

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 26, 2021**

Call to Order: Council met in regular session on Tuesday, October 26, 2021 in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 6:15 p.m.

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

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

Minutes of Previous Meetings: The minutes of the October 13, 2021 Regular Meeting were approved unanimously.

Presentations/Proclamations/Communications: Oath of Office for Incoming Junior Council Members.

Bid Opening: None

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

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

None

(2ND AND 3RD READINGS)

None

RESOLUTIONS:

Resolution 2021-77

Rescinding and Replacing Resolution 2021-64 Requesting Local Share Account Funds for the Hazleton Regional Airport

Presented by Sacco. Seconded by Colombo.

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

On the Question:

Perry asked if this is for the fuel truck. Atty. Logsdon said yes, a couple different things. He stated this also included replacement for the hangar door. He said this is called the Hazleton Airport Improvement Project. He said anyway getting funding for this would be included.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-78

Resolution Approving the Application for Traffic Signal Approval to the Pennsylvania Department of Transportation

Presented by Perry. Seconded by Barletta.

On the Question:

Atty. Logsdon stated this was a different version from the resolution passed last month. He said they are approving the application, and next month they will approve the signatures.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-79

Resolution Approving Application for a Multimodal Transportation Fund Grant from the Pennsylvania Department of Transportation for Phase II of the Wyoming Street Enhancement Project

Presented by Colombo. Seconded by Sacco.

On the Question:

Atty. Logsdon stated this is for the multimodal grant through PENN DOT. Perry asked if this is from "Holly Street down". Atty. Logsdon said yes. He said the same project for Wyoming Street, just a different funding source.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-80

Resolution Approving Application for a Multimodal Transportation Fund Grant from the Pennsylvania Department of Transportation for Phase II of the Alter Street Improvements Project

Presented by Perry. Seconded by Sacco.

On the Question:

Atty. Logsdon said same project, but different funding source. Perry said this will go from 2nd to 6th Streets.

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

RESOLUTION PASSES UNANIMOUSLY

New Business: None.

Old Business: None.

Comments from the Audience: Darlene Kellner, 5159 Old Airport Road, Hazle Township, PA, wife of the late Donald Kellner, thanked Mayor Cusat and city council members for allowing her to speak, and putting on, public record, her concerns regarding a certified letter she received from the City solicitor.

Kellner said her late husband, Donald Kellner, the most experienced sky diver, in the world, has led the Above the Pocono skydivers at the Hazleton Airport, for approximately 60 years. Kellner has helped him, with this business, for the past 39 years. She said she is a life-time member of the Experimental Aircraft Association and the United States Parachute Association. Kellner stated she is the fifth most experienced skydiver, in the world, with over 19,000 skydives. She said she spent, almost every weekend, at the Hazleton City Airport, the past 39 years. During the week, she has taught Earth and Space Science and Physics and was chosen, by NASA, as one of the top 200 math and science teachers in the nation. Kellner said she understands Mayor Cusat's dedication to creating safer neighborhoods, vibrant business districts, and establishing the City of Hazleton as a community that people enjoy living, working and visiting. She said their business has been bringing over 1,000 visitors, to the area, from all over the world each year. She said they not, only, skydive, but stay at the local hotels, eat in the local restaurants, and purchase things at the local stores. Kellner stated they are known worldwide for their excellent safety

record and has always been their focus. Over the past five years, they have contributed about \$192,000 to the City, through their lease permit fees, fuel purchase, and 1.5% gross they pay. She said she received a certified letter, from the City solicitor, stating that all skydiving operations, at the airport, will be required to have designated drop/landing zones, for all skydivers, outside of the airport air space. Kellner said she was told by Dave Chronowski, Hazleton Municipal Airport Manager, that their lease would not be renewed, when it expires, in July, 2022, and there are no other buildings, available, to them, at the airport, he is aware of. She said both of these situations would have the potential to shut down their business, eliminating sky diving and all the economic benefits it brings to Hazleton. Kellner said to maintain, a viable business, they would need a lease for a facility, a commercial operator's agreement, and continued equitable use of the airport. She said in order for Mayor Cusat and city council members to make a more informed decision, several subject area experts are here to speak to various implications to this potential decision. Kellner said Bill Wallick is a retired air traffic control supervisor, Dr. Phil Polstra is an aviation expert, and Mark Dasch is an airport safety expert.

Bill Wallick, 23 Yorktown Road, Mountaintop, PA, said he is a retired air traffic control supervisor with over 25 years of experience in air traffic control. He said he worked at the Wilkes-Barre Airport from 1989 until his retirement in 2003. He said he returned for about eight years to be a contract training instructor at the airport. Wallick stated he worked with parachute aircraft, with no issues, for many years. He said at Hazleton, the pilots, for the jump aircraft, are very professional in their approach to safety. Wallick stated the aircraft are always in communication with air traffic advising them of their anticipated jump altitudes. He said the jump aircraft will give air traffic a broadcast and advisory before the actual jump. He stated if air traffic has an aircraft, in bound, that is close to the airport, they will advise both the jump aircraft and the aircraft that is inbound. He said they will hold the jumpers until the aircraft gets on the ground for safety concerns. He said he never received any calls from a pilot who calls and complains about any jumper while working at the Wilkes-Barre Airport.

Wallick thanked everyone for the opportunity to talk. He said this is one of the safest jump zones he has ever operated with.

Dr. Phil Polstra, 155 Friar Road, Bloomsburg, PA, said he is a commercial pilot who has flown at several drop zones. He said he was named PA Flight Instructor of the Year in 2019 and a former aviation professor and, currently, serves on the Bloomsburg Airport Advisory Task Force. He has owned three different flight schools in different states. Polstra said he comes here to show his support for the skydiving at the Hazleton Airport. He said he would like to address the issues of safety, economic impact, and equal access requirements at NPIAS (National Plan of Integrated Airport Systems).

Polstra said he became involved with the Hazleton drop zone several years ago when he responded to their ad for jump pilots. He stated he was impressed with the safety culture at this drop zone. Polstra said pilots are fully trained in sky diving operations before being permitted to operate the jump planes. He said in conjunction, with this training, Darlene Kellner has developed an extensive set of training materials and checklists covering both the operations of the Cessna 205 planes and their applications, for sky diving, in Hazleton. He said a flight is cancelled if there is a question about safety regardless of any lost revenue. Polstra said he was approached by other commercial pilots and has recommended this drop zone as a place to work due, in part, to their safety culture. He said he is responsible for training several jump pilots. Polstra said this training has exceeded 10 hours over multiple days. He said this is a lot more training than found at other drop zones. He said this is the oldest United States Parachute Association drop zone that has operated in the same location and under the same ownership. He said the late Donald Kellner holds the world record for most sky dives at 486,355. He said this drop zone only operates on weekends. He said people come from far away to sky dive, from New Jersey, New York and distant PA towns, distant states and other countries. He said they are spending money in local establishments, i.e.- hotels and restaurants. Polstra said, in the past, the drop zone has offered packages that couple skydiving with other tourist activities. He said the amount of fuel purchased, by this business, is substantial. He said the Hazleton Airport is a NPIAS airport and is classified as a non-primary airport. Polstra stated because the airport is funded by grants, they need to adhere to a set of guidelines including those that support recreational activities including sky diving. He said Above the Pocono Skydivers is a

gateway to community involvement, operating a well-established, professionally managed recreational activity which has an impeccable safety record.

Polstra stated B.J. Teachman, Bloomsburg Airport coordinator, could not be here tonight, but she said she personally skydived at Above the Poconos and was impressed with their entire operation as well as their safety practices, how well they educate their guests, and engage the community. Polstra said he agrees with Ms. Teachman.

Mark Dasch, 147 Franz Road, Pine Grove, PA, said he is here to speak about aviation safety and risk management. He said he recently retired from 30 years of active service in the Army. He is a FAA commercially rated multi-engine pilot, with most of his flying in Alaska and high-risk environments. He stated, currently, he is a jump pilot, at the airport. Dasch said he holds a master's degree in aeronautics, specializing in safety and airport operations. He said from an aviation safety perspective, the number of operations, currently being conducted at the Hazleton Airport, falls well below the capacity of the facilities, particularly the runway and the airspace surrounding the airport. Dasch said they could expand, within the Hazleton Airport, without increasing the risk. Dasch stated, currently, what is lacking is a formal risk assessment that could be used, objectively, to identify the risks, at the airport, and place effective control measures. These would include a regular stakeholder meeting with the operations manager to coordinate activities, review policies, and discuss hazards and plans in the future. Dasch stated, currently, this does not exist. He stated there are hazards that present themselves, on a "day to day" basis, and these could be easily mitigated. Dasch said as a jump pilot, he has never been discouraged from landing at Hazleton for sky diving activity. He stated, currently, there are a significant number of hazards that remain unmitigated and a thorough risk assessment, on the airport, is needed, to move forward, to move more jets into there. Dasch stated the plan is "short changed" in there and they are reducing the number of takeoffs and landings. He said the sky diving aircraft account for more than 50% of all takeoffs and landings at the airport. He stated it is best to keep as many customers on the airfield, as possible, and do so safely. He said the airport is operating about 15-20% of its capacity of the runway. Dasch said he does not see why sky diving and jet aircraft, coming into airport, would cause any conflict.

Perry thanked all for speaking tonight. He said Kellner's husband was an amazing human being as well as her. He asked Atty. Logsdon for a copy of the certified letter to be sent to all city council members. He said council members were not privy to what was going on at the airport. He stated they would like to be informed on all matters.

Barletta said it is an asset, to the community, and for them being here tonight. She stated this is also attracting businesses. She asked why the lease is not going to be renewed. Atty. Logsdon said this is not true, and the letter did not state the lease would not be renewed. Barletta said the Airport Manager told Kellner that the lease would not be renewed. Mayor Cusat and Atty. Logsdon said they were not present to witness what was said at their meeting. Barletta asked who signs the contract. Mayor Cusat said he does and plans on renewing the changes. Perry asked if the issue was safety.

Dasch said what has been relayed to him, from Dave, at the airport, and some linemen, is the incompatibility with jet traffic and sky divers. He stated that jet pilots would not want to come into the airport with sky divers there. Dasch said as a pilot, this is not the case, flying into Hazleton. He said good management, on the ground, needs to happen to deconflict all of these activities. He said as a pilot, he has not seen a deconflicting meeting between the air and medical evacuations and routine operators who fly in there. He said a routine standard safety practice should be happening on a recurring basis.

Perry said Mayor Cusat is saying there is "room for negotiation" or "working it out". Mayor Cusat said the lease has not been renewed in 30 years. He stated it is 30 years old, and what was going on 30 years ago is not going on now, anywhere, in the City, or the surrounding areas. Barletta said Mayor Cusat is looking to keep them, but with changes. She said they could all work together to keep them here along

with increase in jet services. Mayor Cusat said there is no intention to “throw out” a business. He said he does not know what was said, but he did not say it. He said the City needs to revisit the lease that is 30 years old. He said there is an Airport Advisory Board to review this. Atty. Logsdon said the letter states that parachutes would not be permitted to land back on the runway.

Jason Antolick, Hazleton, asked why the parachutes are not allowed to land on the runway. Atty. Logsdon said for safety reasons. Antolick said he has been jumping from there for 25 years, personally, with 3,000 jumps, and have never had any safety issues.

Atty. Logsdon stated there is a lot of information they need to go over, and a lot of information to convey to Mayor Cusat. He stated this will not be solved tonight. Perry agreed. He said he appreciated the “passion” everyone has and could work this out.

Mayor Cusat said he will take the advice of the Airport Advisory Board. He said to “sit here, and plead your case, to us”.

Dr. Polstra said the letter stated there would be no skydiving at the airport. He said this goes against all the NPIAS funding agreements. He said as an airport, who is grant funded, the City is putting this at risk. Polstra stated people have had their grants denied and forced to pay back past grants.

Barletta asked if they could look at this “in a quick manner”. She said this is something affecting a lot of people, i.e.- residents and local businesses. She said if it is safety, they need to look at this. Barletta stated they sent a copy over, and there has been no record of any safety issues. She stated this female has been the fifth female with a safety record. Barletta said she has been going to the airport for the past 11 years and has not seen any kind of incident. She thanked all for coming to speak and said they could all work together. She suggested the City get together with Darlene Kellner and the Airport Advisory Board to straighten it out.

Mundie said he knows Mayor Cusat is negotiating with them for the lease. He stated there was a letter sent and was “unbeknownst” to council. He asked Mayor Cusat if he copied council on the letter. Mayor Cusat stated no. Mundie said it is council’s job to pass the lease. Mayor Cusat said no. Atty. Logsdon stated it is a contract and the mayor signs the lease. Mundie said council needs to approve them. Mayor Cusat said no. Mayor Cusat stated he does about 20-30 of these, per year, and council does not approve them. Mundie stated council approves leases. Mundie stated Mayor Cusat did this on his own. Mayor Cusat stated for Mundie being on council, for 18 years, he should know what council’s job is. Mayor Cusat stated they have discussed lease changes in his office. Mundie said council approves who is the manager at the airport, and Mayor Cusat decided who he wanted as manager, without councils’ approval. Mayor Cusat said he will not discuss this, now, because it is public comment. Mundie stated the skydivers bring revenue to the City. Mayor Cusat said Mundie never contacted his office to sit down and discuss this.

Perry said the lease renewal is in July, 2022 and there is time to “iron” this out.

Colombo gave condolences to Darlene Kellner for her late husband. He said he met him several times, and truly was a “great man”. He stated, “may he rest in peace”.

Barletta asked if city council could be kept updated on this issue to be “in the loop”. Perry stated they all need to get together to solve this. He said it will be positive.

Comments from Mayor: Mayor Cusat said the Halloween Trail of Treats will be held this Sunday, October 31, 2021, from 1:00 -4:00 p.m. and Safe Trick or Treating from 5:00 p.m.-8:00 p.m.

Mayor Cusat wished all the candidates in the election “good luck”.

Comments from City Administrator: Mr. Lynch said he sent the City's 2021 MMO payment to the asset manager this week. He said, in accordance with the ACT 47 Plan, for the City, the draft budget was submitted to the coordinator. He stated city council will be receiving the draft budget next month.

Comments from Council: Barletta asked who is on the Airport Advisory Board. Mayor Cusat named Dr. Kislak, Mark Ondishin and Dave Antolick. She asked when their terms expire. Mayor Cusat said, every year, one expires. She asked if council appoints them. Mayor Cusat said if a change is made, they need to approve the change, but the members stay the same. He said the last member to go on was Mark. Barletta asked if there would be a problem if they have not met, in a while, and there are not enough members. Mayor Cusat said no.

Barletta said she does not want the same thing to happen, at the airport, as to what happened to Paragon. She stated it was cleared out, and they lost all their revenue. She said some many people came from all over, with hotels "packed", but decided to make it an airport, and completely failed.

Sacco said the "last round" of veteran's banners will be going up by November 27th, 2021. She said they have room for nineteen.

Colombo congratulated the new Junior Council members, welcomed them aboard, and looks forward to working with them.

Perry appreciates this program, as an educator, and stated it is a good program for students to get involved. He said it is wonderful.

Perry thanked Mayor Cusat and the City Hall Union for working out their contract for five years. He said everyone is happy. Perry said some employees were working at \$10.00/hr. and the City could not keep anyone. He said they did "all the work and were the lowest paid".

Perry encouraged everyone to get out and vote. He said this is everyone's right.

Comments from Junior Council: None.

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 6:59 p.m.