

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 27, 2021**

Call to Order: Council met in regular session on Tuesday, April 27, 2021 in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 6:10 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 April 14, 2021 Regular Meeting were approved unanimously.

Presentations/Proclamations/Communications: None

Bid Opening: None

Courtesy of the Floor (ON AGENDA ITEMS ONLY): Mark Rabo, 8 West 1st Street, Hazleton, spoke of Ordinance 2021-7- Business License Ordinance. He stated he has a concern and a question. Rabo said the one thing not mentioned, at the WORK SESSION meeting, yesterday, was seasonal contracting work. He said this needs to be addressed, regarding the business permits, because some occupations are seasonal. Rabo said this would need to be addressed in the Business Permit Ordinance. He said he knows this with his experience with the Hazleton City Water Department. He asked, with a business, how will this be addressed.

Rabo also spoke of Ordinance 2021-12- Ordinance Authorizing Federally Taxable General Obligation Bonds, Series A & B of 2021 for the City of Hazleton. He stated he has a strong concern on the inflation warnings, currently, with the printing of money, by the Federal Reserve, and a credit agency, Moody's, who came out with a warning that inflation is, "dead ahead". Rabo said if the City "takes up" the low interest, for encompassing all equipment, not just fire trucks, "down the road", if everyone gets hit with an interest rate spike, how will the City handle the increased interest payments. Rabo asked if the refinancing is on a fixed-rate or variable rate. He stated the last time this happened, with the refinancing, it was a variable rate, and this hurt the City, three years "into it" because the interest rate spiked. He asked Lynch to address this issue. He said, as far as roofs, the City loses a lot of money with people fixing them, every summer, and no one goes after the "fly by nighters".

Mary Malone, 101 St. Charles Road, Hazleton, and Hazleton City Chamber Director, thanked everyone for the WORK SESSION on April 26, 2021. She said there was some good discussion. She stated the interplay of the business ordinance with code and zoning should be taken into consideration. Malone said she hopes council would, hopefully, table this. She stated there were a lot of questions and issues last night.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

Ordinance 2021-12

Ordinance Authorizing Federally Taxable General Obligation Bonds, Series A & B of 2021 for the City of Hazleton (**1ST READING**)

Presented by Perry. Seconded by Sacco.

On the Question:

Barletta asked if the City is looking at \$11,000,000. Ryan Hottenstein, Vice-President of Financial S&Lutions, said the ordinance, in front of council, must include a not to exceed amount, filed with DCED. Hottenstein said they “gross up” the borrowing amount, and has to comply with a total number, a per-maturity number, and a total debt service number for each year. He stated because of this and the way the bond’s price, for the premium and discount, when they go to price the bonds, they may need to move maturity’s around, and still come up with a level debt service. Hottenstein said the reason why they need to put in a not to exceed number is when they price the bonds, they could move these around and stay within this number. He said the City will not be borrowing \$11,000,000 for extra projects. He said this is for the flexibility to move maturities around as needed. He said when they price these bonds, and are locked-in, the interest rate is fixed through maturity and cannot change. He stated not to worry about rates moving or variable rates. Perry asked if “this part” is \$8,000,000. Hottenstein stated this is the preliminary official statement which will be the offering document and will go out to the market when they sell the bonds. Hottenstein said it includes all the information concerning the City, finances and project. Perry asked if investors would get this. Hottenstein said yes, investors would read this. Barletta asked if the City is still looking at \$9,000,000. Hottenstein stated this is correct, and anticipating the borrowing to be \$8,200,000 with \$3,000,000 for capital projects and, approximately, \$5,000,000 for refunding. He said all the refunding, will be strictly, “high to low” interest rate savings and no extension of term. Barletta said this would leave about \$700,000 for another purchase “down the road”. Lynch said the total, in new funds, for capital projects, is \$3,800,000. He stated Barletta may have heard \$9,000,000 because the \$8,250,000 does not include the DCED 0% interest loan, the City had, in 2017. He said, the total debt, when completed, will be, in the “neighborhood” of \$9,000,000. Barletta said, then, the City is not increasing it anymore then they need to. Lynch agreed. Perry asked if the debt service will be no higher than \$30,000 extra. Lynch said it keeps the debt service, mostly, level. Barletta said it will “wrap up” the existing debt, help the City pay for the fire trucks, this year, and leave the City to work with, about, \$700,000, to work on another project. Hottenstein said correct. Perry asked how it works with the federal money, coming in, buying something, and expending the money. Hottenstein said once the City borrows the money, it is borrowed.

Barletta stated, “there is a lot of paperwork on this one”. Perry said the City has been discussing this for a while. He said this is the first time, the City, is investing money and buying trucks and equipment. Lynch stated in a debt service. Perry said the City used to borrow money to cover their expenses. He said, in 2018, there was a loan monetized, through highway aid, for the purchase of equipment, which represented an investment, and the lighting project. Lynch stated it is the first time it is debt service providing investment for the City. Perry stated this has never been done in the history of the City. He said this is the way it is supposed to work. Hottenstein stated the “2005’s” have been capital project. Perry said PEL is on board with this. He said this is the introduction, of the bond, and the rating call. Hottenstein stated the first reading is tonight, for the introduction, and then they will be back, at the next meeting, for the final approval. He stated, in between now and then, he is scheduled for a rating call, with S&P, where they will go through the transaction, what they are using it for, and present the financial performance, of the City, and demographic

information. Hottenstein said they will review this, do an analysis, and come back with a rating. At that point, when they receive the rating, they will finalize the preliminary official statement, and will post it publicly. He said, after that, a week will go by, and, then, price the bonds. He said once they are priced, they will lock-in the rate and close about one month later. Perry asked if the City would know what this would be now. Hottenstein stated the rates are about what they looked like last time and have not moved much. He said they will continue to update, the City, as they move forward. Perry asked if the bond rating is good enough for all of this. Hottenstein said they anticipate receiving an investment grade rating but will not have this until after the rating call, one week later. Perry asked if Hottenstein will tell council the exact amount. Hottenstein stated, "not the next time, but the time after that". Perry said this should be in June. Barletta asked what would happen if the rates go up really high. Hottenstein stated if the refunding portion "does not make sense", they would "kick that out". He said the City does not have to move forward. He stated the rating agency is the only one that gets paid whether they move forward or not.

Perry asked if he needs to read the Agenda Motion out loud. Hottenstein stated this was prepared by bond counsel for the introduction and not having to read the entire ordinance.

Perry read the Agenda Motion- A motion authorizing the enactment by the Council of the City of Hazleton of an ordinance authorizing the issuance of one or more series of taxable and/or tax-exempt general obligation bonds of the City for the purpose of funding a project consisting of all or any of the following: (1) currently refunding the City's outstanding General Obligation Bonds, Series of 2005; (2) currently refunding the Redevelopment Authority of the City of Hazleton's outstanding Guaranteed Lease Revenue Note, Series of 2015, which is guaranteed by the City; (3) currently refunding the Redevelopment Authority of the City of Hazleton's outstanding Guaranteed Lease Revenue Notes, Series of 2018, which is guaranteed by the City; (4) planning, designing, acquiring, constructing, installing, furnishing, and equipping of alterations, renovations, additions and improvements to the facilities of the City; (5) purchasing capital equipment and vehicles for the use in or in connection with the facilities of the City; (6) additional capital projects of the City to the extent approved by the Council; and (7) paying the costs and expenses of issuance of the Bonds, all as more fully described in the complete text of the ordinance.

Perry asked what the costs are, for the City, for doing all of this. Hottenstein stated depending on the size, between \$150,000 and \$175,000. He said this pays all the costs including the underwriters discount, bond insurance, "everybody".

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

ORDINANCE PASSES UNANIMOUSLY ON 1st READING

(2ND AND 3RD READINGS)

Ordinance 2021-7

City of Hazleton Business License Ordinance (3rd READING)

Presented by Perry. Seconded by Sacco.

On the Question:

Perry stated there was a WORK SESSION meeting on this issue, last night, with HALO and others who had questions on this. Perry stated Mary Malone mentioned how this would affect the Zoning

Ordinance and if it is intertwined. He said this refers to the zoning ordinance. Mayor Cusat said most of the time the zoning ordinance is referenced in the definitions part as defined in the Zoning Ordinance. He said if the definition shows up in zoning ordinance it does not need to be put in the Business License Ordinance. Perry asked if the City would remove the Rental Registration Ordinance and will this ordinance replace this. Mayor Cusat said parts of this ordinance need to be amended of the current Rental Registration Ordinance. He said inspections will still be separate. He stated, in the other one, it is done per unit. He said when this was put together, in 2011, it was discussed the apartment building paying \$200.00 and charging more to inspect this building then a two-unit apartment building. Perry said they were worrying about one ordinance covering both. He said it states the dwelling unit that has been inspected, Part 5-D. He said then they would change the name to Business/Rental Registration License Ordinance. He asked if there is a need for both. He said this seems like more work for the Code Department. He stated this was one of the big things. Barletta asked if they need to pay the rental registration also. Mayor Cusat asked if she is referring to the rental inspection. He said the Rental Registration Ordinance needs a lot of work. He stated this is for the purpose of rental properties running a business, especially an LLC operating them. He said the part, with the rental registration, talks about the per-unit costs. He said if a resident is renting property, as a business, they need a business license. Perry said it states, "evidence of the business has been expected". He said, it is here, but also in the Rental Registration Ordinance needs an inspection. He asked how often they are inspected. Mayor Cusat said this was one of the problems with the Rental Registration Ordinance and does not agree with all of it. Perry asked if the City is combining the two, and, eventually, what will come out of this. Mayor Cusat stated the idea was to get the business part of it. He said if someone has a rental business, and owns five buildings, under this, they are paying the license to rent out of all five buildings. He said if he owns five buildings, he is not paying \$100.00 business license fee and now, go and inspect five buildings. He said if there are multiple buildings, with multiple units, under the same title, it would still need to get an inspection. He said the City will not inspect five buildings for one price. Perry asked if this one is \$100.00. Mayor Cusat stated the business license part. Barletta said this is where the rental registration comes in. Mayor Cusat stated the rental registration is per unit. Barletta said they need a license to rent, and still would be paying the rental registration. Mayor Cusat said yes; to register and inspect. Atty. Logsdon spoke of Subsection B- Article 5. He said they were looking for code issues which states, "evidence that a business or dwelling has been inspected for compliance with all City ordinances including property maintenance, fire, health, safety and sanitation. He stated they "threw in" the dwelling unit's portion, as well, because it does extend, to landlords, that are running a business. Perry asked if they are or not going to combine the rental. Mayor Cusat said they pay \$25.00 up to four units. Perry said they would still get a license on "top of this". Mayor Cusat said they would need a business license because they own property. Perry asked if both need to get inspected, for a business and a dwelling. Mayor Cusat said they did not get to the rental registration ordinance yet. Atty. Logsdon said there is not an inspection that goes along with the business license. Mayor Cusat said the only thing would be a fire inspection. Mayor Cusat said there is an occupancy inspection and a fire inspection for any business. Perry asked if these cost money. Mayor Cusat stated when a resident gets a bill for the business license, \$100.00 goes toward for the application fee, for the license, and \$40.00 for the fire inspection. Perry said one resident questioned the amount asking if the City is doing \$100.00 worth of work. Mayor Cusat stated that is the number the City is using for any application. Perry said if the City would get the MGT grant, they would find out if this is correct or incorrect. He said the user fee would give the City verification if they were charging too much or not enough. He said rental registration is separate. He said Section 4, #1, states, "an occupancy permit must be obtained before the premise is leased/let, or within 30 days of becoming an owner. Perry said one resident thought this was encumbering someone and "handcuffing" them. He said the owner should get the permit quickly. Atty. Logsdon said if a resident purchases a property and wants to rent it, they have 30 days to get it. Mayor Cusat stated anytime a property "changes hands", a person needs an occupancy inspection before the closing. This was the ordinance that passed a couple months ago. Perry asked if the 30 days is a common number. Mayor Cusat said they do not want someone

moving into a place, and the City is lost, and they cannot get them out. Sacco said there were a lot of people, asking, if this could be “beefed up” since the water is paid by the landlord. She stated they are paying this to the landlord, the landlord is not paying the water, and the tenant is paying the lease and the water is turned off. Mayor Cusat said that is not the City’s problem. Sacco asked if the City could give the tenants a protection. She said she knows water is “not us”. She said a lot of tenants are paying rent to landlords New York or New Jersey-based and they are not getting in touch with them. Lynch asked if there is anyone, in the City, who does advocacy for renters. He said there are rights for renters, in these situations, but is not the City’s responsibility. Mayor Cusat stated this is the lease they sign. Sacco stated they are, also, concerned that their accountant tells them a rental is not considered a business because the way it is documented, on their taxes, and should be exempt from this. Barletta stated that the IRS does not state a rental is a business, it is an investment. Mayor Cusat asked if they are paying mercantile taxes. He said the City’s mercantile tax states they are supposed to be paying it. stated, “if they are doing business, they are doing business”. Lynch stated if someone wants to make the case and say it is illegal, they could take it to court. Barletta asked if she has one house she lives in, and the other house, she owns, and has a family member living in it, does she need get a business license and pay mercantile, because they are not paying rent. Mayor Cusat said a resident is exempt for the first \$5,000 for mercantile tax. He said if she is living in one half, she would be exempt. He stated, if it is not on the same deed, then yes. Barletta asked if they do not get money, is it a rental. Mayor Cusat stated it is a rental, but with zero income. Atty. Logsdon said the City considered this that residents cannot say they do not pay rent or hiding they have a lease. Mayor Cusat said all this does is hide the cash renter. Mundie said, in the legacy lease, to make it clear, a residential property that has been transferred from one family member to another where the original owner, or related or lineal relation, continues to live there. He said it is on the legacy lease. Barletta asked if “this is where” original owner continues to occupy. Mundie said it is in the definitions. Barletta asked if the original owner bought a house for a parent to live in. Mundie said if a person gets no rent, a relative, they pay no mercantile tax. He stated the City cannot make a person pay mercantile tax for zero rent. He stated the City needs to get rid of the mercantile tax and it is a “stupid” anyway. Mundie said the legacy lease part states, “where the original owner or related owner, or lineal relation”. He said if someone sells a house, to a son or daughter, and a sister wants to live there. He said this is saying they need to register, pay \$100.00 fee, and a son or daughter would live there, and not the original owner. Sacco said there were a lot of people who use mixed-use buildings, who live above it, but operate downstairs. Mayor Cusat said this is considered a rental property. He said this is a commercial property. Sacco said their question is if they need a license for their business. Mayor Cusat said if they are living in the building, they would not need a license to rent the building out but needs a license to run their business. Mayor Cusat said the Altamont is supposed to have 63 living units with 11 businesses downstairs. He said the Altamont, itself, would need one business license because he is operating one business. He said the Markle Building has 51 businesses and should have one business license, DHD would have a business license and then the other, 51 places inside, would need to have a business license. Perry said his family member, lives in a house, and on one deed, there are apartments, in the back, and rents apartments. Perry said this is one deed. Mayor Cusat asked, “how many apartments”. Perry said two. Mayor Cusat stated, under this ordinance if it is on the same deed, it is exempted. Perry said Malone also asked about the Launch Box and incubator who are starting businesses. Mayor Cusat stated, “if you are starting a business, they need to learn to pay their bills”. He asked if they are selling stuff. He stated if they are operating, a business, they need to pay a business license. Perry said some leave there and get their own place. He said when they get enough capital; they get their own place. Atty. Logsdon said if he has a house, in Sean’s name, and if he is not renting it, there is no reason he has to come to the City, as long as it is not in an LLC name. He said, in this case, it may be “flagged” as something that may be a business. Perry asked how the City could track this. He said it is on the “honor system” where people will come in to say they have a rental. Mayor Cusat said the way it “popped up” is the City did an audit according, to the tax rolls, based on residents who had multiple properties. He stated if a resident has two properties, in their name, the resident could only live in one house. He said the other one

would be a rental. He stated anything that is owned by an LLC, a corporation, a trust, and not owner occupied is considered a rental. He said 57% of the City is not owner occupied. Sacco asked if all the scenarios could be put on a sheet with requirements for permits. Perry said the Code Department needs to read and understand this. Mayor Cusat said they will get a bill, and if they do not agree and will come here and plead their case. Colombo asked who they would plead their case to. Mayor Cusat said to the code office. Perry stated residents thought the 20-mile radius should be extended. Sacco stated extended to 1-hour. Perry stated they would need an agent or a manager who resides within 20 miles. Barletta said another complaint is how the City has the authority to shut off the sewers and waters. Barletta asked how the City is communicating with the departments. Mayor Cusat stated they could contact them. He said they have been interacting with the water and sewer authorities. Barletta stated the residents asked if the City has an agreement with them. Perry said Article 6 states, "owners of vacant buildings should be exempt from garbage, sewer and water bills. Mayor Cusat stated the City should have control over this. He said if he has a half-double, and does not rent out the other side, why should he pay for garbage. Perry said this is a good idea. Mayor Cusat said they are in charge of the buildings. He said if they say they cannot bill them, they cannot bill them. He stated it is "ridiculous" to pay an extra \$17.00/month, for garbage, when they do not have to. Perry said they keep, "paying and paying" and no one lives there. Mayor Cusat said his grandmother died, twenty years ago, and still pays the garbage and sewer, for a house that no one goes in. Mundie said he agrees with him that this needs to be changed. Mayor Cusat said this was never stated in an ordinance. He stated it should say if a resident has four units, and has a dumpster, they should not have to pay the garbage bill. Mundie asked if this is for a business. Mayor Cusat said this would be for four or more units and needed to have a dumpster. He asked why a resident would pay the garbage fee if they had a private hauler or a dumpster. Mundie said these are changes that need to be made to the garbage ordinance. Perry said everyone is getting these bills. He said the water is a little more controlled. He said they do not know if someone is bringing garbage, putting it on the curb, if someone would take it. He asked if there is some way to enforce this. Mayor Cusat said it references, in the ordinance, if they owe money to the City, the City could deny a permit or fee. Perry said it states, "delinquent taxes or fees due to the City of Hazleton or as designated agents". He stated the City will not issue a license to them. He said this is one way to help out people who do not use it and are still paying. Mayor Cusat stated, the long-term goal, is to try to get one system to integrate everything. He said this is what they were trying to do with the GIS system but did not work. He stated the City is going to a different system. Mayor Cusat stated, if this works out, the City could communicate better directly, into the software system, and not have to make a phone call. Perry stated this could get "cumbersome".

Perry said the appeal process fee is \$500.00, under Article 5-J. He stated some residents thought this price is ridiculous. Mayor Cusat said if a resident calls, for a hearing, it is already advertised, and a stenographer scheduled. He stated if they do not show up, they are still paying the stenographer \$125.00/hr. and not getting the money back from the Standard Speaker. He said if they want to have it, they go "that far", then, they should show up. Mayor Cusat said it should not come out of the City's pocket. Sacco asked if they show up, do they get the \$500.00 back. Mayor Cusat said they incur the costs. Perry said they would not share, the cost, because they are bringing action against the City. Atty. Logsdon said the \$500.00 would cover the solicitor, stenographer and advertising. Colombo said residents asked about multiple hearings, on the same day, would they all have to pay for the stenographer. Mayor Cusat stated the City would get one bill from the stenographer. He said like the zoning hearing, they have eight cases, but get one bill. He said for any zoning appeal, it is \$500.00 for residential, \$800.00 for commercial, and \$1,000 for industrial cases. Mayor Cusat said if they do not show up, they lose it. He said they raised the planning fee, at the last meeting, for their appeals. Perry said it is \$500.00, "across the board", for hearings.

Sacco said some residents compliment the Code Department and say they go there, on the first visit, and they give them, a list, with things that need to be fixed. She said there are other residents

who say they come one time and say, “they need to raise the sink”, and come back and say, “fix the bar”. Sacco said sometimes it takes a total of 90 days to be able to open. She said the residents asked if there could be a checklist with “X, Y and Z” and this was discussed with Atty. Logsdon. Mayor Cusat said he has the checklist. Perry stated everyone should have the same treatment. Sacco asked if they could add the sheet to the ordinance. Mayor Cusat said the wording, is in there, in the ordinance. He said, everything, on the sheet, is part of the UCC and PMIC codes. He said it is like a “cheat sheet” and is a checklist. He stated this stuff, may change, and do not want to address, this into the ordinance. Sacco asked if there is something on the website that a resident could click and print so they are prepared. Mayor Cusat said yes. Perry said once a resident gets an occupancy permit, the name is on them, who owns the LLC. Mayor Cusat stated they could be looked up. Barletta stated some are coming back “40 N. Church Street, LLC, but do not have a name to it. Mayor Cusat said it is easier for residents who buy multiple properties. He stated they want the protection of their personal assets, for their tax purposes, and liability. He said this is why each one should need a separate business license. Barletta asked if they want the protection, they should pay for the protection. Barletta asked if they would come to City Hall, is it stated that, “Jeff Cusat owns that”. She said some of them do not have an owner name, on it, and is not required by the state. Mayor Cusat said people found his name. Atty. Logsdon said it should be found on the corporate web site. Barletta said it comes up if it is entered but is not required name. Atty. Logsdon said they would have to pay for one of the documents that is the incorporating document who says who the members are. He said people could sell different memberships, in an LLC, and it would not be registered with the state. He said one of the incorporating documents should have a name on it. Sacco said when the LLC does not have the name, and paying the water, if they go to rent something, would it be required, by the City, that the landlord show proof of the insurance to the tenant. Mayor Cusat said the City should not get involved with client/tenant issues. Sacco said the rules for what a landlord needs to do. Mayor Cusat stated this is between a landlord and a tenant and this would be overstepping the City’s bounds. He said when they fill out the business license, they need to fill out their insurance company information, policy number, banking information, and account information. He said some people will come in, show it, will verify it and cancel one month later. Sacco asked if a landlord comes and applies for that, and does not fill it out, do they get a business license. Mayor Cusat they would not get a business license. Sacco asked if the City has the authority to kick the tenant out. Mayor Cusat said no. He said they do not give a business license, and they are in violation. Perry said the rental registration needs to be fixed. Mayor Cusat said, “this is coming”.

Colombo stated, with his vote, yes, as long as the proposed changes are entered into the ordinance.

Perry stated, with his vote, as long as it could be, “brought out and fix anything that needs to be fixed”.

Perry asked how this works with the codification process. Mayor Cusat said they will send the City the next draft, go through it “page by page”, and all the stuff, and changes, will be inserted, and all the other stuff will be pulled out. He stated it is moving along. Perry said this will not take place until next year. Mayor Cusat said they cannot put it in there until it is passed. He stated there were 187 pages of the old code book “squished” into this and will be a little cleaner to go through. Perry asked when the draft will be ready. Atty. Logsdon stated they told him the on-line draft should be ready either in April or May, 2021, but has not heard anything yet.

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

ORDINANCE PASSES 3-2

RESOLUTIONS

Resolution 2021-30 Honoring Jaxson Dempsey

Presented by Perry. Seconded by Colombo.

On the Question:

Colombo stated this is “awesome”. He said being he teaches CPR and is in the medical field, for a long time, he is the future. He said this makes Hazleton proud. Perry said Jaxson is very famous. He said we are not “Access Hollywood”, Channel 16 or Channel 28. Perry stated Jaxson is internationally famous.

Mundie congratulated Jaxson for putting Hazleton “on the map”.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-36 A Resolution Awarding the Contract to Perform the Special Inspections Required for the Construction of the New Hazleton Bus Storage and Maintenance Facility

Presented by Perry. Seconded by Colombo.

On the Question:

Perry stated Sharp is on the call. He said there are two resolutions that deal with this, Resolutions 2021-36 & 2021-38. He said this is for the Special Inspection requirement, and not to exceed \$66,000. Perry asked Sharp if there are any questions from him. Sharp said he does not.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-37 Authorizing the Administration to Dispose of or Sell Certain Decommissioned Pieces of Fire Apparatus of the City of Hazleton Fire Department

Presented by Colombo. Seconded by Barletta.

On the Question:

Perry asked Donald Leshko, Hazleton Fire Chief, if he knows what the City will get for these vehicles. Leshko stated they need to advertise these, and is thinking of other creative ways to advertise them to get the best “bang” for the dollar, especially for the 1987 Mack. He said this vehicle, alone, is unique because of its age. Leshko said a lot of collectors, and people, would be interested in bidding on this. He stated he has been talking with Mayor Cusat to get the City’s best return possible. He said one new ladder truck is, currently, in for paint repair work. He said when this returns, they may put the other one up for sale, to try and get this one out first, and then the pumpers will go later on. Perry asked if he is going to get rid or wait until the new ones come in. Leshko said yes. He stated the only thing that might go first is the ladder truck and this will give them more room. He said he is looking mid-summer to do this. Leshko said he had a lot of people expressing interest in the 1987 Mack. He said Mack got out of building fire trucks after this model. He stated, “will see what happens”.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-38

A Resolution Awarding the Bids for the Four Prime Contracts Required for the Construction of the new Hazleton Bus Storage and Maintenance Facility

Presented by Perry. Seconded by Sacco.

On the Question:

Perry said this is an extensive amount of money, and unique, when it is finished. Perry asked Sharp how long it will take and the time frame. Sharp stated about 1/1/2 years to build. Perry asked if this is across from the airport. Sharp said it is down, a little bit, towards Route 309. He said there are a total of 4.3 acres. Sharp said the building, is roughly, 44,000 square feet. He said this building will house all the fixed-route para transit buses and have office space, in there, for their contractor. He said the interior will have an automatic bus wash with the buses, coming into the building, are washed and either “staged” for the next day or go to the maintenance bay. He said, the objective, are for the buses, entering the building, to stay and not leave until the next day. Perry asked if they will have propane refilling there. Sharp said not with this phase. He said this phase is for the building and all site work. Sharp stated the next phase will be for the CNG fueling station on site.

Atty. Logsdon said all the bids were reviewed by the project manager and engineers. He said these were the lowest responsible bids for everything discussed. Barletta asked if these were the last ones opened up at the last meeting. Atty. Logsdon said yes. Perry said no one was “chopped off”. He stated these are the same low bidders.

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: Pat Scarcella, 149 Franklin Street, Hazleton, said she is a registered nurse and worked in the emergency room and paramedic unit. She said she had an issue, two weeks ago, today. She stated a family member, passed away, and could have used an ambulance. Scarcella said he passed away, without an ambulance, and an ambulance would not have helped him. She stated, with this instance, she found out that the City only has three ambulances. She said she is appalled that this City would allow three ambulances with 33,000 residents. She said this was 20 years ago and with two hospitals. She said, 20 years later, there are a lot more residents. Scarcella asked how the City will solve this problem. She said she never thought about this until this happened. Scarcella said she did do “fruitless” CPR, for five minutes, but was already passed. Scarcella said she, “thanked GOD the fire engines showed up.” She said if he was not, what would she do, and how would he get to a hospital. She said the guys, that showed up, were EMT’s and paramedics, and could have assisted. She said they told her they had to dispatch Columbia County paramedics. She said this also included two calls to 911. She said no one, in this room, could say they are okay with this. Scarcella said this happened to her, in the past, in the high rise, years ago, and had to wait 20 minutes, to do CPR, but the guy lived. She stated someone has to lobby for this. She said she knows it is not the City’s job to put an ambulance in the City. Scarcella said if you see, a loved one, “go down” with a heart attack or stroke, you are calling 911 and nothing could be done. She said she could just talk “off the cuff” because she is so passionate about this. She said you would probably get PTSD. Scarcella said with all the warehouses, coming into the City, and bring all these people in. She said there is a great hospital, in the City, with 140 beds. She asked what they could do. Scarcella said they were chasing ambulances away because there were so many.

Perry said they have received these complaints about complaints. He said he has seen Valley Regional coming into the City and also Mountaintop. He asked if it is due to lack of workers. Colombo said years ago, there were six of them, and had to cover the same “turf”. He stated, “this is unacceptable”. Sacco asked Scarcella if she called 911 twice. Scarcella said the fire engines showed up 20 minutes later, and thanked GOD to see them. She said the ambulance never showed up, and they cancelled Columbia County ambulance. Scarcella said this is appalling. Sacco asked Leshko, “at what point does the fire department step in when an ambulance takes too long”. Leshko said they get dispatched, on any assist, for what they are called for. He said, the number one biggest issue, is personnel. He said nobody could get people to work. He said Valley EMS, Valley Regional and there are ambulance services that cannot get employees. He said just check this on social media. Leshko stated he feels “everybody’s pain”. He said they go out and assist and help when they could. Leshko said the night it happened, he saw the call, on the phone. He stated McAdoo ambulance was dispatched but was busy on a house fire. He stated this is all volunteer service. He said there was a “roll over” accident on 20th and Laurel Streets. He said there was, also, a bad house fire in the Valley. He said, 20 years ago, there were a lot of ambulances and volunteers. He said they could say, “you could raise all the money in the world”, but volunteers are not coming to do it. Leshko said people are getting pulled in “five different directions” with raising a family, work, and “doing this and doing that”. He said it is not for a lack of not trying. He said some of his firefighters are EMT’s and try to do all they could to help out anyone. Leshko asked where they get the people. He said some ambulances are looking for people. He said Lehigh Valley EMS is begging for people to come and work. He said he knows people working tremendous number of hours. He said

Valley Regional is also looking for people. He said one of his firemen are working for Valley Regional. He said the problem a lot of people are getting “burned out” and “overloaded”. He said COVID-19 put a “hurting” on people. Perry asked if the salary is the problem. Leshko said no one wants to come out and work. He said there needs to be 180 hours of training. He said when he took his EMT test, he took a state test, and became an EMT. He said, currently, the state has changed guidelines and they need to take a National Registry EMT test. He said the failure rate is unbelievable. Leshko said they are more worried in the state level, and the governor passing an emergency declaration, and not worrying about the fire and EMS services. Perry said the state level needs to be a priority and the CARES ACT money to fund them. Leshko said it is not only happening in Hazleton. He said this is also happening in the cities of Philadelphia and Pittsburgh because he belongs to the Career Chiefs Association that spans the state. He said, this past weekend, the City of Baltimore, did not have an ambulance in their city. He said he wishes he had the answer. Leshko said he read and knows all about this incident with Scarcella. He said one of his trucks “broke off” from the accident scene to go help. He said they did the best with the police department. He said the county will call them and they go help when they could. He said it is not just a city issue, but a statewide, if not, a national issue. Leshko said he was “thrown on the carpet” when someone stated the City has \$2,000,000 to fund an ambulance service. Leshko said he does not see this money. He said where the City will get the people to work at this. Perry said the City could use the CARES money to fund this but would need to go to Scranton or some other place. Leshko said Commonwealth Health had an ambulance service, in Nescopeck, but “pulled it out of there”. He said the situation is getting “worse and worse” as the day goes by. He said Bloomsburg is putting a paramedic service back in Nescopeck. He said the state needs to “step in” and “open their eyes” to see this big issue. He said they talk to the schools and tried to get a EMT course in the schools. He said some people do not have the interest or drive.

Colombo said EMS is a broken system. He said they need Harrisburg or Washington to look into this. He said Scarcella is one of few, but there will be many more cases, coming in front of council. Colombo stated there is a problem getting people, but the residents are suffering for this. He said they need to do something.

Scarcella said Luzerne County Community College could have an EMS class in town. Leshko said there were several classes there and some of his guys had EMT training at Lehigh Valley Hospital. He said they advertised it. He said the cost to send one person, to an EMT class, is \$800.00. Schoonmaker said Lehigh Valley Hospital just finished their EMT class with many participants. Leshko said he had three or four of his guys at this class. He said he was “begging people” to take this class. Leshko said they had to delay the class many times. He said \$800.00 is expensive and a big “hunk of money” to put out for this. He said one of his guys went to Hanover Township to take the test. Leshko said he passed his National Registry test and got his EMT.

Joe Scarcella, 149 Franklin Street, said Blue Cup Ventures, Blue Creek Investments, Hazleton Creek Commerce, Merkel Commercial Real Estate, Bruster Development Company, Warrior Trails Property-Niagara, One Trinity Real Estate and Site Services Group. He asked what these companies have in common. Scarcella said except for Warrior Trails Property, they are all warehouses. He stated Blue Cup, alone, is projecting 7,000 plus jobs alone, when completed. He said he is still hoping to see an amphitheater and a hole being filled in at the southwest section of the City, on 250 acres, on which one of the developers is involved in this, the infrastructure of our City and surrounding cities, will be directly affected. He said our roads, hospitals, emergency services and schools. He said it is time, to research, if COVID-relief money, is available, and he knows the City has talked about this, plus state and federal funds, to alleviate the short comings of EMS services. Scarcella said he knows the City cannot “go out” and buy personnel. He said may be, all the companies mentioned, with all their tax abatements, for 8, 10 or 12 years, could offer “seed money” to provide better EMS services or initiate a paramedic unit, re-established in the City, to protect their employees and protect their investment. He said they are talking about “12,000 plus employees”. He said, “what they see here”, he does not know. Scarcella said the roads are a mess, the schools cannot handle it, and the hospital is “off the cuff”. He said he has been in

business, in the City, for 49 years. He said he is happy for the development and employment, for the City, as it could help his and other businesses. Scarcella said if his brother was “viable”, and his wife was able to do CPR, how long could she have gone to the “point of exhaustion”. He stated it is two weeks ago today. He said he finds it unacceptable that Columbia County EMS was in route. He said they were only 4/10 of a mile from Lehigh Valley Hospital.

Barletta asked if this issue has been going on for years. Leshko said he sees it, “more and more”, as paramedics move around, and go from Lehigh Valley and Valley Regional. He said they go out to the private sectors to get better money. Leshko said EMS realized this and started giving bonuses and better salaries. He said some do not want to take the training and become an EMT or paramedic. He said when he started, as an EMT, in McAdoo, all they had was a person who knew CPR and a driver. He said MEDIC-4 was one truck. Leshko said the call volume has tripled. He said he wished he could “snap his fingers” to make it go away. He said the issue in Baltimore showed him it is not only in the City. Leshko said he reads about the “burnout”. He said COVID-19 pushed people to the limit.

Barletta stated she reverted back to 2010 when her father passed away. She said she remembers the situation with the ambulance. She said when she came onto council, she spoke to Colombo and he was with her. She said 30-40 minutes with cops and firemen taking people with a heart attack, up north, all the “way up there”. Barletta said they need to sit down, with the mayor, again, to come up with a solution. Perry said it cannot be specific to “Hazleton only.” He said they need to get Tarah Toohill and the state involved. Barletta thank Scarcella for voicing her concerns tonight. Barletta stated her father died eleven years ago and her mother got sick, four years ago, and waited 45 minutes for the ambulance. She said they got someone from Conyngham to come and get her. Leshko said he is all for “sitting down” to talk to anyone to come up with a plan. Perry said this may be “bigger than our City”.

Mark Rabo, 8 West 1st Street, said there are 700,000 people in the City of Baltimore. He said it is catastrophic not to have an ambulance there. Rabo said there is a ballot question, in May, for EMT’s and first responders, for any necessary equipment that breaks down, and borrow, in an immediate need.

Leshko said this is borrowing for fire apparatus and/or building additions and equipment. He stated all volunteer fire departments could apply for this. Leshko said they are adding 40 plus cities, and the City would be eligible for this. Leshko said this is a ballot question he supports. Leshko said the governor came out today promoting ballot questions but did not promote this one.

Rabo said the City needs to do their part. Leshko said he is doing his part. Rabo said he has been, “yelling at the City” for months.

Shelly Brutosky, North Locust Street, said she lived in her house for 20 years. She said she came to beg everyone to do something at the intersection of 15th & Locust Streets. She said accidents have always been, an issue, since she lived there, and in the last decade, have become more frequent and the severity of accidents has become uncontrollable. She said the posted speed limit is 25 mph, but the people, involved in the accidents, she would bet, are driving double of this. Brutosky said the main problem is poor visibility. She said the only time, to see at the intersection, is driving west to east, on 15th Street, from the Route 93 side. She stated she does not have a list of all the accidents, that have occurred, but is sure the City has them. Brutosky said she is “begging” them to review the numbers. She said, more recently, more businesses and homes are being involved in these accidents. She said three in the last, couple of years, she is aware of. She said Tony Costabile’s wall was hit at his business, in the middle of the day. She said a tan ranch home was struck, about one year ago. She said her house was struck one week, and a day ago. Brutosky said her house is not at the intersection and a good “distance up”. She said the cars are going at a high rate of speed and it does not matter if you are at the intersection. Brutosky said, “thankfully, her house is okay”, but she wants to read a quote, from Deputy Fire Chief Shawn Jones, which says, from the Standard Speaker, “the silver car nearly missed hitting a gas meter”. She said this is her gas meter he was referencing to. She said she is scared. She stated

she knows there are bigger issues, in the City, as drugs, getting ordinances passed, and gangs that take precedence over car accidents, but these accidents are out of control. She said there is a light at Alter Street, and 15th Street is, actually, Route 924, and a State Route. She asked for something to get done.

Perry asked Police Chief Schoonmaker to answer Brutosky's questions or explain the situation. Schoonmaker said he has received emails about this area. He stated they are trying to do some research into this. He said they all agree it is an issue, at this intersection, due to several factors. He said it still is a State Route and PENN DOT would be the one the City would need to plead with. Schoonmaker said prior fire departments and administrations have tried working on this issue. He said they will continue on with this "plight" to see what they could do with it.

Brutosky said she was driving by Boyer's and saw a speed sign. She suggested putting more speed signs, up and down 15th Street, letting them know it is only 25 mph. She said they could do this for the City to make their quota and making some money. She said it is in the late night and early morning hours when these accidents occur. She said more police officers could patrol in this area. She said, "raise my taxes, I do not care".

Schoonmaker said he, Leshko, and Mayor Cusat have been working on a couple of alternatives with problem areas in the City. Schoonmaker stated they are looking at several U-speed trailers with license plate reading technology cameras to try to concentrate on the heavier areas. He said there are several other municipalities and organizations working with the City with several other areas and not just 15th and Locust Streets. He said this is the one they want to, tackle first, because of what is going on. Perry said someone mentioned how bad Poplar Street is. Schoonmaker agreed. He said he gets complaints of people speeding and passing each other on Poplar Street. Perry asked if the City receives the signs that blink from PENN DOT. Schoonmaker said the City would have to purchase these and the ones they are looking for in enforcement. He stated the ones are the LPR's and active cameras to link to City Hall to monitor to see who the frequent offenders, time of day, and mapping. Colombo said the flashing signs do not deter them. Schoonmaker said the LPR software will track the times and events when this is going on, do a saturation patrol, in these areas, and call additional officers, to do traffic enforcement in these areas. He said he knew, as it gets warmer, this would become a problem. Schoonmaker stated they are trying to find the appropriate programs and equipment to deter it. Perry asked what it takes for PENN DOT, to act in an area, and does it take data. Colombo said they would need a traffic study with accidents in the area. He stated this takes time. Schoonmaker said the City would have to petition PENN DOT or the state. Colombo said one section, on Route 309 south, as soon as people get in there, traffic almost comes to a "standstill". He said people know that they enforce the speed limit in this town. He said the last number of years the accidents have gotten much worse with more rollovers. Leshko said for as long as he has been working in the City, the last 5-6 years, he has never seen as many rollover accidents, and not just 15th Street but side streets now. He stated when the medical issue happened, his crew was at a rollover at 20th & Laurel Streets. He said Chief Schoonmaker could confirm the City has never seen the accidents as they see now.

Mundie asked Schoonmaker if he could have more police officers or patrol in this area to get them to slow down. He said he knows people are going to work and coming home at night. He said he lived one block away from this area and has always been dangerous, including Alter and Vine Streets. He said coming up Locust or down Locust is horrible. Schoonmaker said the visibility is "horrendous" seeing in this area with the buildings and residents. He stated with it being dark or driving too fast will cause an accident. He said due to the call volume and manpower, it is difficult to get people to come out, even on overtime. Mundie asked if he could send council data on the number of accidents in this intersection. Schoonmaker said he will get this to them, in about one week, as he has started working on this.

Comments from Mayor: No comments.

Comments from City Administrator: Lynch stated Mayor Cusat had to step out to attend the Luzerne County council meeting.

Comments from Council: Colombo said council, Mayor Cusat, and the chiefs will work, diligently, on ambulance and 15th & Locust Street problems to make sure the residents are safe. Perry said the City has contacted the CEO of Lehigh Valley to discuss the ambulance issue. Colombo said the average life expectancy of a paramedic is seven years, from start to the end of the career. He said he knows because he went through this. Leshko said Colombo could come out of retirement.

Leshko said he read an article on volunteerism in the state. He said there were about 300,000 “some” volunteers and, currently, it is about 38,000, volunteers, in the state of PA. Perry said the City has trouble getting police and firemen. Colombo said the City needs help from “higher up”. He said he is sure the ambulance issue has happened to many people but have not come forward.

Mundie said the ambulance issue is a problem. He said when he was on council, ten years ago, there were ten companies in the City. He said Lehigh Valley has bought APT's and they need ALS and BLS. He said this is a problem in the City.

He congratulated Police Chief Schoonmaker on being in his position for one-year and the article in the paper. Perry said the Hazleton Fire Department has hired one new fireman. Leshko said Scott started last week, has had a week of training, and is doing wonderful. He said he is getting into the “groove” of everything.

Perry asked Schoonmaker if he has a new list of policemen. Schoonmaker said the testing is coming up with 20 applicants from the two colleges, the ACT 120, as well as several lieutenants and administration staff spoke to the students. Perry asked how many policemen he needs. Schoonmaker said, currently, six. He said getting to the end of the year, about eight or ten. He said when he and Officer Wetzel took their test, there were about 100 individuals, with different sections, and some taking it at Harman Geist Stadium. He stated it was an entire weekend process.

Perry thanked Sacco and Colombo for the City clean-up. Sacco stated there was a beautiful turnout. She said members from the Chamber, the Downtown with groups on Route 924 showed up. She said Sam Galski has been “up to speed” and good in “pushing and pumping it”.

Perry said We Are Hazleton, the city council organization, will donate money for the stolen handicapped chair/swing. He said they are just one “cog” in the wheel. He said Colombo has picked up some donations. Colombo asked any resident to help. He said it was stolen from Altmiller Playground. He said it is valued at \$2,500. He stated it is for handicapped children in wheelchairs. He said he spoke to other children who ride the swings. He said the children stated they just need to be pushed and they feel like they fit in. He said, currently, they are walking around saying someone “evil” stole their swing. He said anybody interested in helping is welcomed. He said any dollar amount will help. He said it could be sent to City Hall in attention to We Are Hazleton. He said the Hazleton Lion's Club and Standard Speaker are helping. He stated the swing will be replaced.

Perry stated LCTA and Colts were trying to merge, but the talks stopped and were “broken off”. He said they are trying to merge with the City. He said the commissioners decided not to go this route. Sharp said he sat in at their last meeting. He said the Lackawanna commissioners were not interested in merging. He said no one has reached out to City officials. He said he and Mayor Cusat said they feel it is not beneficial to merge with LCTA. He stated they are unionized, and the City is non-unionized. He said the City has a staff of four and they have a staff of twenty-five people. He said there would not be a savings but a cost.

Perry said there is a Texas firm seeking rare earth elements from the City's anthracite coal. He said they received a \$1,100,000 grant and was started a while ago. He said it does not get rid of all the coal, but it is used for rare earth coals, such as cesium, didymium and lawrencium.

Comments from Junior Council: Jillian McGeehin said the ambulance issue needs to be addressed. She said she lives in Conyngham, and the number of ambulances that are having to go to different counties and areas is ridiculous. She said she would like to see a change in this.

Jeff DeAngelo said he does not have much experience with ambulance problems, but with about 50 feet, at his grandmother's house, there is an intersection like this with a lot of car accidents and people hitting telephone poles. He said you need to "hope and pray" every time driving through there. He said there are houses that block the view. DeAngelo said the only thing is to have people change the way they drive through there.

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 8:02 p.m.