the union, he has gone through the national standard of 10 years in trying to battle the replacement gear but making sure everyone has two sets of gear. He said if one set is heavily soiled and heavily contaminated, it can be cleaned at the City's fire stations and could wear another set right away.

HEAT AND GASOLINE- He said gasoline will stay pretty much the same. He said the fire department is using the WEX cards and is working, tremendously, for them. He said it is a “two-fold thing”. Leshko said it helps his department because all the taxes are taken off right away. He stated they are also supporting City businesses. Leshko said he buys gas from all different service stations throughout the City. He said a certain gas station on Diamond Avenue appreciates their business. Leshko said they are “hometown people”. He said it is not done at the highway garage anymore. He said it is phenomenal. He said his department tries to spread it around. He said they try not to go out of the City. Leshko said 99.9% of the gas purchases are done in the City. He said one gas station leaves their gas pumps on for 24 hours for the fire department for their WEX card system.

DIESEL FUEL- Leshko said for the 2020 budget of \$7,000, he will be over this amount. He stated he asked for an increase for this in 2021. He said in talking with Lynch and Mayor Cusat, this will even out through everyone’s budget.

TRAVEL EXPENSES- Leshko said he asked for \$1,000 increase due to an increase in training for the new hires in 2020. He said they were supposed to do some training, in 2020, but was canceled due to the COVID-19 pandemic. He said this will happen in 2021.

Leshko said building and vehicle insurance all stays about the same as 2020. Also, electricity, sewer, and water all stays” in the realm” of where they go.

BUILDING REPAIR AND MAINTENANCE- He said this will be kept the same. He said there is a bid, currently, with LSA money, to do work at the Diamond Station to waterproof and seal this. There was a pre-bid meeting today with eight bidders there. Leshko said the bid award will be back in September for city council approval at their meeting.

REPAIR AND MAINTENANCE SERVICE- Leshko said this is their portable equipment. He said he has asked for \$1,000 increase because the equipment is getting older. He said he is trying to adapt some of their older gas-powered equipment over to the new age of battery. Leshko said he is seeing a lot of success with battery powered equipment.

CONTRACTED SERVICES- He said this is for Ehrlich who sprays their fire houses.

VEHICLE REPAIRS- Leshko said he will keep this at \$30,000.

CAPTIAL PURCHASES- Leshko stated these are general items that he needs to put in the department throughout the year.

Leshko said the fire truck purchases will come later. He said this is, basically, a “whole” of his budget items requested he put in for 2021. He said his department is holding well in 2020 following the purchase order requirements. Leshko said some of these were stopped due to the coronavirus pandemic. He said his department is following and staying within the line items following them to a “tee”. Leshko said he is constantly looking for grants. He stated he will be using some state grant money putting on an addition to the back garage, at the Southside Station, to make some more space for them. He applied for another COVID-19 grant through the State Fire Commissioners Office. Leshko said he still has one FEMA grant “hanging out” there. He said he has been working with the volunteer companies and the Firemen’s Relief Program and his department is doing well.

Mayor Cusat spoke to Leshko about putting a post-retirement buyout, for retirees, with the possibility of a few firefighters leaving in 2021. He said they may have to consider looking at these. He stated the last firefighter that retired was at \$38,000 and the one, before that, was “in the range” of \$36,000. He said if there will be some retirees, he will need to get this into the budget. He said an average of \$35,000 or \$30,000, per guy, would need to be put in.

Leshko said this is something that they have always talked about in putting this into the budget. He stated he can definitely add this into the budget. He said his department is looking at an average of \$35,000 for the buyout. He said it all depends how the employee takes the buyout. Leshko stated some guys take it over 3 years and some have taken it all at once. He said this is something that should be in the budget. He said, in 2021, the fire department is getting "deep" into the possibility of retirements. He said over three quarters will be eligible for retirement.

Mayor Cusat said this should be tracked as a liability because the City, contractually, gave this to someone. He said he is working with Allison Keegan on trying to calculate what the retirement liability is for the City. He said it is an astonishing number. Mayor Cusat stated for 20 firefighters at \$40,000, the City should have about \$1,000,000 set aside if they would retire. He said the police department is another 40 guys. He said there is a possibility of three police officers leaving which would be another \$120,000 in 2020. He said this is something that they need to consider, if not this year, but in 2021, to build the liability up.

Leshko said he will do it up until the end of 2020 and using this year's salary. He said with adding next year's salaries and percentages it will be close. Leshko said he could do a decent spread sheet on what he is looking at for everybody who is eligible for retirement up until December, 2021.

Mayor Cusat said the big "chunk" are the 220 sick days and getting paid half of for them. He stated the 20 sick days that the employee would accumulate for 2021 and vacation time. Leshko said it is only 220 "max". He said the employee would not get paid for the other 20 days. Mayor Cusat said the last guy received about \$38,000. Leshko could get a number up until next year for Mayor Cusat.

Sacco asked how many firefighters the City are required to keep. Leshko said his department has minimum manning. He said he is over the minimum manning with two extra employees added on. He stated this is what the SAFER grant did. He said he is at 23 employees right now. He said the SAFER grant helped control his overtime and took the salary up. Leshko said it helps on the aspect of three engine companies always open and a ladder company. He said this is a big benefit. Leshko said talking with FEMA, he will be doing another AFG grant when SAFER opens again to try to keep these two positions going.

Mundie asked Leshko if the fire calls, since COVID-19, have been down. Leshko said during COVID-19, he thought there would be an uptick, of calls, during the pandemic. He said his call volume is about 620 calls for 2020. Leshko said, on the average, the department will be doing about 1,000 calls. He said he has been averaging about 1,000 calls per year. He said when he started in the fire department, in 2001, they were averaging about 120 calls per year. He said just in this time period how the City has changed. He said residents call 911 for everything.

Brian Schoonmaker, Hazleton Police Chief, said the biggest jump are the police salaries. He said it went, in 2020, from \$2,586,333.00 to \$3,215,336.16. He said this includes hiring 7-8 police officers. Schoonmaker said it does not show the retirement salaries of three or four officers in 2021. He stated this would offset it including the COPS grant the City has. He said he went "high" with this number just to be realistic. The other biggest item was the contracted services, Item #5450. He said this has not been written into the budget before but all the contracted services with the radio systems, radio maintenance, finger printing, everything to do with criminal histories, fleet services for GPS tracking, CAD systems for the cars, including and down to the computer services, and for the police department portion, for City Hall. Barletta asked where this was built into the budget before. Schoonmaker said he does not know. He said he could not find it, but Lynch was helping him. Lynch said there is a line for operating expenses for this, but this is more for contractual obligations for software. He said the City would be able to decrease, partially, the other line, and is not a direct increase.

Perry asked why the Non-Uniform Wages is higher in 2021. Schoonmaker said this is for the two workers, in the Records Department, and budgeted a cost of living raise for them. He said they are in a separate union and have not heard what the discussion of their raise would be. Lynch said he is budgeting raises for the City Hall Union employees even though they are not negotiating. He said this is already built in. Schoonmaker said longevity is for officers for certain percentages. He said overtime has been kept "status quo", even through COVID-19, and some officers off sick or injured. He said his department has been fortunate. Perry asked about health insurance. Lynch said he does not have a number yet for this. He said he would plan for about 7%. He said he will get this number later. Schoonmaker said the uniforms would be for adding additional officers and purchasing their uniforms, per the CBA, to get started. Schoonmaker said the weapons and other equipment line item is for weapons for the officers, ammunition and tasers. Perry stated this comes along with more officers. Schoonmaker said correct. Barletta asked if weapons and other equipment include cameras. Schoonmaker said the cameras are in the Capital Purchase- Minor line item. He said the cameras are at \$52,000 to initially get the City started and there is also a \$10,000 fee for the current camera system for maintenance including improvements and software. Barletta asked what the year-to-date is on gasoline. Schoonmaker stated he does not have a year-to-date total on this. He said he entered into an agreement with the fire department with the fuel services and WEX cards. Leshko said the police department is using the WEX cards with the fire department, for about two to three months. He said he could get a closer number for the police chief. Perry asked if Schoonmaker knows the number of police officers covered under any grants. Schoonmaker stated the grants would cover about four police officers under the COPS grant. Perry asked what would come off the total of the budget. Schoonmaker stated the total COPS grant is a five-year drawdown at \$1,400,000 and varying percentages over the course of five years. Lynch said there is a corresponding revenue line for COPS grant reimbursement. He said he was talking general cost increase in the health care line item but looking at new hires, the City would need to assume they would need the most expensive benefit. Schoonmaker said he try to go over this when preparing the budget. Barletta stated there are the same two-line items for contracted services, Items #5327- \$117,730.46 & #5450- \$35,000. Schoonmaker said #5327 is for DUI testing, live-scan for finger printing, CPIN (Commonwealth Photo Image Network) mobile finger printer, scheduling software, report writing software, yearly calibrations for timing devices which figured in the body cameras for next year for their maintenance, computer maintenance for all computers in the police department, and fleet maintenance program which includes the GPS and tracking software for the vehicles for upkeep.

Barletta asked about the K-9 Maintenance that is going up to \$12,000. Schoonmaker said the K-9 Unit has been begging for additional training and is much overdue. He said the K-9 Unit canines have been underutilized with drug work and apprehension work. He said they need to get a higher certification and "back on track" of where they should be.

Schoonmaker said the Meetings, Conferences, and Seminars line item would get some of the younger officers additional advanced training that the older officers already have.

Barletta spoke of the Vehicle Repair and Maintenance line item. She asked if this needs to be high with the City entering the Vehicle Lease Program. Schoonmaker stated he left this at the same amount but should go down. He said the vehicles that the City cannot get rid of must still be maintained.

Perry asked how many vehicles the City can get in the lease purchase program. Schoonmaker stated as many as the City wants. He said they can order many or just a little. Barletta asked 38 vehicles. Schoonmaker said it would change every year but would increase a little depending on the vehicles throughout the time. He said if the department purchased four vehicles, for 2021, to replace their fleet, this is the \$38,000 estimate. He said, in 2022, this would go up because they may need to add another one or two vehicles to replace the unusable vehicles. Perry asked if they would be selling the City's older vehicles. Schoonmaker said he sat down with some officers to get the mileage and conditions and sent this information to Enterprise. He said Enterprise is going to get some prices for him. Perry asked if this money would come back into the budget. Schoonmaker said this would be put back into the leasing

program to offset some of the pricing. He said the only number he missed is 2019 & 2020, for \$50,000, budgeted to vehicle purchases. He stated his department would be "ahead of the game", at least, for the next few years.

Barletta asked about line Item #5374- Repair and Maintenance for \$41,000. Schoonmaker said this is repair for anything within his department- guns, tasers, weapons, computers that go down. He said he is trying to be realistic and be "ahead of the game" with some of the equipment deteriorating.

Colombo asked about the vehicles parked behind the DPW Department. Schoonmaker said Enterprise agreed to get rid of some of these vehicles but cannot guarantee "each and every one". He said he sent the mileage and condition, of each of these vehicles, to Enterprise a few days ago. He said they will look at everything the City wants to get rid of.

Mundie asked Schoonmaker for a breakdown for the Contracted Services to be sent to city council members. Schoonmaker said this was included in the email, sent to the City Clerk, on a second page with a tab on the bottom. Perry said it is on the attachment sent to all city council members. Mundie asked how the call volume is for this year. Schoonmaker said, as of last month, the police department is "on track" for about 25,000 to 26,000 calls. He said during the COVID-19 months of June and July, they dropped down about 200 calls, but the Fourth of July season brought the calls back to normal. Mundie asked about arrests and crimes. Schoonmaker said it is steady at this moment. He said there has not been any serious incidents and have been very lucky.

Mundie asked about some cars that were found, in a car ring, by the Hazleton Police Department. He heard there are more cars to be discovered. Schoonmaker stated this is a continuation of Lieutenant White who was the auto theft officer for several years. He is now in charge in narcotics and works with the State Police Auto Theft Unit, on the side, and helping but looking for a replacement for him. He said they continue to target the Hazleton area and trying to find all the stolen vehicles. Mundie asked if these cars would be confiscated. Schoonmaker said the PA State Police would have to return these vehicles to the insurance companies and re-coop their costs. Mundie asked if the City would be able to sell them to make money. Schoonmaker said they would return them to the insurance companies. He said the insurance company may donate them, which was done in the past, but would not be a seizure issue. He said this would not be able to use the seizure money because the proceeds would be from a stolen vehicle.

Barletta said the City is paying the salaries of the Auto Task Force and for their cars in this budget. Schoonmaker said the City is not getting this back from the state only if they would put another officer "back up there". She asked if he sees this happening in the future. He said it all depends on hiring and the numbers need to drastically increase. He said the department needs at least, a minimum, of 8 officers. Perry asked if they have 8 officers. Schoonmaker said the test was done last week with 14 people applying. He said he is waiting on Rocco to certify the list so the notice can go out and he will move from there. Barletta asked how many active officers there are currently. Schoonmaker said 39.

Perry said Charlie Pedri could present his Code Department budget at the next city council meeting.

Perry said city council will review Ordinance 2020-12- Amending Ordinance 2018-15, Regulating Recreational Vehicles Within the City. Barletta said for the ATV's penalties, it stated if a resident is caught riding their ATV, on the road, they would lose their ATV. She said it does not state there is a fine. She stated the only fine would be for the gas station owner if the ATV was caught at the gas station. She asked if the City needs to make an amendment for a fine to the resident caught on the City streets. She asked if this needs to be re-looked at. Perry said, currently, the City is confiscating the vehicles. Barletta said it is confiscated at a gas station and the gas station owner, for filling up, would get a fine. Mayor Cusat said it would still be covered under Chapter 75 of the Vehicle Code. He said the resident would get the police citation. Barletta asked if they would get only traffic citations. Mayor Cusat said under the Vehicle Code there is section there about ATV's and cite the resident under this, also. She asked if the officers would be able to cite them under Chapter 75. Barletta said she wants to make sure the City is

taking this to the “full force”. Atty. Logsdon said if the City is citing under our ordinance, this is correct. He said the penalty, right now, is forfeiture of the vehicle. He stated the fine, comes in, with the current language and statute states, “if there is a violation in relation to a gas station owner allowing ATV’s “gassing up” at their filling stations”. He stated it is up to council whether to re-examine and adding a fine portion to this for other violations. Atty. Logsdon said he thought, when city council and he were discussing, the intent was if the resident was riding on the City streets or other areas, the resident would lose their ATV. He said this would then be the fine. He said if the City would “stack” a fine onto this then they would get back into what the City’s previous ATV ordinance said. Barletta said there was no ATV ordinance to forfeit the vehicle. Mayor Cusat said the City always went under the Vehicle Code. Barletta asked if it would be “safe” to make an amendment, to this ordinance, and add \$500.00 fine for the first offence, and \$1,000 fine for the second offense. She said this would be the same as the fine the gas owner would receive. Atty. Logsdon said this would just be adding a fine along with the forfeiture. Atty. Logsdon said the only thing would be if the district magistrate would enforce this fine and file these citations. He said if the magistrate already knows if the resident lost their ATV, he does not know if he would also impose a fine. He said there is not anything legally prohibited on this. He said he can talk with the police chief to see what the police officers would be comfortable in doing and what the district magistrate would do. He asked what city council thinks about “hitting” them with a fine to go along with the forfeiture. Barletta said absolutely. She said this is a big issue and the City needs to take a big stance on this. She stated if there is a fire work ordinance for \$1,000, this also needs to be done. Perry and Atty. Logsdon stated the fine for fireworks is \$2,000. Barletta said the ATV issue is something the City faces every day. Sacco asked if this would, technically, be a second offense if they forfeit the vehicle. Atty. Logsdon said this would be a second offense. Atty. Logsdon said he would talk to the police chief about double jeopardy concerns. He said, currently, the resident could get a fine on top of a punishment. Sacco asked if a penalty could state forfeiture of the vehicle and 12 hours of community service. Schoonmaker said this would revert to Magistrate Zola and is entirely up to him. He said this would need to be “pitched” to the district attorney office with legality issues. Atty. Logsdon said there is also a supervisory issue. He said if there is a local ordinance made for a resident to do community service and a police officer cites a resident, for a misdemeanor in the third degree, this person would be able to enter a plea and be sentenced by the district magistrate. He said the district magistrate would have the ability to issue a probationary sentence. He said this probationary sentence would be supervised by the Luzerne County Department of Probation and Parole. He asked if the City wants to take this “to this level” with the county getting involved. He said the City would not have the ability to supervise their community service unless this is what the DA and magistrate want the City to do in conjunction with them. Barletta asked if Atty. Logsdon and Brian can discuss enabling the City to do this and give them a fine. She said a resident buys an ATV for \$200.00 or \$300.00 and destroys the City streets. She said they will just go buy another ATV. Atty. Logsdon said some residents are doing Tic-Toc and You-Tube videos. Barletta said the fine would “hurt more” than just losing the \$300.00 ATV. Perry asked Atty. Logsdon to put in a \$500.00 & \$1,000 fine, in the ordinance, and then city council will discuss this at the next meeting. Atty. Logsdon said yes. He said he will talk with the police chief to see what he thinks about patrol division and if this would hold up. He said the City does not want to pass, an ordinance, that the district magistrate would not enforce.

Perry said there will be discussion on the City of Hazleton’s Land Bank issue. Mayor Cusat said this is similar, to the one he introduced, in 2015. He said the City went through the whole process. He said the City had hearings and public gatherings. He said he paid to rent Penn State, their big hall, for people to review this. Mayor Cusat said the important part is to keep the properties, off the tax rolls, with sight “unseen”. He stated the Phoenix building, sold at a tax sale, had “two walls”. He said this would help the City eliminate these problems with taking these properties out of the tax sales. Mayor Cusat said it would help with properties, such as, the one across from Wendy’s, on Route 309, where the City “took down the building”, costing \$81,000, and the only repercussion is putting a lien of \$81,00, on a property, that is worth about \$30,000. He said the City will never see their money, would never sell the building, and would go to a tax sale. He said with the Land Bank, the City would take the property, and after “bringing it down”, at least re-coop some of the money. He said some bigger places are taking the properties and

maintaining them, trying to put them back up for sale. He said he is not looking to build an inventory of properties, the City would have to maintain, on a regular basis. Mayor Cusat said throughout town, there are areas that need off-street parking. He said he can utilize some of the Land Bank to take care of a section and put in off-street parking for the City to generate some revenue. This would also alleviate the fights, over parking, in the winter. He said this was changed to accommodate some of the newer, updated state's statutes, but this is pretty much the same of what he had in 2015.

Barletta asked why the City does not use the Redevelopment Authority to take the property. Mayor Cusat stated they cannot take the property, but can buy the property, go "through the bidding process" and go through eminent domain and pay fair market value for it. He said they can also go to the auctions and buy them at a bidding war. Mayor Cusat said the Land Bank has a "trump" bid where they can get the property for the minimum bid and not go through the "bid up". He stated the City of Pittston went through this for years fighting over an old bar. He said it took about 5-6 years to get it because it was right in the middle of a development. He said this would give the City more tools. Perry asked if the City could use Community Development money for this. Mayor Cusat said the funding could be started with Community Development money. Perry said he was on the Northeast PA Land Bank.com website. He said it was well done with listing all properties. He asked if he was trying to model after this. Mayor Cusat said this was started in 2014, and introduced in 2015, got to a final vote, and got voted down. He said he was working with the "people from Philadelphia" when the Land Bank was a new item. Perry said this website has been going since 2015. He said it involves Pittston, Avoca and all areas "up there". He said you can look at the various places available. Mayor Cusat said Mike Lombardo is involved in this and did wonderful things "up there". Perry said there is a variety there with Billy Watt. Mayor Cusat said Schuylkill County has a real good one "going on down there". Barletta said Pittston City has other areas in it. Perry said the website shows all the areas. Barletta asked how this would get started and much CD money would be allowed. Mayor Cusat stated he would like to move the demolition money. He said there is a little under \$200,000 in, in demolition, in CD money, with 3-4 properties that are targeted now that the City wants to "take down" now. He said he is holding off to see if he can get this in. Mayor Cusat said it would be the same process with the CD money to take "them down". He stated under the Land Bank, he wants to take ownership of the property, take "them down", then the Land Bank would own the empty lots which, could then, be sold off. He said the City is taking "them down", doing the work and paying the bills, and someone still owns the property. Perry asked if this is an authority. Perry said they call themselves Northeast PA Land Bank Authority.

Atty. Logsdon said he was "looking up" why the City will need a Land Bank if the City has a Redevelopment Authority, as asked by Barletta. He said, "Redevelopment Authorities are generally focused on specific areas or projects and do not take a comprehensive approach to bolstering real estate markets. Many local governments do Land Banks properties either intentionally or through strategic acquisitions or reluctantly via tax claim bureau repositories, but very few have the staff or financial resources to effectively maintain, manage and market those properties. As a result, local governments could become exactly what they are trying to fight with large scale owners of vacant and blighted properties. Land Banks, on the other hand, have the technical and financial capacity and the focus to systematically inventory, maintain, and sell properties in a way that strengthens local markets. For example, Land Banks are uniquely positioned and authorized to hold a property to allow for later development in accordance with the local community plans. Land Banks have powers that Redevelopment Authorities do not have. A Land Bank has the power to discharge and extinguish real property tax liens and claims with approval of the taxing bodies and pursue a quiet title action through an expediated procedure. The Redevelopment Authorities do not have these powers. With respect to tax sales, unlike a Redevelopment Authority, a Land Bank does not have to compete with other bidders for desirable properties at a judicial sale. A Land Bank has a power to enter into an agreement, with the tax lien bureau, or the foreclosing body, to purchase the property listed for judicial, at a negotiated price, in advance of the actual judicial sale. The Land Bank may "trump" the other potential bidders at the judicial sale. The payment of the sale price, by the Land Bank, may be in non-monetary promises to perform in

accordance with the agreement. The sale price may be paid in the form of rehabilitation, demolition, or maintenance of the property. Redevelopment Authorities do not have the range of powers available to Land Banks to acquire properties, at judicial sales, without competitive bidding and with alternative forms of payment”.

Mundie said he was on city council when Mayor Cusat brought the Land Bank forward. He stated he was not totally against this. He said he went to the presentations at Penn State University and were very good. Mundie said Land Banks could be a tool to help cities. He said there are 18 in Pennsylvania and would like to get some information on how they are all doing in “holding their own” or how many properties they are buying. Mundie said when Mayor Cusat came to him, the first time when he was president of city council, Mundie told Mayor Cusat to come back with a budget and a money source. Mundie said the money source would be Community Development money. He said CD money is also used to pave roads. Mayor Cusat said yes. He stated a certain percentage of Community Development money needs to be used for housing. He said the Housing Authority would also have member. Mundie said he realizes everyone would have a member but asked if he has a budget put together. He said this includes an executive director, secretary, and a lawyer. He said Mayor Cusat is talking about real money that would need to be put out. Mayor Cusat said these are all things the City is doing now. He said the way he wrote the ordinance is as long as the board has their meetings during regular City hours, they could utilize anyone he would appoint, as secretary, so they would not have to hire this. He said he would want to use the City solicitor, but if the board would want to go out and get their own solicitor, they would have to pay for this themselves. He said the Street and Code Departments are, currently, maintaining these properties. He stated he does not see an additional expense, at this point. Mayor Cusat said if the City took St. Joseph’s Hospital, this would be a problem. He said he is looking for some of the homes or garages that have collapsed. He stated he does not want to mention any properties that are, currently, “targets of the City”. He does not want someone to come in, purchase, and hold “ransom” over the City. He said there are several properties, in the City, removed relatively cheap and would benefit, the City, in a parking situation. He said there are certain ones in the downtown area where parking is needed. Mayor Cusat said there are also some on the Northside of town which would help relieve over-crowding on the streets. He said this is all “stuff” the City was planning on doing anyway but the City would end up with the property in the end. Mundie said he understands what he is saying but getting the property means the City needs to maintain them and get insurance. He said this means a lot of expenses. He asked if he got the budgets from the other 18 Land Banks or how they are doing. He asked how the Land Bank, in Pittston, is doing. Mayor Cusat said he does not want to take the property, try to repair them, and “flip them” into other houses. He said he would rather utilize them where the City could sell them “as is” with a guaranteed flip. Mayor Cusat stated there is one property, in town, a half-double, the gentleman inside died, the family wants nothing to do with it, filled with junk, paid up, for two years, smells, with busted pipes and the City cannot do anything with it to clean it up. He said no one from his family wants to come and take of it. His brother stated he wants to turn it over to the City but there is nothing where the City could accept it. Mayor Cusat said if the City would be able to accept the property, the guy next door would give the City a small monetary compensation for it and clean it up. He said this would put the property back on the tax rolls. He said, currently, this is a “rats’ nest” with an odor coming from it. Mayor Cusat stated he does not want to get a property and fix them as some other municipalities are doing. He said he is looking to “partner-up” with neighbors, real estate agents or contractors, before taking the properties. He said then the City would have a buyer for it. He said he is not looking to buy and hold the inventory. He said he wants to hurry the process along. Mundie said he is also competing with private companies who go to buy properties and sometimes fix them, and sometimes do not. He said a Land Bank would want to fix them up and put them back on the tax rolls. Mundie said he does not want to use general fund money to do this. He said the City could not afford this. Mayor Cusat stated there is funding available for this. He said July 31, 2020 was the deadline to apply for state money. He said he did talk to PA Senator John Yudichak’s office and it was available. He said he did not get the application in place because the ordinance was not in place. He said he received something about funding sources, and he sent this to Atty. Logsdon. He stated the City could also apply for any of the blighted property grants that

are available. Perry stated the City having this ordinance does not, automatically, mean that the City does not have expenses. Mayor Cusat said the City could pass it and may never use it.

Lynch said when he was with Mahanoy City, as part of the Northern Schuylkill cog, he was there for the formation of the Northern Schuylkill Land Bank and was on the board for the initial run of the Land Bank. He said they were “dirt poor” and did not have anything. Lynch said they got “it up” and off the ground. He stated they had no grant money. Lynch said there was a guy who helped them out, Chris Gulotta. He said if there are Land Bank specific or technical questions, Lynch could get a hold of him. He said he is the foremost “expert” in this. Lynch stated they took the easy things first, things that would fall into “your lap”. He said the legal exceptions, granted to Land Banks, are worth the time and effort. Lynch said this gives the City some flexibilities. He said you need to have, at least, 10,000 residents to form a Land Bank, and no borough, “down there” has that, so Shenandoah, Mahanoy City, and Ashland and a “couple of them” banded together. He said separate municipalities gave about \$1,000-\$2,000 to the Land Bank and as a municipality. He said if one gets demolished, it was a sound investment. He said one blighted property is extremely expensive not only on the neighborhood and cost on land values but costs in demolition. He said it is like a “virus” and spreads to damage to the next house and creates more issues. He said when the Land Bank owned a property and the grass needed to be cut, the whole municipality would assist with this and would be their public works. Lynch said the difference would be is this would be the City’s Land Bank. He said the City meets the requirements with 10,000 residents. He said the City could get “on board” with the Hazleton School District and would be the City’s own Land Bank. He said it would start generating its own money and could be very successful. He said Schuylkill County’s is successful, but some are “lights out” to what they do. He said Schuylkill County studied a lot of Land Banks when they first started. Lynch said theirs was a partnership with a lot of municipalities.

Mundie said he appreciates Lynch’s information and, may be, on a small scale, it works easy. He said there are only 18 in Pennsylvania so it may not be so successful or there would be 1,8000. Lynch said one municipality got shut out “of it” because a school district did not want to “play ball”. He said it is tough getting a group together. Mundie said the City would have to work with the county and the school district and may not want to cooperate. Lynch said they cooperate once they sign up. He said citing the number, of Land Banks, is not a fair indication of them being successful or unsuccessful. Mundie said the City would need to use Community Development money. He stated the roads are falling apart. He said the roads need to be paved and potholes need to be fixed. Lynch said a little money may go a long way. Mundie said he wished city council had more information. He said may be, by the next meeting, they can have this. Perry asked Lynch if the gentleman, he talked about, could speak to city council. Lynch said he could see if he is available.

Barletta said the Blighted Property Committee needed to be in place a long time ago in looking at the condition of the City. She asked putting this authority together how would the City pay for the staffing. She said paying for the solicitor and secretary would still come out of the City’s general fund. She asked how the City would pay for the authority’s staff. Mayor Cusat said, at the beginning, there would not be a staff. He said, currently, it is the same people doing the work. Barletta asked if this board would get paid. Mayor Cusat said no, it is not a paid board. Barletta asked who the City would pay to maintain these properties. Mayor Cusat stated, currently, it is all the properties the City is maintaining already. He said the City is sending the Code Department to “board” them up. He said DPW employees cut the grass. Mayor Cusat said it would be him, Sean, Charlie Pedri, Joe Zeller, and Allison Keegan doing all the paperwork and it would be less work, on them, with the board being part of the process. Barletta asked how the City would get some of the money back if this would be made into a parking lot. Mayor Cusat said it depends on where the parking lot would be. He said, downtown, the City gets \$50.00/per spot per month. He stated if it is in a business area, the City cannot. If it is in a residential area, it is more “piece of mind” for the residents in that area. He said everything that is positive does not have a monetary value. Mayor Cusat said there are certain areas, in town, where the police officers go due to fights over parking spaces in the winter. He said some of the parking situations, on the north side, are bad. He

said, currently, the City is knocking the buildings down, and not getting any money for them. He said the City has taken several buildings down without getting any money in return. He stated the City may see a return on 1-2 properties. He said the City is "eating" the cost. Mayor Cusat said the City could choose their own destiny and get some of the money back. Barletta said the City is not looking to hold properties. Mayor Cusat agreed. He said the only way he would hold a property is if there is a long-term plan that the City would need to get 4-5 consecutive properties to do a larger project. He said the property would then be held for a bigger outcome. He said he does not want to hold a property that would cause the City more headaches. Perry asked Mayor Cusat if it would cost the City any money to start the process, just pass an ordinance. Mayor Cusat said the City would not need insurance until they would purchase their first property. He said the first expense would be when the City would purchase the first property. Perry said the Land Bank would purchase the insurance. Lynch said the Land Bank is getting the insurance. Barletta stated CD and demolition money could be used for the insurance and no general fund money. Mayor Cusat stated he would like to apply for an LSA grant. He would like to get this passed before the LSA grant deadlines pass. Mayor Cusat stated if the City would ask for \$50,000-\$100,000, in an LSA grant, he said the City could get it started and funded. Atty. Logsdon said the deadline was extended to November 30, 2020. Mayor Cusat said if the City could get the board together, the ordinance passed by the, then the authority could apply for an LSA grant, the City may get funding. He said there are some small "pockets" of funding such as blight funding. Perry said DCED promotes this. Mayor Cusat said DCED and HUD promotes this. He said this could develop into new housing. Perry said this is a good thing and cannot harm anything. Lynch stated as Mayor Cusat said houses can be donated to the City. He said when older parents die, there is no obligation for the family to take title to the house. He said if there is a Land Bank, then they can have it. Lynch said this happened in Schuylkill County. He stated the house starts to deteriorate and spreads like a "cancer". He said city council may not want to talk about spending some money, but he said to consider a small amount, in any format they choose as a line of credit. Lynch stated Schuylkill County did this for not much money. Barletta said not to "hold your breath" in residents donating their properties. Lynch said there is a better demand, in housing, in the City. Barletta stated the City does not receive the total amounts, for LSA grants, that they want. She asked what would be best, this way or the Blighted Property Committee, and what would be less expensive with the City tying this up. Mayor Cusat said the Blight Property Committee does not have "teeth". He said all they could do is deem a property blighted. They could tell the City a property is blighted and then the City needs to act on this. He said all the burden falls back on the City and the general fund. He stated the Blighted Property Committee could say the City meets several specifications to call a property blighted. He said there has been two Blighted Property Committees at one time. Barletta asked if the City needs to get this, in place, to get it going. Mayor Cusat said this board will act on what the City needs. Lynch said the Land Bank has legal options that are not available to other entities. Mundie said he is good with LSA money to start this and not interested in using taxpayer money that the City does not have. He asked Lynch to get some information on some other Land Banks, in the state, in how they are doing and if they get grants. Lynch agreed. He said the goal is becoming self-sufficient. He said if something is redeveloped, the City is surrendering a portion of future tax revenue to the Land Bank and so is the school district. He said they are turning a property around. Mundie said there are residents, out there, that want to donate properties to the City. Lynch said he will check if Chris Gulotta could "drop in" on a call and other people who are still on Land Banks.

Sacco asked if the statement, in the ordinance, that no member shall be a public official, is a legal stipulation or how the City wants this set up. Mayor Cusat said this is the way he set this up. He said there is nothing that says the City cannot appoint someone to this. He said it city council wanted to appoint a council member to the authority they could. He stated it is not illegal to do so. Mayor Cusat said if a council member appointed themselves and decides not to run for council then is that person still on the board. He said this happened a few years ago when a council member was appointed to a board and this person was no longer a council member and did not resign from the board. He said it is easier to say no. Mayor Cusat said if he appoints two people and council appoints two people, they need to have their best interest in mind. Barletta stated it is, actually, in the Land Bank law that a public official cannot be appointed.

Perry said this could still be talked about at the next city council meeting or could be put on the next agenda. Mundie said he does not have a problem with putting this on the next city council agenda.

Perry asked Mayor Cusat if the Land Bank was included in the PEL's Recovery Plan. Mayor Cusat said Gerald Cross, PEL representative, is still on the ZOOM call. Barletta asked Mayor Cusat if he would send city council some numbers. Mayor Cusat said he will send what he has, but his information is old. Perry said he would try to get in touch with the Northeast Land Bank Authority.

Gerald Cross, PEL representative, said as far as the Recovery Plan, there is a grant, a Comprehensive Plan, that Ted Ritsick, is currently working on. He said this could be appropriate to be discussed, on the Monday PEL calls, with Ted, and is in the Comprehensive Plan. He said the Land Bank has merit and fits into the Comprehensive Plan well. Matt Domines said it is in the Comprehensive Plan. He said it is in the Economic Development section. Mundie asked Mr. Cross if other cities, in ACT 47, as Scranton, had a Land Bank. Cross said Scranton does not have a Land Bank, but Altoona might have one. He stated the City of Pittston is a leader in Luzerne County with Joe Chalk, Executive Director. He said Mahanoy City borough is part of the Schuylkill cog. Domines said they are in ACT 47. He said there are only 18 and very limited on cities. He said Lackawanna County has a very active one. Cross said the Comprehensive Plan, with Ted Ritsick, is still valid. Domines said this would all "tie into" this one. Cross said blighted properties are a problem everywhere and needs to be controlled no matter where you are. He said lowered priced housing is also a problem. Perry said it takes a while to get started. Barletta asked if city council could get a presentation. Mayor Cusat said there was a presentation in 2015 and he paid for it. He said the people from Philadelphia came up. Cross stated the person that should speak would be Chris Gulotta or Joe Chalk. Domines said George Kelly from Lackawanna County could also speak. Mayor Cusat said if there is talk about a presentation, he asked if the next city council meeting should be in person. Perry stated the presenter would rather have a ZOOM meeting. Cross said you cannot presume if they would want this. Perry said city council has talked about "going back sooner than later". He said they can do Facebook live presentation. He said city council cannot ZOOM and do a meeting together.

Perry said some city council members have some questions. Perry asked how the early retirement incentive and actuarial study is doing. Atty. Logsdon said Randy has not gotten back to him yet. He said this is what he is waiting for.

Perry also spoke of the City's codification process with General Code e-code 360. He said he, Charlie Pedri, Lauren Sacco, and Eileen Matenkoski- city clerk, are registered in the administrative section. Perry said there needs to be a committee formed to review all the questions by November, 2020. He said there are about 140 pages to work on. He said they could do it together separately, on-line, or at City Hall together. Perry stated they would give Atty. Logsdon information to look over. Perry said either they could go over them or send them to Sean to review the code issues. He said the city clerk could put them all on one sheet and Sean could look at them. He invited others to come onto the General Code site. The city clerk said it is easy and effective, on-line, and does not have to be printed out. She said then this gives the City the access where it could be done "right there", can print out the changes and send them to her. She said she will call Jeanie from General Code, again, to get Perry back on the site.

Perry asked Mayor Cusat about a vehicle or HCA purchase to clean up the City garbage. Mayor Cusat said he met with a company, today, from Harrisburg, to get some pricing on a little mini vacuum truck to fit on sidewalks. He said he spoke to representatives, from the HCA, a few months ago, asking about the garbage that is dropped on the ground or when the trucks are dumped. They told him to do some research. He said he found a vehicle that will do what the City wants to do, where it will drive around certain sections of town, and suck up some of the larger pieces that have blown around. Mayor Cusat said once he has the pricing, he will share it with city council members and the HCA and try to see if they could accommodate, this purchase, to try to clean up the streets again. Barletta asked if the HCA or the City would pay for this. Mayor Cusat stated the HCA, out of the garbage collection money fund. Barletta

asked if the City employees would do this work. Mayor Cusat said, he feels, the HCA Industrial Division should hire an employee to follow the garbage trucks to clean up. He said he does not know how this would "go over". He said his first concern is to purchase the vehicle and if the City may have to hire some part-time help to do it, the City may have to. Barletta asked if the City always had this issue. Mayor Cusat said no, it was much nicer when the City had larger garbage cans at the homes. He said the garbage companies supplied, each house, with a very large garbage and recycle bin. Mayor Cusat said the Walmart bags are back out on the street and blowing all over. He said the residents are using the free blue bins with no lids on them and stuff is blowing all over the place. Barletta asked if it would be more beneficial for the street cleaner to go around after they pick up. She said the City does Poplar and Broad Streets once a week. Barletta said this may be cheaper than buying a vehicle and paying someone to do this. Mayor Cusat stated the street sweeper only gets stuff on the street, 18-24 inches from the curb line. He said this would have a hose, like a leaf sucker, that would be able to walk around fences and getting down in the gutters. He said it would be more versatile. Perry stated the City has a lot of garbage all over the place. Mundie asked how much it would cost. Mayor Cusat said he is going to work on several different prices, several different models, and several different vehicles it could be mounted to. He stated he picked, "like a little SUV "Cushman" size truck utility vehicle that would fit on sidewalks and then mount another piece of equipment onto it to make a machine he wants. He said maybe in the \$50-\$60 range. He said he had his first conversation, today, with manufacturers. Barletta said to keep city council members posted.

Sacco asked if the plate reader, for the Hazleton Police Department, is being utilized. Schoonmaker said it is used constantly. He said the newest reader that was mounted on a vehicle that is used, for this, is getting repaired. He said he has spoken with Mayor Cusat to reach out to the current company to establish more units, throughout the City, that are solar powered and portable. Barletta asked how many plate readers the City has. Schoonmaker stated there is one vehicle that is equipped with a plate reader. Barletta asked what happened to the other ones. He said that unit died and is beyond repair. He said it is too antiquated. Barletta asked how many "hits" the City gets in one shift. Schoonmaker said he could not tell her. He said he would have to ask Anthony, who is in charge of the license plate reader, to print out the spreadsheet. He stated this is part of the PA State Police Auto Theft Task Force. He said with this license plate reader, it could tell the officers if a vehicle has a bad inspection, stolen, no insurance, or if the operator is "wanted". Barletta asked Schoonmaker if he can "pull a report" to see how many there are done. Sacco said there are abandon vehicles, everywhere, in the City. Barletta agreed. She said they are everywhere and is the biggest issue in every neighborhood. She said they are broken down, have no inspection stickers on them, and no plates. Schoonmaker said the only problem, currently, with abandon vehicles, is the state extending the registration and inspection deadlines. Barletta since 2011 and there are no stickers on the vehicles. Schoonmaker said he agrees but, unfortunately, with the state, they do not allow, the City, to "pick and choose" a time frame. He said they are just telling the City when it had to be renewed and they extend the date. Barletta asked why 25 vehicles are still on the City streets that were reported to the police department. Mundie said on the plates, for notary, the vehicles do not need new stickers on them. He stated there are a lot of cars and the City should be on "top of this". Schoonmaker suggested Barletta send him a list of these vehicles. He said he will get these to the right department. Barletta stated a lot of them will be under the code office and on private property.

Perry said the next city council meeting is on September 9, 2020. He asked if the next meeting should be in-person or another ZOOM meeting. He said they need to decide before putting the ad in the paper. Mundie suggested Perry ask the presenter to see what they want to do. Perry said they should not have a problem ZOOMING, as Dr. Valente did. Sacco suggested the next meeting should be live because city council members are "poo-pooed". Colombo agreed. Barletta stated city council members cannot get answers "any other day". Perry said he has no problem with going live. He said we need to do whatever we need to do.

Perry adjourned the WORK SESSION meeting at 8:28 p.m.

