

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
WEDNESDAY, AUGUST 12, 2020**

Call to Order: Council met in regular session on Wednesday, August 12, 2020 VIA ZOOM Teleconferencing. The meeting was called to order at 6:08 pm.

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

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

Minutes of Previous Meetings: The minutes of the July 8, 2020 Regular Meetings were approved unanimously.

Presentations/Proclamations/Communications: None

Bid Opening: Utility work being done on Old Airport Road, Hazle Township, for the Hazleton Public Transit Authority maintenance and storage facility.

Atty. Sean Logsdon asked City Clerk, Eileen Matenkoski, if there were a total of four e-bids received. She said there were four bids that came in, but one bid came in at 2:45 p.m., and this bid is ineligible. Tom Bergbauer, Project Manager of Johnson, Mirmiran & Thompson, Inc., said Yannuzzi, Inc., sent an email stating the bid left their inbox at 1:45 p.m. Bergbauer stated this bid will be reconsidered and a letter was sent explaining this.

Atty. Sean Logsdon said the first bid received is from Belles Property Management, LLC, Shickshinny, PA. Total BASE BID price for all items and numerals is \$172,475. He said the way the BID packet is set up, on this, did not request what the City looks for in a traditional BID BOND. He said it does require bonding for this job with the qualifications. Atty. Logsdon did not see a BID BOND submitted as a separate document as normally required. Bergbauer stated this project did not require a BID BOND but there are performance and maintenance bonds.

Atty. Logsdon said the second bid received was from M&J Excavation, Inc., Bloomsburg, PA. Total BID price was \$510,000. The third bid was from Franzosa Trucking, Inc., Hazle Township, PA. Total BID-\$537,680. The final bid was from Yannuzzi, Inc., Hazleton, PA. Total BASE BID price is \$575,200. Bergbauer said Yannuzzi's bid was declared NON-RESPONSIVE because it was incomplete. They did not submit all the forms required.

Atty. Logsdon said there is a very large disparity in pricing. He suggested the City engineer or project people to look at everything. Bergbauer said he will talk to them to make sure they have everything included. Atty. Logsdon agreed. He said the pricing seems "really, really off". Bergbauer said this also includes \$55,000 in allowances for the total bid. He said whatever balance is not used, at the end of the project, would be credited back to the contract. Atty. Logsdon asked if this should be tabled or can it be awarded. He stated there is a Hazleton City Council Special Meeting on August 26, 2020. Ralph Sharp, Hazleton Transit Authority Director, asked if this can be approved upon Bergbauer's approval or at the next Hazleton City Council Special Meeting on August 26th, 2020. Atty. Logsdon said this can be made as an acceptance of the Belles bid as the lowest responsive bidder on condition upon the City engineer

reviewing and approval. Bergbauer said this works. Atty. Logsdon stated if there are any disparities or errors this can be brought back at the August 26th, 2020 meeting. Sharp said if city council, Mayor Cusat, and Atty. Logsdon are okay with this, this project needs to get moving due to Hazle Township paving the road, out there, and he said he needs to get his utility work done first. Perry stated it is up to Atty. Logsdon. Atty. Logsdon said he would be okay with conditional approval and if there are any errors, missed here, it could go back on the August 26, 2020 agenda. He said it seems like a pretty large disparity between the four bids received or between the lowest bid and the other three. He stated an approval of the lowest responsible bidder, being Belles, conditioned upon the City engineer and project team review and approval. Perry asked if city council needs to vote on this. Atty. Logsdon said yes, when it comes up.

Perry stated the City of Hazleton's Hazleton Transit Authority received a \$10,000,000 grant. He said this is amazing and is not sure if anyone "around us" got close to this amount. Sharp said he applied, for this grant, back in April. Sharp said Congressman Meuser's officed notified him that the City of Hazleton received the grant for \$10,000,000. He said SEPTA, from Philadelphia, received part of this money they had. He said they got about \$2,000,000 and are a lot bigger than Hazleton. Sharp said the City of Hazleton did well. Perry asked if Lackawanna County received any money. Sharp said no, Colts or LCTA did not receive any money. Perry asked what the grant will be used for. Sharp stated PENN DOT had money in place but now that the City got this federal grant and this will be used towards the building. He said PENN DOT does not have to come up with all the state funds. Leshko said President Trump mentioned Hazleton, in his Twitter feed, about this. He said President Trump also mentioned Erie County.

Perry stated the city clerk will time all residents who will have courtesy of the floor on agenda items only.

Courtesy of the Floor (ON AGENDA ITEMS ONLY): Mark Rabo, 1st Street, Hazleton, spoke of Ordinance 2020-21. He suggested Atty. Logsdon to seriously look at this ordinance because it is in violation of the Third-Class City Code which sets a limit of \$1,000 per violation. Rabo said no City can go over this limit. He said Chapter 141A, Part C states, "violations of property maintenance code ordinance may provide for fines and penalties of not more than \$1,000 or imprisonment for more than 90 days or both for violations". He said passing this would be in violation of the Third-Class City Code. He suggested it either be tabled or removed from the agenda.

Rabo also spoke of Ordinance 2020-18 & 19- for the CDBG funds. He said, as he previously asked for in the past to use some money for reinstalling the Blighted Property Review Committee. He also spoke of Resolutions 2020-55 & 2020-57- Appointments to Authorities, Boards, and Commissions. Rabo said, several years ago, there was a problem with a person being on the Zoning Hearing Board and the UCC Appeals Board at the same time. He said this needs to be looked at. Rabo asked if these can be tabled until the next meeting for Atty. Logsdon to look into a possible conflict of one person being on both boards.

Rabo also stated he is strong support of Resolution 2020-60 for the social media page for city council. He said, this way, people can look at it because they want to know what is going on at city council meetings. He said going back to the property maintenance issue, there is also, a requirement, under the Third-Class City code, to have three copies of the property maintenance code at City Hall, for public review, at all times. He said Atty. Logsdon or Mr. Pedri should look at this, as well.

Perry said city council will try to answer his questions as they come up.

ORDINANCES AND RESOLUTIONS:

(1ST READING)

Ordinance 2020-20

An Ordinance Establishing A No Parking Zone On The North Side Of Columbus Court (1 READING)

Presented by Barletta. Seconded by Colombo.

On the Question:

Perry asked if there is one now with parking everywhere. Barletta said yes when she was “down there” she did take notice to this. Perry asked if the residents agree to parking on one side. Barletta said there is parking everywhere. She said they are parking on the north and south sides.

She said sometimes the residents park in the middle. She said there are three lanes, sometimes.

Perry

said one resident told him if they park on one side, they cannot get out their car door. He asked what side this would be. Perry said the south side is very narrow. He asked if people could get out of their cars. Barletta asked Brian Schoonmaker, Hazleton Police Chief, if they park on the south side. Schoonmaker stated yes, this is where the majority of people do as well as the people who visit the baseball park.

Barletta stated the north side is where people live. She said parking on the north side, people could not get out of their garages or houses because they park next to the houses. Schoonmaker said the north side of the court are primarily garages or the back side of most properties. He said there are a few houses that face the alley way but is very limited. Perry asked if Schoonmaker has a problem with this. Schoonmaker said no. Mayor Cusat said the south side is (*inaudible*) with no parking on the south

side. He said there is not a curb line. He said if there is parking only on the south side and they would need to face east when they are parking or the people will be parking into “oncoming traffic”. He said if they are parking on the south side, they cannot be facing west. Mayor Cusat said all the residents should know this. Barletta said, currently, they do not park like this. She said they pull “into it”.

Schoonmaker said most vehicles, parking there, face either north or south. Mayor Cusat said he is not sure how Pagnotti’s property is listed. He said all the cars are, actually, parking on private property.

He

said the people may not park on the south side, legally. Perry said this is private property. Mayor

Cusat

stated they are parking “face-in” onto the private parking and is not sure how it is listed. Schoonmaker said if the property is listed, as private, Pagnotti can have the vehicles towed at any given time, if it is their property. Mayor Cusat said correct. He said if the people are parking, facing-in, he is not sure if

it

is zoned for a parking lot. He said it is just a lot. Mayor Cusat stated if Pagnotti has the parking lot, no one can park, legally, on the south side either because then they would be blocking the entrance to their

parking lot.

Barletta asked if there are any signs there. She said the area is tough to determine on whose property is what with garbage and cars stashed there. She felt this is a good thing to put up because this is “killing” the residents. Barletta said they are not able to get out of their garage when people park on the north side. She said there are cars on the south and north side and continue to park “where they are”. Mayor Cusat said while city council is changing this, he suggested making it a snow ban only plowed to one side or the other. Barletta asked if this can be put in the same ordinance. Mayor Cusat said, currently, there is a no parking for snow ban in a separate ordinance. He said if city council would amend this to put in the ordinance, this would amend the previous ordinance. Atty. Logsdon concurred. He said city council does not need to do this now but needs to be done before the City starts plowing. He said it could be no parking, at all, in the alley or court. Barletta said this would also be put in for a traffic study. Mayor Cusat said he does not know if they would do a traffic study on a court. Barletta said no, she meant no parking in courts and alleys. Mayor Cusat said she thought she meant an actual traffic study. Barletta asked Atty. Logsdon if city council should add the snow ban, on one side, to this ordinance or amend the snow ban ordinance. Mayor Cusat stated they should amend the snow ban ordinance sometime before November. Atty. Logsdon stated he will make “a note of it”. Perry said this is first reading of the ordinance and city council has time to make any changes.

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

ORDINANCE PASSES ON 1st READING

Ordinance 2020-21

An Ordinance Amending CHAPTER 1, ARTICLE II, of the Hazleton City Code, VIOLATIONS AND PENALTIES (1st READING)

Presented by Perry. Seconded by Sacco.

On the Question:

Perry asked Atty. Logsdon if he wants to answer Mr. Rabo’s question, at this time. Atty. Logsdon said absolutely. He said this is also on the WORK SESSION agenda. Atty. Logsdon said at the last meeting there was discussion on the completely amended and independent fireworks ordinance outside of what the fireworks are in the code ordinance. He said the code ordinance states fireworks are banned, as established last time, and penalties are set-forth in the City code. He said he increased the \$1,000 fee to \$2,000 and the \$500.00 fee to \$750.00 for different violations as Mr. Rabo pointed out, building, housing, property, maintenance, health, fire, and public safety codes. He said, in reality, as discussed at the last meeting, the only thing the City wanted to amend was the fireworks ordinance under fire/public safety, or at least fire. He said this is the only thing he wanted to amend is this portion of the code. He said the second thing Mr. Rabo spoke of was the property maintenance code. Atty. Logsdon said he needs to find out if city council wants to do this. He said, currently, on the “books”, if a resident is caught setting off fireworks, in Hazleton, of any kind, without a permit, the resident would face up to a \$1,000 fine. He said, if city council wants to go forward with this, he would only amend the portion of it as it relates to the fire code issue. He said the chapter that relates to fireworks is under fire. He said then this would be amended and would be increased to a higher amount. He said city council does not have to do this tonight but can

be brought back to the table. Atty. Logsdon said fireworks becomes a huge issue at the end of June. He said then we “would get into the next thing” going into the fall. He said this is not an emergency. He said it is, “here is our code and here is what are fine is at \$1,000”. He stated the City can only amend this section of the code that deals with fireworks if the City wants to “hammer people for using fireworks” and still be okay with the Third-Class City code and leave everything else alone. He said he raised both the fines, equally, to keep it easier for council to follow. Atty. Logsdon said this is more of a “discussion piece”. Atty. Logsdon said this was discussed at the last meeting in amending the penalties provision instead of “throwing away” the whole ordinance. He said he needs to figure out if council wants to go above \$1,000 and exactly how much, and he can “amend from there”. Perry asked if city council should table this. He said it could be amended at anytime because it is first reading. Barletta stated it is just “upping” the fireworks to \$2,000 and \$750.00. Atty. Logsdon said yes. He said he increased them both. He said he would have to “switch it out” where it would be \$1,000 for building, housing, property maintenance, health, public safety, or for *(inaudible)* for \$750.00. He stated he would need to separate out fireworks if city council wants this to be at \$2,000. He said then this would be amended to reflect this and would stay at \$1,000 for the other violations that are already set at \$1,000. Sacco and Barletta stated they like the \$2,000 fee for the fireworks. Perry and Colombo concurred. Perry asked Schoonmaker how many violations the City had the past 4th of July at the \$1,000 fee. Schoonmaker is not sure if the residents have had their hearings yet. He said he has some time before he gives city council a definitive answer. Perry asked if there were “quite a few” that were given out. Schoonmaker said there were “quite a few” given out. Perry asked if Schoonmaker is okay with the \$2,000 fee. Schoonmaker said he is “game” for anything. Perry asked Atty. Logsdon if this should be amended. Atty. Logsdon said it is not “fireworks season”. He said he would like to re-draft the language. He said he will “bring it back” on the 26th. He said this should be tabled for now. Atty. Logsdon suggested letting it “die”.

Mayor Cusat said as long as it was presented and seconded, then city council needs to vote no to let it die.

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

ORDINANCE DIES

(2ND AND 3RD READINGS)

Ordinance 2020-18

Modifying Consolidated Plan for CDBG Program
Years 2013, 2017 and 2019 (2nd **READING**)

Presented by Perry. Seconded by Barletta.

On the Question:

Perry asked Joe Zeller, Community Development Director, if anything has changed since the last vote. Zeller said everything remains the same. Perry asked if the Health Officer is in this ordinance. Zeller said it is the next ordinance.

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

ORDINANCE PASSES ON 2nd READING

Ordinance 2020-18 Modifying Consolidated Plan for CDBG Program
Years 2013, 2017 and 2019 (**3rd READING**)

Presented by Perry. Seconded by Colombo.

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

ORDINANCE PASSES UNANIMOUSLY

Ordinance 2020-19 Modifying Annual Plan for CDBG Program Year 2020
(**2nd READING**)

Presented by Perry. Seconded by Barletta.

On the Question:

Mundie asked about the Health Officer position. Perry stated this ordinance contains the Health Officer employee for \$100,000. Mundie asked if this position would be for two years. Mayor Cusat said it depends on what it costs for the employee. He said it should be over one year. He said it depends on what benefit package they would need. He said if they do not need benefits, it would last longer. Mayor Cusat said if they would need benefits, then it would be about 1 ½ years. Mundie asked if the City has received any complaints, from the state, in performing inspections. Mayor Cusat said no. He said this money needs to be used for COVID-19. Zeller concurred. He said the City could hire a Health Officer in reference to make everything safer for COVID-19. He said it has nothing to do with restaurant inspections. He said this is more “COVID-related”. He said he spoke to the state, in 2019, about the health inspections and they would be happy to “give them back to us” because they are so far behind. He said they only have five inspectors for the whole state of PA. Mundie asked if this person would be on the pension plan. Mayor Cusat said yes, he is an employee. Mundie stated the City would need to make pension payments to him. He also asked what happens when the money runs out, if he would be laid off. Mayor Cusat stated when it comes time, he will decide next year. Sacco asked if this position would “run” under the Code Department. Mayor Cusat said it would be under the Code Department. Perry asked if the employee can also “do code” or just strictly Health Officer. Mayor Cusat stated health is tied into code. He said a lot of work the code officers are doing is Health Department work. He stated the Health Officer will take back a lot of the original responsibilities. He said, looking at the code book, a lot of ordinances could only be enforced by the Health Officer. He said garbage complaints are to be handled only by the Health Officer. Zeller stated the main function of this position would be COVID-related. He said everything else is ancillary. Barletta asked if the City would only enforce COVID-related for this position. Zeller said no. He said their primary function,

for this position, would be for COVID. Zeller stated if they come across other things, in their job performance, then this would be acceptable. Barletta said for the \$100,000, the City would have another employee who would be on the payroll. She asked if the City and PEL are okay with this. She said then the City would be “picking up” their healthcare and pension. She asked if the City would run into any problems here. Zeller stated it would be entirely funded, under the CARES ACT, for now. Barletta asked only \$100,000. Zeller said this is only what city council is voting on now for \$100,000. He said 1 or 1 ½ years from now and city council decides not to fund the position, permanently, or additional grant money, under the CARES ACT, would not become available, for the position, then the position would not be funded in the future. Barletta asked if this position would be completely covered under the CARES ACT. Zeller said everything, for this employee, when hired, in the near future, would be covered under the CARES ACT. Barletta asked if there would be any cost to the City. Zeller said no cost to the City; pension and healthcare would be covered under the CARES ACT.

Perry asked Zeller about the funding available, \$218,000, to assist businesses. Perry asked if they can borrow money. Zeller stated HUD had asked him to get his budget together. He said this is subject to change, in the future, if COVID would miraculously go away. Perry asked about the \$84,000 administrative fees. Zeller stated any job performance, by our staff, COVID related, cannot come out of CDBG line items and needs to come out of COVID line item. Zeller said any administrative activity, related to COVID, needs to be charged to COVID grant.

Mundie asked if city council could include, in the ordinance, if after spending the \$100,000 and the City has no more money to put “into it” that the position is eliminated. Zeller said whoever is hired, would be told, once the funding is done, the position would be eliminated. Perry said the City could not, automatically, keep the employee “on”.

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

ORDINANCE PASSES ON 2nd READING

Ordinance 2020-19

Modifying Annual Plan for CDBG Program Year 2020
(3rd READING)

Presented by Perry. Seconded by Barletta.

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

ORDINANCE PASSES UNANIMOUSLY

RESOLUTIONS

Resolution 2020-52 Authorizing an Amendment to the Police Civil Service Commission Rules and Regulations to Increase the Application Processing Fee

Presented by Barletta. Seconded by Colombo.

On the Question:

Colombo stated he has a copy, of the paperwork, that he received from the Police Civil Service chairman. He said the only thing changed is the application fee needs to accompany the application to \$50.00. Also, the age requirement for the applicant should be at least 20 years old prior to the day the application is submitted, and the examination conducted. (*inaudible*). Applicants must be at least 21 years of age prior to being hired and sworn in as a police officer. Perry asked Atty. Logsdon if the only thing “we are doing here” is just increasing the fee from \$30.00 to \$50.00. Atty. Logsdon said yes. He said this is something that was not done in the last amendment. He said the only thing done, in the last amendment, was the age requirement. He stated this needs to be uniform in increasing the fee from \$30.00 to \$50.00.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2020-53 Appointment to the Housing Authority- Amilcar Arroyo

Presented by Perry. Seconded by Mundie.

On the Question:

Colombo asked if Mr. Arroyo is being reappointed. Mayor Cusat said yes, he is being reappointed.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2020-54 Appointment to the Housing Authority- Scott Letcher

Presented by Perry. Seconded by Colombo.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2020-55 Appointment to the Zoning Hearing Board - Ralph Cameron

Presented by Perry. Seconded by Sacco.

On the Question:

Perry asked if there is a conflict with the same person being appointed to the Zoning Hearing Board and the International Building Code/International Property Maintenance Code. Mayor Cusat said if there is appoint him to the Zoning Board. He said Resolution 2020-57 could be tabled, until later, and Atty. Logsdon could get him an answer. Mayor Cusat said it is more important that he is on the Zoning Board. He said he realized that while looking at the list, one member, on the Zoning Board, is deceased. He said he asked him to fill in if he needed him. He suggested to let Resolution 2020-57 die or to table. Colombo asked if Cameron is replacing someone on the Zoning Board. Mayor Cusat said Scott Letcher resigned from the Zoning Board to take the Hazleton Housing position.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2020-56 Appointment to the Airport Advisory Board - Mark Ondishin

Presented by Perry. Seconded by Colombo.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2020-57 Appointment to the International Building Code and International Property Maintenance Code Board of Appeals (Building Officials & Code Administrators International)- Ralph Cameron

**NO MOTION TO REMOVE FROM TABLE
RESOLUTION DIES**

Resolution 2020-58 Approving Application for a Multimodal Transportation Fund Grant from the Commonwealth Financing Authority for Phase II of the Wyoming Street Enhancement Project

Presented by Sacco. Seconded by Colombo.

On the Question:

Barletta asked what the Wyoming Street Enhancement Project is. She asked what the City will see. Mayor Cusat said he has been trying to do a façade from Broad to Holly Streets. He said the City did two blocks this year. He said it was partially funded several years ago. He said every

year the City applies for this to go “up further”. He said the City is up to Green Street now but needs to go further north. Zeller stated the LSA grant is what funded the two blocks done in 2020 and with a paving project slated for, later this summer, on Wyoming Street. He said when the state sees the City is making progress with the LSA grants and paving projects with the SECTION 108 loan, they look more favorable in granting more money to continue, fulfill, and complete a project. Perry asked if this will be done in 2021. Mayor Cusat said the grant application will be awarded next year. He said he will see what happens. He said he is hoping to pave Wyoming Street, sometime in October. Zeller stated if not sooner. Mayor Cusat said the bids are going out tomorrow for Wyoming and Cedar Streets. Zeller said this is for curb ramps and also for other streets- Vine to Beech Streets and Pine to Buttonwood Streets. He said it is quite a large project. He said the bids are going out this week. Zeller said, hopefully, it will be awarded at the Hazleton City Council Special meeting on August 26, 2020 or the meeting after that. He said then this can get done, this year, before the inclement weather sets in. Mayor Cusat said the curb ramps need to be done before paving is started. He said it will be done this year.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2020-59 Approving Application for a Multimodal Transportation Fund Grant from the Commonwealth Financing Authority for Phase II of the Alter Street Improvements Project

Presented by Perry. Seconded by Colombo.

On the Question:

Perry asked if this is the same thing. Mayor Cusat said yes. Barletta asked if this is going from 2nd to 6th Streets. Mayor Cusat said hopefully.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2020-60 Approving the Creation of a City of Hazleton, City Council Social Media Informational Page

Presented by Colombo. Seconded by Sacco.

On the Question:

Perry asked Barletta and Sacco to explain this to everybody. Sacco said city council is looking for ways to inform the public, either snow bans, ordinances or whatever it may be. She said all four members are hearing a lot from residents who do not know what is going on or do not subscribe to the newspaper. (*Inaudible*). Barletta said they can post ordinances that were passed, such as the fireworks ordinance once passed. She said more people, on social media, are sharing and seeing it rather than going on the webpage that city council has in place. She said it is more of communication and transparency with the residents. Perry said it is all fact-based information. He said, hopefully, no residents will not be nasty towards city council. He said it will be up to date

because the website is not updated fast enough. Perry said he appreciates this. Colombo stated city council can inform the residents to what is going on, where we are at, and how they can get a hold of the members. Colombo said, "great job Allison and Lauren".

Atty. Logsdon said the way the resolution is laid out, with the Sunshine Act, and he said, "you know the drill". He said this is an informational page and this is a test run. Atty. Logsdon said, "you know how some people behave on social media". He said Barletta and Sacco will be the moderators. He said it will be a public page. He said there may be comment moderators. He said city council will need to decide how to deal with this. He said the Sunshine Act applies with no deliberations and no decisions made on social media.

Perry said this is something the City is already doing and "after the fact". He said resolutions will be on the page. He said they will do a good job with this. Atty. Logsdon said, "you always need to be safe with the Sunshine Act." He said to always be conscience of the Sunshine Act and always open to the duty to have an open public meeting with public comment. He said to be cautious about administrative decisions with comments being censored or monitored. He said people tend to get out of hand on social media. He said there are a lot of things to consider. Barletta said the Hazleton School District goes "live", for their meetings, on their page, so they can broadcast it. She asked if they could go on Facebook live and do this. Atty. Logsdon said yes, they do the same thing. He said city council can go on Facebook with a live ZOOM meeting.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2020-61 A Resolution Awarding the Contract for the Hazleton Bus Facility Utility Package

Presented by Perry. Seconded by Sacco.

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2020-62 Authorizing Lease Agreement for Hazleton City Police Vehicles

Presented by Perry. Seconded by Barletta.

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

RESOLUTION PASSES UNANIMOUSLY

New Business: Perry asked Atty. Logsdon if city council needs to vote on the Utility work by Hazleton Public Transit. Atty. Logsdon said this would be under NEW BUSINESS. He said it would need to be conditionally approved awarding the bid to Belles conditioned upon engineering projects and personal review to make sure of no errors. Perry said the city clerk would need to make a copy of this. Perry asked if it would be awarded to Belles. Atty. Logsdon said yes.

SEE RESOLUTION ABOVE.

Atty. Logsdon said he was talking to the Police Chief and Mayor Cusat regarding the leasing program with Enterprise Fleet Rentals to lease vehicles for the police department. He said the pricing quoted to the City is expiring tomorrow and did not realize this when the city council agenda came out. He said he sent over a late e-mail, to the city clerk, at 4:30 p.m., and realizes that no one has seen this. He said he kept it "bare bones" as to approving the leasing for the City. He said this was discussed before and wanted to bring it up again. He said he does not want the City to "blow any chance of funding". He asked if city council wants to put it as an add on and take public comment. Perry asked if city council has the actual information and if it was e-mailed to them. Schoonmaker said he sent it out to all city council members at the last meeting. Perry asked if it was in resolution form. Atty. Logsdon said he sent over as "bare bones" approving the agreement resolution. Barletta asked what the resolution says and asked if there is any pricing in it. Atty. Logsdon said he made the resolution just approving the agreement.

Lynch said he had earlier sent city council a breakdown and the presentation from Enterprise regarding this leasing deal. He said he would recommend the City do this. He said, furthermore, the relative amount of money it would cost, in 2020, and city council does not have to approve to sign the contract but they would need to memorialize the fact that the City would move forward and sign the contract. He said, in future budgets, it would be a larger amount of money that would need to be considered in the confines of the budget. Lynch said it is not a lot of money this year, and falls into what could be adjusted, by his office. He said it would be best that everyone is in communication about it and city council puts it to a vote, so it is memorialized. He said this is the point of the resolution.

Perry said he would need to present this resolution for a revolving lease agreement with Enterprise. He asked if city council needs to do this or the City would lose out. Schoonmaker said Nicholas Gilbert of Enterprise Fleet Rentals is on our ZOOM meeting tonight. He said with the City agreeing with this now, it locks the City into a little more savings for vehicle lease programs that are out there at this moment. He stated if the City was approved, in July, for this program, the City would have qualified for more discounts in the future. He said the sooner the City agrees to this and gets it started, the more savings the City could see in the next few years.

Perry said it is tough to do without any paperwork in front of them. He asked if the city clerk has an e-mail to send them. Barletta said city council members did not receive the numbers. Lynch said it was sent a few weeks ago, at the last meeting. Lynch said city council does not need to pass a resolution. He said it just needs to be on the record that council supports this. He said this falls within the scope of an amount of money that can be moved within the police budget. He stated councils' support is imperative because, going forward, it would be in future budgets. Lynch said at this point, administration needs to know that council is supportive of this. He said, honestly, council does not need to pass any resolution, but if they want to, they can. Lynch stated the idea is that council is supportive of the maneuver. Barletta stated it is a constant lease with rotating the vehicles out. Lynch said correct. He said it is not a binding time period, or anything, and in a future budget, it was cumbersome and council wanted to reduce this or not do it, the City would be able to get out of the lease. He said, over time, it would be beneficial. Lynch said he can resend all the information to city council members. Barletta asked if this is "in-line" with Co-Stars. Schoonmaker said their company, because of the bulk purchasing they do, throughout the country, is less and beats Co-Stars pricing, right now. Perry asked how many cars the City would get in one year. Schoonmaker said it is entirely up to the City what they would purchase or get rid of. He said this program includes stripping the old vehicles of the essential equipment, selling it off, and whatever proceeds, comes from the vehicles, would be put back into the lease purchasing. Barletta asked if they would sell-off the other vehicles that are "sitting around". Lynch said correct. Schoonmaker stated whatever they can get rid of, for us, they would. Perry stated Schoonmaker "went down" to check this out

for the City, to the Harrisburg area. Schoonmaker said he went to Annville to their distributor, "the one" that does all their upfitting. He said it is a great shop and uses all the equipment the City has now. He said they agreed to try to outfit, the City, with other equipment that might be better for the City's needs. Schoonmaker said it will be a few dollars cheaper for every upfit. Barletta asked if this is for the Durango's. Schoonmaker said the Durango's are approximately \$8,000 less than paying for a Ford Explorer. He said the only up-front costs for the City would be 50% of the after-market costs, put in the vehicles, if they purchase new equipment and the monthly lease payments for the vehicles. Schoonmaker stated, in the first year, if the City would purchase four vehicles and outfit them would be \$40,000. He stated for the second year, if the City would have more vehicles, it would cost the City more, depending what vehicles Enterprise would get rid of for the City.

Perry asked Atty. Logsdon if he sent the resolution to the city clerk. Atty. Logsdon said he also e-mailed the resolution to all the city council members.

Colombo asked if there is a vehicle that city council members could look at. Schoonmaker stated the most recent municipality outfitted is Montoursville, PA, by Bloomsburg, and can ask them to bring over a vehicle. He also said he can reach out to Rapid 911, the company doing the uplifting, and they would be "more than glad" to send up a couple vehicles if they have them in stock. Schoonmaker said they did not have any Durango's when he was "down there". He said, unfortunately, they only had Ford F-150's, Dodge Rams, Ford Explorers, Ford Expeditions and some Dodge Rams. He said they did not have any of the Durango's, to look at, at that moment. Barletta asked if the City would only lease the Dodge Durango's or "switching it up". Schoonmaker stated the City can switch to whatever we want depending on how much money the City wants to spend. He said, currently, leasing one of the Durango's with all the equipment required, would be \$8,000 less than what the City would be paying a year to buy one. He said the City is using seizure funds and what is available. He said, at this point, to save money is a "jump ahead". Barletta said she likes the whole lease because the City uses the cop cars the "hardest" and they keep rotating. Schoonmaker said at the end of five years, the City is easily within that 60,000-mile range. He said with the overall costs of vehicles, it is hard, in the City, to keep up with them. Barletta said since they are leased, Enterprise would take care of all the costs for the City. Schoonmaker stated, from what he understands, everything is taken care of as long as the City pays the lease. He said maintenance-wise, there is some maintenance the City would have to upkeep on their own. He said any warranty work, or anything like this, they would handle for the City. Schoonmaker said if some of the emergency equipment broke, a light bar smashed, the company from Rapid 911 has several representatives, in Shamokin, and would take the vehicle for the City. He said this would save the City the time and effort in driving the vehicle down to Harrisburg to get serviced. Perry asked if seizure money is always used to buy the City's vehicles. Schoonmaker said it has not always been, but due to budgetary constraints, the City had no choice. He said this is the only way, the past several years, the City was able to keep up. Lynch stated the City had a running lease payment of \$50,000 in the budget. He said this is not a new thing, to see in the budget, for the City.

Perry asked if all city council members have received the resolution in their new e-mail. Perry said he received it. He asked Atty. Logsdon what resolution "we are on". The city clerk said this resolution would be numbered at 2020-62. She said the Hazleton Bus Facility Utility Package resolution was numbered #61.

Lynch said he sent on July 9th, to the city clerk, the breakdown from Enterprise and his e-mail with his recommendations. He said the project would have a net savings over the course of the lease of about \$400,000, and maybe this is "over optimistic". He said the City should come out ahead and have a newer fleet of vehicles. Perry asked if this is the Fleet Planning Analysis. Lynch said the document is from Enterprise. He said it is called Fleet Management for the City of Hazleton. He said this is the financial breakdown. Lynch said it is a sound thing, to do, for the City. Schoonmaker said most municipalities are

doing it, around the area, to try to save overall costs of having to buy several new vehicles every year or replacing their dwindling fleet. He said the City has multiple vehicles that are close to the “graveyard” stage. Barletta stated Wilkes-Barre, PA, does this. She asked if anyone talked to them and how does it work out for them. Schoonmaker said he spoke with several people, up there, and they love it so far. He said everything is equaling out the way they expected it to be. He stated he can speak for several counties, up North, Northumberland and Pike county, and they are “jumping” on this. He said also a couple departments, south, in Schuylkill county, that have joined on with the vehicle leasing program to save overall costs.

Mundie asked Atty. Logsdon if city council needs to allow public comment and suspend the rules to put this on the agenda. Perry said yes. Barletta said there also needs to be a comment. Atty. Logsdon also concurred. Perry said city council will suspend the rules and put this on for public comment.

SEE RESOLUTION ABOVE.

Courtesy of the Floor (ON AGENDA ITEMS ONLY): Mark Rabo, 1st Street, Hazleton, asked if this vote is for Belles for approving the airport project. Perry stated city council already approved this. He said this is an additional resolution approving leasing of police vehicles. Rabo said he will talk on this one.

Rabo stated he strongly supports the new police vehicles needed. He said, as the acting police chief said, it is hard to keep up with everything going on, with many accidents the City gets, and also vehicles that come out of state. He said the police department needs an adequate number of vehicles so they can “do their thing”. Rabo said this needs to be done before the winter months come on. He said this is a necessary thing for the City.

Old Business: None.

Comments from the Audience: Mark Rabo, 1st Street, Hazleton, thanked city council and Atty. Logsdon regarding the Property Maintenance Code and the possible conflict issue with the member on two boards. He stated in regards to the solicitor, city council, and Mayor Cusat’s edification, he said nothing precludes the council from increasing the fees on the inspections for property maintenance, under the Third-Class City Code. He said this would pay for the inspectors for their time on the job. He said this would be a regenerative measure for the payment. He asked Atty. Logsdon to look into this.

He said he also agrees with Atty. Logsdon for the fireworks section of the City Code. He stated the problem is there is a section, in the fireworks section in the code, that refers to the violation and penalties, and refers back to the section that is being voted on tonight, Chapter 1, Article II. He said this section would need to be eliminated in the fireworks section of the City Code, and then put back, by city council, for the fireworks fines only. Rabo said it would only be for fireworks. He suggested Atty. Logsdon to look into this.

Rabo asked if a capital budget is being formed, by the City, with all these projects. He said it would be nice to organize this into a capital project.

Rabo wants to know what city council is doing with the Blighted Property Committee. He said with respects to demolitions and blighted properties, this would need to be done before the winter starts. He said, then, the committee could do their work.

Comments from Mayor: Mayor Cusat thanked Mr. Gennaro for his term on the Hazleton Housing Authority for 28 years. He said it is very painful to replace him after all these years. He said these are “big shoes to fill”. He said the City is moving in the right direction with many things going on right now.

Comments from City Administrator: Mr. Lynch said this will be a very critical month in starting to see what financial impact COVID-19 will have on the City's revenue flows. He said, in 2019, over \$1,000,000 of EIT revenue came in the month of August. He said this will be watched closely as the month of August goes on to ascertain the impact.

Comments from Council: Mundie said Luzerne County has 49 new cases of COVID-19. He asked Mayor Cusat how the City is doing and are there any hospitalizations. He said, as of today, there are zero patients in the hospital with COVID-19. Mayor Cusat stated there was one in the hospital yesterday but they were released and are back down to zero as of 3:00 p.m. today. He said there is not an explosion, but a slight uptick with a high in the single digits. He told everyone to be careful and will keep everyone informed. He said it can explode at any time.

Mundie said Mayor Cusat said, at the last city council meeting, he was moving around and hiring some people. He said all he wanted was a resume and an application to know the people he is hiring or moving around. He said city council needs to know because they are like the "board of directors". Mundie said they need to know what people are working for the City and what they can do. He said he requested resumes and applications from Mr. Lynch. He said Mr. Lynch sent him a letter from Atty. Jack Dean, labor attorney, stating, "applications and resumes cannot be turned over to city council as they are personnel related and contain private information. We can give them lists with hire dates and pay raises etc., that they should already have, but if they need anything in addition, let me know". Mundie said he has spoken with the Right-to-Know office. He said resumes and applications should be available as anyone can walk into City Hall and get these. Mundie said if Mayor Cusat is in agreement with this, he is telling Mundie he is hiring people without giving council information on who he is hiring. Mayor Cusat said once someone is hired, city council can see their application and resume. Mundie said this is all he wanted are the applications and resume. Mayor Cusat said city council can have them, and he is okay with this. Mundie asked if he could forward these to city council. He stated he is speaking for all the council members. Barletta asked Mayor Cusat if he can forward them to city council. Mayor Cusat said someone can get them. He said he has to see where they are. He said Gary's application should be with council as he had applied for the City Clerk position. He said Allison Keegan was already here and was moved from one spot to another and her resume is here. He said Allison was hired before he was in office. Mayor Cusat said Mr. Lynch would have the administrative assistant's resume. Mundie asked if Mr. Lynch could send council members the application of his new hire. Mayor Cusat said sure, he can do that. Mr. Lynch said what councilman Mundie had requested were the resumes and applications of employees hired, in the City, within the last five years. He said when he ran this through Accufund, the return is over 100 people, but includes summer help, part-time help and also includes city council members and the mayor. Mundie said he did not want the resumes of the summer help. Lynch said he contacted councilman Mundie and said, "this is not a problem, but will take some time". Lynch said, in the meantime, he wanted to personally, reach out, to the City's labor attorney. He said he is also an elected official and he cannot just "walk in" to a school and look at people's personnel files even though he has executive power. He said he wanted to run this by one of the City's solicitor. He said if Mayor Cusat and the solicitors are in agreement, he has no problem "pulling" this information and getting it to council. Lynch said there are still a relevant number of employees and will take some time. He said he was double-checking that this is appropriate.

Perry asked how much personal information, is there, that the public should not know about the people. He spoke of seeing social security numbers, addresses, etc. He said some information should be whited out or blocked out.

Atty. Logsdon said when Atty. Dean had issued his opinion on this, he did not indicate if the application or resume should leave the building. He asked if anyone who wants to review the resume to come to City Hall and do an in-camera review rather than taking a risk of disseminating someone's private information.

Mundie said if Atty. Logsdon is saying that he needs to come to City Hall to review these. Mundie said he has no problem with this. He said, according to the Right-To-Know Act, he asked Atty. Logsdon if this is what he is saying that city council does not have a right to a resume or application. He also asked if this is what Atty. Dean is saying. Atty. Logsdon said he cannot speak for Jack, but this is what Jack had said in relationship to the resumes. Mundie stated it is not a "bid deal" in sending out resumes or applications to council. Atty. Logsdon said he will confirm this with Jack Dean. Mundie asked Atty. Logsdon to send these out to all council members. Atty. Logsdon said, "no problem". Lynch asked if council just wants the City's recent hires or all hires, except summer help, within the last five years. Mundie stated he would like the past five years to know the City's personnel, background, and what they can do. Perry said these people do not work for city council and they are doing more work looking for 100 resumes. Mundie said this has been a problem in the past. He stated this is not a problem and he will copy them himself. Mayor Cusat said he cannot go and look through their personnel files. Mundie stated he does not want the personnel files, but all he wants are the resumes and applications which are public documents, according to the Right-To-Know Act. Barletta asked Atty. Logsdon to look into this. She stated city council received a bunch in e-mails, when she "came on", in the past. Perry said these were people city council members appointed. Barletta said city council received Mr. Lynch's resume. Lynch said city council should have received his.

Barletta stated she has received a lot of complaints with residents trying to pay their taxes at City Hall with the Berkheimer Tax Office. She said there are signs on the back door, at City Hall, with telephone numbers to contact them. She said they cannot get through. Barletta said she was on the telephone for over eight minutes and it just keeps "redirecting" the caller. She said the people are calling but getting mad because they cannot pay their taxes. They feel by the time they pay their taxes, they might get a penalty. She asked if there is a way to solve this. The City Clerk concurred. She said a lot of residents contact her office. She said it is more of the older residents, and they feel they cannot communicate with anyone. Barletta said a lot of residents do not have a phone to call them. Perry asked if Mayor Cusat has an answer for her. Mayor Cusat said City Hall is closed and Berkheimer's Office is a tenant at City Hall. He said it is not his responsibility to fix their phone system. He said he cannot speak, in behalf, of Berkheimer. He said as long as they send in their tax payment and is postmarked by the 18th, they would make the deadline. Barletta asked if Berkheimer is our tenant, why are we are closing the doors to them. She said residents want to pay their taxes but cannot. She asked if there is a way to, locally, help or have someone right by the door. She asked when Mayor Cusat was planning on opening the doors. Mayor Cusat said Berkheimer is "here", but he cannot force them to answer their phone, and they can do whatever they want. The City Clerk said Theresa of Berkheimer is here a couple days a week but is not sure if she is here 8 hours a day, and if she is here every day. Colombo said a lot of residents are real upset. He said he called Berkheimer and had the same problem. Barletta said a lot of residents like to pay their taxes, in person, due to the mail system. She stated the City needs to come up with a solution. Perry asked if there is a drop box in City Hall. Mayor Cusat said there is a drop box. Barletta asked on the side or at the back door. Mayor Cusat said it is at the back door. Barletta said a lot of residents are going to the side doors. Mayor Cusat said the side door states to use the rear entrance. Barletta said the sign on the side door, on the Green Street side, states to call an 800#. Perry stated the City needs to reach out to Berkheimer. Mayor Cusat said he has nothing unless city council wants him to open City Hall. He asked if we are ready to open City Hall. Barletta said, at this point, the City has had a fireworks celebration and can we work together to open City Hall. She said this may be the best, so it is easier for the public. Mayor Cusat said if his code and police departments say they feel safe and is okay, then he can open City Hall. He said these are the departments we are trying to protect. Sacco asked if there is a way not to use the back door, and "rope off" the police area, with caution tape, to keep the residents away from the police department and use the side doors. Barletta said this is a good idea. She said the public could use the side doors or one side and only clean one set of doors. Schoonmaker said when City Hall is open to everybody, coming in, other than employees and prisoners, there may be one person who comes in contact with COVID-19, spreads it, and will not know until it is too late. He stated this is why the City is keeping everybody quarantined outside of the building. He said there has been an overflow that Pedri is redirecting people to the side doors so the code department can meet them there. He said there can be 20-30 people at the back door at one time. He said they are told one or two people, at a time, at the back foyer. He said the City has put up signs to try to educate the public. Barletta asked if the City needs to change the process in coming to City Hall. Pedri said because of the number, coming to code,

he is redirecting the people, at the back door, to the Maple Street side door, which is closer to the code office. He said his code clerks are willing to do this to expedite the situation. He said, as the police chief said, there were 15 people at the back door with prisoners coming into the police department. Pedri said everything is directed to the Maple Street side, as the main focus point, for code, He stated this has been like this the past three days. Schoonmaker said the problem is redirecting everybody. They are still trying to gain entrance into City Hall. He said the police officers are in constant contact with them, even if it is not a 911 emergency. They are coming to the back door, picking up the telephone, and calling and asking for the code department, records, health and administration office. He said the officers are redirecting them with their phone numbers. He said the officers are telling the residents to leave the vestibule area, call their office and someone will help them. Barletta said something needs to be done with the tax office and talk with Berkheimer. He said residents are trying to pay their taxes but are running into a hassle. She said something needs to be done for the winter months. Barletta stated the City needs to come up with a solution and not having all the residents in the hallway. Schoonmaker said someone from administration needs to contact Berkheimer and tell them that there is a problem with their telephone system, City Hall is still in lockdown, and to open a line for the residents of Hazleton. He stated Pedri's personnel has been trying to help with the tax problem. He said he and the police officers have gone out there to help. He said there is no simple solution unless opening City Hall. Pedri said there is a mail slot and is checked every hour and a half. He said if anything comes in for taxes, it is dropped right off at the tax office. He stated it is more on the senior citizens because they want a receipt right away. Barletta said if the box drop is being used, this would need to be put in the Standard Speaker, to let the residents know how to pay their taxes. Perry suggested Lynch contact Berkheimer about this situation. Lynch said he can do this. Pedri said as the City Clerk has stated, the women are not there all the time. He said two women work in this office, a couple hours a day, and sometimes no one is there. He said if they call the 459#, the problem is there is no one there to answer. Barletta asked administration to let her know how they make out to let the residents know. Pedri agreed. Sacco asked Lynch if he can find out their office hours of when they are available. She said this can be their first social post.

Colombo commended the Streets, Fire, and Police "heads" on an outstanding job and work, as usual. He congratulated Chief Leshko for hiring the first female firefighter. He said he hopes it all works out well. He wished good luck to Leshko on his upcoming wedding.

Leshko said the new employee is working out well and is a good addition to the department. *(Inaudible)*.

Sacco congratulated Leshko and Tammy on their upcoming wedding.

Perry commended all the City Department Managers in still working through the COVID-19 pandemic. He said no office has stopped working. He said city council members receive code complaints with Pedri also receiving them. He also commended the DPW Department and Frank Vito in all their work.

Comments from Junior Council: None.

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 7:49p.m.