

**MINUTES
HAZLETON CITY COUNCIL
WORK SESSION
MONDAY, JANUARY 13, 2020**

Council met for a work session on Monday, January 13, 2020 in Council Chambers. The work session began at 7:10 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 and Fire Chief Donald Leshko.

Perry stated there are a few topics city council wants to address. He said one is the City of Hazleton's 2020 budget; what Perry recommended and for the new members to discuss. He said another issue is a possible RFP for an auditor and whether city council needs their own solicitor.

Mundie stated he was at the last city council meeting in December where it was discussed to hire two new code officers and open the budget. He said this is not a bad idea, but it is getting the money to pay for these employees. He said the City needs a code and health officer. He asked Mayor Cusat if PEL recommends the City does not hire any employee. Mayor Cusat stated the hiring freeze has ended December 31st, 2019 in the recovery plan. He said the City is "welcome to hire" as long as the City funds any position that he feels is necessary. Mundie said it would not cost a lot of money for these employees. Mundie stated the City does need another code officer. He stated a health officer who will do the Vector control should be a 1099 contracted worker. He said the state has one. Mayor Cusat said he had a ground hog at one of his properties in Freeland and was charged \$225.00 to have it removed. Mundie said there should be someone who charges a reasonable fee. He said this guy is the one who gets most of the calls in the City. He said professional companies will not "trap and remove". He said most of the complaints, from the City residents, are skunks, cats and opossums. He said the companies, in the area, are Seitz, Ehrlich, and a third company he could not remember. Mayor Cusat said this was a service provided by the City that is not anymore. He said the City needs to make a statement if they are not providing this service. Mundie said Mayor Cusat stated Mundie and Mope were the ones that got rid of the Vector control employee. Mundie stated he was not doing his job. Mayor Cusat stated he had a heart attack. Mundie said if the employee cannot do his job, he should be fired. Mayor Cusat said it does not work that way. Mayor Cusat said an employee cannot be fired due to sickness. Mundie said if the employee is not "physically fit" to do his job, he should be fired. Mayor Cusat said under the City Hall contract, the employee can bounce from "job to job". He said the City cannot just "let them go". He stated there are a lot of flaws in the contract. Mayor Cusat said if the employee cannot do one job, they can be moved to another job. He said that is why there are problems in the code department.

Barletta asked if the City is looking to hire a Vector or a code officer. Perry stated he wants to hire both. Mayor Cusat said, in the past, there was an employee who did the Vector control duties and worked out of the health department. He stated he would like to find a code officer that can double as the Vector worker. He stated, in the past, the City leased out the Vector control employee. He said he went to Freeland and West Hazleton. Barletta asked how much money this brought in. Mayor Cusat stated it was about \$15,000/yr. Barletta asked if there is anything, in the law, that states the City needs to have one. Mayor Cusat said no. He said the master service agreement says the City receives \$50,000/yr. for a health officer. Barletta asked where this money goes if there is no health department. Mayor Cusat stated the City should not be receiving this money. Mundie said he would not "get into this" due to legalities. Atty. Sean Logsdon agreed and said, "we will forget this right now". Perry said it would be two code officers that the City would hire. Mayor Cusat said if one code officer would specialize in health, and one code officer that would double as a Vector worker and a health officer is where he would "like to go". Barletta asked the starting salary for this employee. Mayor Cusat said the salary would start at \$36,000 but would like to start with "steps" to get to this amount. He said under the current union contract, anyone who does City Hall work would start at \$20,000. She asked about the total amount with healthcare

benefits. Mayor Cusat said \$59,000 per person with full health benefits. Perry said it would be \$118,000 for two employees. Mundie asked if he “factored-in” the pension funds. Mayor Cusat said he did not figure the pension contributions for these positions. Mundie said the City’s priority is to get out of ACT 47 and then the City can hire who they want. He said PEL has “signed off on this”. He said then the City would be paying pensions for “years and years” to come for these positions. Mundie stated the pension plan, for the City, is “out of hand”. Mayor Cusat agreed. Perry stated Mike Carpenter, DCED employee, said the salaries are “in line” with our region. Carpenter stated a lot of retirees are taking these positions for the healthcare benefits. Lynch stated the code officer, in Mahanoy City, also does the health officer position. He said his salary is \$42,000. Barletta asked the salary of the code officers. Mayor Cusat said it is \$20,000/yr. He said all four full-time employees are receiving \$20,000/yr. and one part-time employee receives \$10.00/hr. Barletta asked Mayor Cusat if he sees “any issue” with hiring an employee at a \$36,000/yr. starting salary and with employees at the old starting salary. Mayor Cusat said he has hired at \$24,000/yr., went to court, and lost. He said, in the past, there were issues with the City Hall union. He stated on January 12th, 2020, a ruling was received from the PA Department of Labor for the City Hall union to take another vote on whether they will be a union or not. He said he is looking to start negotiating soon. Barletta asked how many total employees are in the code department. Mayor Cusat said there are three full-time code officers, one full-time clerk, and one part-time clerk. He said their salary is either \$20,000/yr. or \$10.00 an hour. Barletta stated the City needs more code officers. She said they need to go “up and down the streets of Hazleton” to find the violations. She said this is the only way to clean up the streets. Barletta said the code office needs to become organized before hiring more people. She said they need to get the tools they need before adding onto the current situation. Barletta said the City needs to be more organized with the tools that are there. She also stated the business licenses need some organization. Barletta stated if they need a computer system, there needs to be policies and procedures in their department. Mayor Cusat stated the problem is there is not enough manpower to answer all the code calls. He said the code office is falling behind every day and cannot keep up. Perry asked what the duties are of the code employees. Mayor Cusat said they respond to code complaints and issue notices of violations. He said a lot of their time is consumed with paperwork. Mayor Cusat said they also do occupancy inspections with many homes being sold. Charlie Pedri, Code Enforcement Manager, stated they are behind by 128 inspections. Barletta asked what employee does the inspections. Mayor Cusat said the code enforcement officers do the inspections. Barletta asked if would save time and money to do this work on I-pads. Mayor Cusat said this is why the City has the GIS system, but there is so much work to put in the information. Mundie asked if there are part-time code officers. Mayor Cusat said, currently, there are no part-time code officers. He said the City has had part time employees, in the past, but they do not stay. Mundie asked Atty. Logsdon if the employee can sign an agreement stating the employee would need to pay back the money if they leave their job. Mayor Cusat said there is a difference between an employee making \$70,000/yr. as compared to \$20,000/yr. as a part-time employee. Mundie asked if the City can work a deal with the Hazleton Animal Shelter. Mayor Cusat stated the shelter will take in animals if they are dropped off and they have open spaces for the animal. He said the problem are the skunks and opossums multiplying with many groundhogs.

Barletta asked if it would be better to hire two more code officers and “getting away” from the Vector employee due to sending them to classes. Mayor Cusat said it is not a lot of schooling, but the employee would need many vaccinations. He said the employee needs to be willing to “go out” and work with the animals. Mundie asked how many Vector calls were received in 2019 and 2018. Mayor Cusat said he does not get the calls directly. Mayor Cusat said there are a lot of people who buy traps on their own, catch the animal, but do not know how what to do with the animal. Mayor Cusat stated every animal is released and no animal is killed. Barletta said the City needs to focus on the Quality of Life issues than the Vector issue. Mayor Cusat said he has no problem telling residents the City has no Vector control worker. He said it is more important to hire a code officer. Perry said PEL is not against any employee hire as long as the City funds this position.

Lynch stated the problem the mayor has is if the health officer was multi-faceted, then the employee would need to be paid more for multiple jobs being done. He said there is a “natural relationship” between the code and health officers. He said a lot of code issues become health issues. Lynch said then the City is dealing with the contract issues. Lynch stated then their powers change that go “way

beyond" a normal code officer. Mayor Cusat said there are some ordinances that can only be enforced by the health officer. He said the health officer deals with garbage complaints. Mayor Cusat stated a lot of the code needs to be updated if there is no health officer. He said then the ordinances need to be changed to state that code enforcement officers can handle these complaints. Perry asked Lynch what the cost is. Lynch said every 1/10 of a mill is \$86,000 in real estate revenue for what the City brings in. He said the overall delinquent rate is at a 95% collection rate. Perry said this would not happen until the City Hall union contract is finalized. Lynch said the money would just "never be spent". Barletta stated the employees may not be hired until 2021. Mayor Cusat stated he would actively be looking to hire these employees. Mayor Cusat said he would like to find a code officer who would not need health benefits.

Barletta asked how much money the code office brings in. Mayor Cusat said the money received from the magistrates comes in as a "lump". Lynch said this should be tracked on their end. He said Pedri stated there is a good collection on the fines. Mayor Cusat stated it has been a lot better lately. He stated Pedri is a former lawyer. Barletta asked whoever writes the violation needs to be there. Mayor Cusat stated they are also there. Colombo asked if there is anybody "in house" that can perform the Vector and code duties. Mayor Cusat stated Charlie Brogan, former Vector employee, is still employed by the union. He said if he feels there is an emergency, he will send Brogan out. Mundie asked Mayor Cusat if Charlie Brogan is counted with the code office. Mayor Cusat said no. He said Brogan is still certified and can go out "on a call" if needed. Perry said there was expected revenue, to bring in, from the Vector employee. He said there can be a Vector schedule made and the property owner can pay the City. Sacco stated this is a service provided by the City. Colombo asked if the City could lease the employee out to other municipalities. Barletta said there is so much revenue, out there, to be collected, i.e.- mercantile tax, code department and licensing. She said the problem is not having the manpower. Mayor Cusat said there was a mercantile tax audit conducted this year. Barletta stated it did not turn out to well. She said there is a simple way to collect the business mercantile tax. Mayor Cusat stated the business licenses are being scanned into the GIS system. He said then the business license can be "pulled up" to see who the property owner is and contact information. He said it is a pain to fill out. Barletta said it is necessary. She said there is a lot of money "in front of us" to pay for the code officers. She said she does not want to go after the taxpayers. Mayor Cusat said it is like gold mining; you just need someone to "dig it up".

Perry stated when he proposed this there would be certain revenue. He figured out the end cost would be \$48,000. Perry said there was an approved rate of 2.5% and this would be brought up to 3.4%. Lynch said it would be $\frac{1}{2}$ 10th of a mill which would be .05. He said this is making an assumption of generated revenue. Lynch said the cost for two officers would be \$120,000 with the assumption of \$80,000 with an increase in fines. Barletta asked what the average household increase would be. Lynch said it would be \$3.75 per median household. He said it is half of \$7.50 per household. Lynch said there are 9,700 total taxable properties in the City of Hazleton.

Sacco asked if the fines in the City are comparable to other cities in the state. Lynch said part of the ACT 47 grant is for the City to do recodification, and with this process, this will tell the City if they are under the average locally or nationwide. Sacco asked if the rates can be raised if they are under the average. Perry said the problem is the enforcement of all these. Barletta asked if there would be a difference in hiring one officer and then adding one more officer the following year.

Donald Leshko, Hazleton Fire Chief, said his department gets calls for "busted" water pipes at all hours of the night. He said then they need to find out who the landlord is and put the information in the tracer (GIS system). He said then the code department will tell him they have been to the property several times. He said the City is selling a lot of houses. He said the code office is behind because they are doing inspections or a code complaint. He said all the departments are referring all these issues to the code office. Perry stated the citizens know the City is understaffed and then take advantage of this. Mayor Cusat said the problem is the City is reactive and not proactive. He said, in 2016, the violations tied the City up and got "so far behind". He said he would like to start a unit to go and respond to the calls. Mayor Cusat said the employee would start on one street, make a list, then move onto the next street. Leshko said he gets many calls on the weekends for people renovating their buildings. He said the

residents are getting permits for replacing windows but have done other improvements. He said then the code office is called and notified. Leshko said the City is not aware of this unless the fire department is called for an incident. He said the code officer always comes to the property 99.9% of the time and makes sure the resident has the proper permits. Sacco asked if a fine can be written "on the scene". Leshko said there needs to be a notice of violation written. Atty. Logsdon said it is a "due process" thing. Then the resident has time (30 days) to fix their problem and the magistrate can administer more days. Barletta asked if the magistrate could issue this or can Pedri do this. Atty. Logsdon said if a resident is showing good faith, the City officers have the discretion to give the residents more time. He said if Judge Zola puts a big fine on a resident, and cannot pay, it does not help the City. Leshko stated there are a lot of homes being renovated from a half of double into apartments. He said then the zoning department needs to approve this. Leshko said the code officers are always doing something, and it is a long process. He stated since Pedri is managing the code department, it has been very proactive. Perry said Pedri does need help with hiring more code officers.

Lynch stated, in the past, he has worked in the code department in Mahanoy City. Lynch said for the size of our City, the normal number of code officers needed is six and three to four secretaries. He said the code officer is out "in the field" generating paperwork back to the office. He said he needs help in processing this paperwork. He stated the terms that are used are cases. Lynch said the employee picks up the phone, takes a complaint, goes out to the house, and sends a violation. He said this all could take over two hours. Lynch said if this case was fixed, then it would be marked, "case resolved". Mayor Cusat said an employee who does this is well worth over \$20,000/yr. Lynch said there is 3.5% of the total budget spent on the code enforcement department. He said, in the City of Pottsville, they have 4-5 code officers. Lynch said the code officer's salary, in Mahanoy City, would come from CDBG money. Mundie asked Mayor Cusat if he would "contract-out" some of the work for the code department. Mayor Cusat said no. Mundie said if he cannot get workers, he has no choice. He said the City Hall union contract has been a nightmare for the City. He said this contract expired in 2016. He said the parking, maintenance, and code departments have been "strapped". Barletta asked what the two new code officer's duties would be. Mayor Cusat said one would be proactive in sweeps, and the other officer would do a follow-up to the permits sold in the City and make sure the proper work is being done. Perry said there needs to be a plan in place to take advantage of the workers. Barletta asked Mayor Cusat if he wants to do this in 2020. Mayor Cusat stated the City Hall union contract will be settled in the next month. He said they either have to start a new union or there will be no union at all. He said the old union is out. Mayor Cusat said if there is no union, negotiations between each individual person needs to be done. Mundie asked Lynch if he can get together "a rough estimate" on how this would affect the pensions. Lynch agreed. Barletta asked what the cost is for fuel, cars and training for the employees. Barletta asked if the fire and code departments have gas cards. Leshko said yes. Mundie asked if the employees would use the existing vehicles in place. Mayor Cusat said yes. Mundie asked if employees could use their own vehicle and then pay for their mileage. Mayor Cusat said no; this is too much of a liability. Mayor Cusat said he is rotating vehicles "through". He said the code department has got the "hand-me-downs" from the fire department and now are getting "hand-me-downs" from the police department.

Lynch said the reason why he hasn't sent the normal monthly reports is because he is "hammering-out" some things to make sure these are the final numbers.

Mayor Cusat said he is going to ask city council, in February, to relook at the Quality of Life tickets. He stated the City was not able to issue these, the last several years, because the magistrate felt it was not given a proper due process to alleged violators. He said the code department would issue these violations. He said it is like giving out a parking ticket. Mayor Cusat said the City gets a percentage of the fine. Barletta asked what needs to be changed in the Quality of Life ordinance. Atty. Logsdon said he is working on this. He will contact the code department and the judge's office to see what the problems were, in the past, and rectify them. Barletta said the ordinance is the problem. Mayor Cusat said the City met with Magistrate Zola, in 2016, worked on this issue, turned their notes into council, but this issue "just died". Sacco asked if a separate officer would work on this. Mayor Cusat stated it would be one of the code officers. He said if one officer can focus on the Quality of Life issues this would be good. Mayor Cusat said it would be better if an employee who is more into "the sweeps" can go up and down the City

streets and give a violation ticket. Perry asked if the officer gives a warning or a ticket. Mayor Cusat said the Quality of Life is an instant ticket. He said the notice of violation is putting the resident on notice. He said if it is not fixed, then the resident would get a citation. Barletta said if there is a difference shown in 2020, then the residents would be more agreeable. Perry said it needs to be more streamlined and more effective.

Perry spoke of the City of Hazleton's audit and a possible RFP. Mayor Cusat said it has been a nightmare. He said, back in 2016, the auditor had finished the audit prior to June. He said the City is still waiting for the 2017 audit. Mayor Cusat said the audit is a function of city council. He suggested city council "put out" an RFP to do the 2018 & 2019 audit. Mundie asked if the current auditors have violated the contract. He said the City needs to have the audit at the end of "so many days". Lynch said there was a delay in starting the 2017 audit due to the administration office. Lynch said the auditors have not needed information in one year. Mundie stated it is not the administration's office fault. Lynch said they are just not getting the 2017 done. Lynch said he had received an email, about five weeks ago, stating the City would receive a letter but Lynch said he never received the letter. Mundie stated the audit done the first year was done on time. Mayor Cusat agreed. Mundie said he has heard the auditors have assigned different employees to work on the City audit. Mundie said the City needs the 2017 audit. Perry said with the City applying for a TAN note, the bank looks for the audit. Lynch stated this is not a problem because the City has worked with the same banking institution before. Perry asked what the auditor has given to the City in August. Lynch stated the auditor has sent a final draft, but Lynch said this cannot be said that this is the official 2017 audit. Colombo stated this audit was to be completed in November. Mayor Cusat said the audit was to be completed by June, 2019. Perry said if the City puts a "request out" this should not affect anything the City does. Mayor Cusat agreed. Leshko said every LSA grant that is submitted, the City needs to put their audited financial report with this request. Lynch said the City tries to be very forthcoming with their internal financials. Mundie asked Mayor Cusat if the auditor wants to "walk away" and not sue the City. He said, in the past, he recommended Dennis Moore and he did a great job. He said the person, who was here, "bounced him", and got another auditor. He said this other auditor was a nightmare and sued each other. Mundie asked if they are going to "walk away" without any litigation. He asked if they are saying this is not cost effective for the City. Mundie said city council is responsible for the audit. Lynch said he has no problem working as a liaison with them. He stated this is everybody's problem. Atty. Logsdon said he is working on this right now. Lynch said the auditor is requesting a new solicitor letter. He stated then months went by and nothing was received. Lynch asked if the auditor is just "buying time". Lynch said the City is telling a lot of entities that our solicitor is "looking into this" because this is "dragging out". Perry asked if the City can put out something at the next meeting. Lynch stated the City could put out an RFP but does not have to act on it. He said if something comes up later and then they want to walk away, he said "at least" this part is done. Mundie asked if the City is getting into anything legally. Mayor Cusat stated there is nothing illegal about putting out an RFP. He suggested the City put out an RFP and see what comes back first. He said their contract is through 2020. Mayor Cusat stated the auditor needs to do the 2018, 2019 & 2020 audits under their current contract. Atty. Logsdon said he hopes to have his "finger on the pulse" on what their ideas are before the next council meeting on January 22, 2020. He said what Mundie is referring to is called anticipatory repudiation. He said the City does not have to wait to sue the company before they breach the contract. Atty. Logsdon said he does not think putting out an RFP is anticipatory repudiation, but he said it is "really close". Mundie said the City should wait until Atty. Logsdon talks to the auditor to see where "they are at". Mundie stated he does not want to hurt the City's case. He said the auditors are thinking they are not making any money. Lynch said Joe Niemiec, Assistant City Administrator, stated the auditors will send out their first-year employees, just out of college, to do this work. Mundie stated it is harder and longer for these employees. Lynch said he is being asked where the City's 2018 audit is. He said this has not even been started. Mundie stated not having the 2017 audit is not good.

Perry stated PEL is recommending city council obtaining their own solicitor. He asked Atty. Logsdon's input due to conflicts at times. Atty. Logsdon said he has also spoken with PEL. He stated it would benefit council to have their own attorney in drafting certain ordinances and being "at odds" with what administration wants. He said his duties lies "with the City", and this is a major conflict. He said if administration has one idea, and council has another idea, it puts him in a difficult position. He said this

would take him “out of the equation all together”, and it is great. Mundie asked if city council agrees to have him do something and says someone else can do it, is this something he should not handle. Atty. Logsdon said it can be considered illegal. Mundie said he is not in favor in hiring an attorney but have an attorney “to go to” if city council needs them without a retainer. Mayor Cusat suggested city council obtain a conflict attorney. He said city council needs to come to a consensus and then have this attorney “in their pocket” in an emergency. Mundie asked if this needs to be RFP’d. Mayor Cusat said no. Perry stated this is a small amount of money in comparison to a retainer. Barletta asked if Atty. Logsdon “runs into this very often”. Atty. Logsdon stated this is a very unique scenario with this form of government with city council and the mayor. Mundie stated Luzerne County Council is voting to have their own solicitor. Mayor Cusat said this City is the only city in the state that has this form of government. Barletta stated it is a tough form of government, but she stated, “we are all here for one reason to do what is best for the City”. She stated there are work sessions to discuss these items and discuss this. She said there is no reason to put the money out for this. Mayor Cusat said city council needs to appoint an attorney “in case they need them”. He said if there is a conflict of interest with his attorney, Atty. Donald Karpowich, then he has Atty. Jack Dean “to fall back on”. If Jack Dean is a conflict, he would then turn to Bruce Philips. Mayor Cusat stated he had his “ducks in a row” in case of a problem. Barletta asked Atty. Logsdon about a certain liquor license transfer case that he had to abstain from if he would use this in that case. Atty. Logsdon said then he would use a conflict counsel. Barletta said it should not be going “back and forth” with city council and administration having their own attorney. Mayor Cusat stated the city code states city council should have their own solicitor. Barletta stated the City should have their own. She asked if it states the administration or city council should have their own. Mayor Cusat stated the city code stated the legal body, which is city council, needs their own solicitor. Lynch stated the city code states city council needs to have their own legal advisor. Mundie stated PEL is recommending this. Mayor Cusat stated PEL is strongly recommending this. Mundie stated city council will come up with a name but, hopefully, will not have to give a big retainer. Mayor Cusat said city council will need to have a fee agreement with a legal advisor. Barletta stated the City would have to have money, in the budget now, for this. Mayor Cusat said if city council would come to a conflict it would not be much money. He said if city council would hire their own attorney, then it would be about \$500.00/week. Mayor Cusat said there has not been a conflict since he was a city council member. Barletta stated there have been no conflicts the last two years. She does not want city council and administration to go “back and forth” on issues. She said she wants to keep it on a “positive note”. Lynch said it depends on whether the relationship between the executive and legislative branches “works out”. Perry said he does not want to ask Atty. Logsdon to construct an ordinance and then city council does not pass it. He said he has no problem with Atty. Logsdon working “as he is now”. He stated PEL was okay with doing this and talking about the issues. He said there is no need to abuse the system. Mayor Cusat stated city council members, in the past, had their own direction and would call Atty. Logsdon. He stated this would put the legal office in a “bad position”. He said this can all be worked out at the WORK SESSIONS and then advise the solicitor to spend money on creating an ordinance. Perry stated this would streamline the city council meetings. Mayor Cusat said this would not waste time on individual calls. Mayor Cusat said it has been better the last two years. Atty. Logsdon said the City of Wilkes-Barre does this form of communication. He said if their city solicitor has a conflict with the administration or city council, then they would use the conflict attorney. He said it also alerts them that when they go to a third party this would cost more money. He said they are a similar sized City as compared to Hazleton.

Mayor Cust spoke of the capital budget. Mundie asked if there is any money to “go into” the capital budget. Mayor Cusat said this is more of a “wish list”. He said there is Leshko in the fire department. Barletta asked if there can be a better plan in 2020. Mayor Cusat said the capital budget is required to “come out” by September 1st. Mayor Cusat said he know it would not get funded in the past. Perry said if the City can bring in more revenue than they can start a capital budget. Lynch said it is normal to have a capital budget in the City. He said part of the ACT 47 plan is to get out of the recovery plan and strive for some normality. He said it is normal to have a capital budget for capital expenses. He said 1/10 of a mill is equal to \$86,000. He said to buy very expensive fire equipment may need to be bought through the debt service through a bond. He said there can be money in this budget to buy a piece of equipment “down the line”. Colombo stated it is definitely needed. Colombo asked when was the last time a capital

budget was used in the City. Leshko said it was back in 1995. Leshko stated the fire department's pumper trucks last 20 years, and ladder trucks last 30 years. Mayor Cusat said if the capital budget was kept the last 25 years, it would only take \$40,000 to keep it going. Leshko said he has many ideas how to keep a capital budget running. Leshko said today, any vehicle purchased would be leased. Perry asked what amount does the City "start with" in a capital budget. Lynch stated the City needs a capital plan over the next 10 years. Barletta asked when the capital budget was "done away with". Leshko said back in 1995 was when the last fire truck was purchased. Lynch said Ryan Hottenstein, financial advisor, can come and discuss the options for the City. He said he can give an overview on different bonds and this can be structured in different ways. He said with a fire truck purchase, it can be done through bonds because of the long service life.

Barletta asked what is going on with the purchase order system. Lynch stated the current system gets a C-. Barletta stated she gives it a F. She stated some businesses still have their same purchase orders since October, 2019. Barletta stated the system, in the past, worked better. She said it was a paper system. Lynch said there was no system before. He said there is still some departments that are buying their equipment and then handing in their invoice and requisition. He said the invoice system is "odd" as a lot of departments are doing their purchasing and they are receiving the invoice. Barletta stated Leshko is "right on" in his gas. She said he is very hard to "compare to" because he is right down to the penny in his budget. Leshko stated to start the new year, he has his guys trained when purchasing any item "in bulk" they know they need a purchase order number. He said every vendor asks for the purchase order number. He said it is nice working with the local businesses. Barletta stated PO systems work if done the right way. She said Leshko gets an A+ with his fire department purchasing and gas purchasing. Barletta asked if the whole City can use gas cards. She said it would save money. Mayor Cusat stated it would not save money, but it would be better accountability. He said he has been discussing this for months. He said it would be better tracking for each individual vehicle. He said he still needs to use the gas pumps for the DPW department. He said it is hard to fill up the snowplows at the gas pumps. Barletta stated the fire department and PENN DOT fills up at the gas stations. He said this has been discussed at many staff meetings. Sacco asked if it is separate for "gas out". Mayor Cusat said he gets a "push back" from the police department with the gas cards. Mayor Cusat stated he likes the gas cards. Leshko stated there are several gas stations that leave their gas pumps on for their vehicles. Mayor Cusat said he likes to stay in the City limits. Leshko said the 24-hour diesel pump was not always available, but starting this year, they are available. Barletta said these are her recommendations for expenses. Mayor Cusat stated he has been advocating for this for a long time. He stated the DPW department does not use much gas as the diesel gas is used.

Mayor Cusat stated city council would need to make an amendment to reopen the budget. He said if city council feels if they are going to do something, then a new ordinance would need to be put on the agenda. He said there needs to be a consensus to start the process. Mundie asked Lynch to email city council what the difference is between hiring one or two employees and what the tax increase would be. Mayor Cusat said it needs to be on the agenda as a new ordinance. Mundie asked if this can be done later with amending the budget, hiring four employees, if the City has the money. Mayor Cusat said it is no problem hiring an employee as long as the funding is there. He said the City needs to follow PEL's recommendations or limitations as noted in the ACT 47 plan. Mundie asked how long the City would need to be under the ACT 47 plan. Atty. Logsdon stated he is not sure. Mayor Cusat said the law is five years. Mundie asked if the City could be out sooner than that. Mayor Cusat stated the City has been under the ACT 47 plan since June, 2018. Perry stated PEL looks at three consecutive years of a balanced budget. Lynch said PEL usually does not do early exits. He said there is nothing negative in being in ACT 47; just the connotation.

Barletta asked if the Assistant Administrator position, under the ACT 47 grant, was filled. Lynch stated it is now different under the contract. Barletta asked if he is "holding off" on this position. He said when discussing the budget, he wants to create a new position titled Director of Personnel. He said this position would be the same as Nancy Doyle's position. He said then, the Payroll Director position would

need to be replaced. Mayor Cusat said the funding grant is for one year; a total of \$40,000. He stated if the employee would need family health benefits then the grant would last about four months. Lynch said it is a worthwhile investment for his department. Lynch said smaller cities, i.e.- Pittston and Nanticoke, have 7-8% of their budget for administration costs where Hazleton is 3% of their budget.

Atty. Logsdon said Fred Kulick, city resident, who has come to several city council meetings to complain about the train locomotives, has contacted him again. He said there are, currently, four locomotives idling from Friday night until Sunday night making a lot of noise. Atty. Logsdon asked if he can look into what a sound study may cost or if he can file another formal complaint. He said he wants to let Mr. Kulick know the City is doing something for him. Mayor Cusat said he spoke with Atty. Karpowich today and has no problem with this. He said residents in Birch Knoll Estates are complaining about Hazle Creek Projects and the Hazleton Industrial Park. He said if the City starts to do this for one resident, the City will need to do this for the others. Perry asked Atty. Logsdon if he went to PUC. Atty. Logsdon said he filed a formal complaint. He stated the PUC said there is noise coming from somewhere else then the train station. Perry asked if there were other residents complaining around the train station. Perry suggested compiling a list of residents around this area with their complaints. Colombo said this is a "true" situation as the employees at the fire department hear this noise. Mayor Cusat stated he is okay doing this as long as city council is okay with this. Perry stated Mr. Kulick has lived there for a long time. Colombo said the last time he spoke with Mr. Kulick he stated the noise went away, but now it is back. Atty. Logsdon said the train station is telling the PUC that the train engines are "million-dollar engines" and need to be ran a certain amount of time. He said they also need to be preserved in the winter. He said they may use a pan heater, as an alternative, in the winter, to prevent the engines from freezing up. Mayor Cusat said it does not violate anything and he does not know if it is a City issue. Mundie stated the state or OSHA should handle this. He said the railroads "do what they want" and they don't care. Atty. Logsdon said it is fine during the week. He said, then, Friday night the noise starts. Perry asked what the other options are for the City. Atty. Logsdon said he can find out what a sound study would cost; not that the City would pay for it. He said the City can also file another informal complaint. Perry asked if there is a meter that can be used to determine the sound with the decibels being too high. Atty. Logsdon stated he will look around. He said he will not do anything that would cost too much money and report back to council. Perry said the helicopters taking off at Lehigh Valley Hospital are pretty loud. Leshko said a plant at Humboldt also has a dog food company that emits a bad odor.

Perry adjourned the work session meeting. The meeting was adjourned at 8:45 p.m.