

**MINUTES  
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT  
ACT 47 GRANT HEARING  
COMPREHENSIVE PLAN & COST ALLOCATION STUDY  
OCTOBER 13, 2021**

Council met in Council Chamber and via ZOOM Teleconferencing regarding the Department of Community & Economic Development ACT 47 Grant hearing for the City of Hazleton's Comprehensive Plan and Cost Allocation Study. Andrew Sheaf, PA Department of Community & Economic Development-Local Government Policy Specialist, called the meeting to order at 5:10 p.m.

Council President James Perry, Council Vice President Anthony Colombo, and Council Members Allison Barletta, Lauren Sacco, and Jack Mundie were present. Also present were Mayor Jeff Cusat, Atty. Sean Logsdon, Dan Lynch, James Rose- DCED, Fred Reddig- PEL Representative, and Gerald Cross, PEL Representative.

Andrew Sheaf said he would like to commence, this hearing, to receive testimony for the City of Hazleton's request for a financial assistance grant, under the provisions of the ACT 47 Municipality Financial Recovery Program. He said he is a local government policy manager at the Governor Sensor for Local Government Services with the Community Development and Economic Development (DCED). He stated he represents DCED's Secretary, Dennis Davin, and will serve as the hearing officer this evening. Sheaf said they will be recording this hearing. He said this is an administrative hearing, testimony can be offered, but there will be no questions asked or answered. Sheaf said it was advertised, in the Standard Speaker, on October 11, 2021. He said the City of Hazleton was designated as a fiscally distressed municipality on September 12, 2017. On June 13, 2018, city council adopted a Recovery Plan which has been a "road map" for the City's time in ACT 47 which we continue to work through today. Sheaf said as a result of the City's participation in ACT 47, DCED has been able to help fund several projects and initiatives. He stated, to date, the ACT 47 funding has been used for an ACT 47 emergency loan for \$850,000 which was used, to the City, in October, 2017, in which the City continues to make timely payments on. Sheaf said the department has issued an ACT 47 grant for \$280,294 which helped supplement an Assistant to the Administration, overhaul the City's information infrastructure, conduct a Cost Allocation Study, update the City's municipal ordinances, update the City's Comprehensive Plan, and to assess the City's parking system. He said he is happy, to report, that progress has been made on all initiatives. On April 26, 2021, the City of Hazleton has applied to DCED's ACT 47's program for additional grant funding of \$30,000 to engage with a consultant for a user fee analysis to pair with earlier Cost Allocation Study, and an additional, \$70,000 to supplement the cost of the Comprehensive Plan. He said these two totals are \$100,000. Sheaf stated, today, they will receive testimony which, sets forth, a necessity, for these funds, and, subsequently, present the testimony and recommendations to Secretary Davin.

Sheaf said public comments could be issued at [ra-dcedclgs@pa.gov](mailto:ra-dcedclgs@pa.gov). He said these comments will be entered into the public record. Sheaf stated they will receive public comments, online, through the ZOOM platform, as well as in Council Chambers. He asked all participants, who want to provide testimony, to please unmute themselves and would ask the court reporter to swear-in all who offer testimony.

The court reporter swore-in all people testifying.

Sheaf said some people have pre-registered to speak and will start with these individuals. He said Mayor Jeff Cusat, from the City of Hazleton, would present his testimony.

Atty. Sean Logsdon asked Sheaf if he wants to lead the mayor, through his testimony, or turn it over to the City's Administrator. Sheaf said the mayor could offer his testimony for this grant application.

Mayor Cusat said the grant would help the City of Hazleton as did all the other grants the City, received, through the ACT 47 process. He said this is another step to bring the City, in this point, of time, where

they need to be. Atty. Logsdon asked Mayor Cusat the last time the Comprehensive Plan was updated. Mayor Cusat said, he believes, it was in 1988 that the last Comprehensive Plan was adopted.

Jim Perry, Hazleton City Council President, said both to these grants will be important. He stated they have been talking about Cost Analysis where they could identify if the City is charging, properly, for the services they are rendering. He said the Comprehensive Plan is something the City is "badly in need of". He said it will allow them to collaborate with the City's citizens, stakeholders and look at "their vision" 10-years out. Perry said they could get everyone involved. He said the City of Allentown's plan, Vision 2030, is an amazing application they have to look to see what they have been through. Perry said what they do here will be, instrumental, to help the City move forward and grow.

Daniel Lynch, City Administrator, thanked DCED for all the involvement in going through ACT 47. He said the process, for the City of Hazleton, has been incredible. He said when the City is ready to leave ACT 47, the City will be one of the success stories and viewed as a testament to the program. Lynch said when the City entered ACT 47, it was on "shaky" financial ground and service delivery was challenged. Lynch said there was a lot of demand just to get the normal service deliveries items out and the City's financial items "squared". He said the coordinator identified some specific items of issue and this was the focus of the grant. Lynch stated, at this point, of time, the City had no IT infrastructure. He said this part, of the grant, has been essential, and is huge factor for the City going through ACT 47. He said his department is impacted by the wage supplement and are a very small staff for the size of the City. Lynch said he has been working with the staff of four for the last couple years, including himself. He said an Assistant Administrator was pivotal. Lynch stated the Cost Allocation is an excellent study that allowed the City to get a "grip" on some of the costs and how it would impact them. He said the City updated, the City ordinances, to go along with the Comprehensive Plan, and has not been done in a long time. Lynch stated they were left to fall "by the wayside". He said this puts any municipality under the stresses of financial rigors. He stated the Parking Study gave the City a "good point" to move forward on. Lynch said, going forward, with this additional activity, a User Fee Study would pair, tremendously, to understand the way the service delivery happens in the City. He said they are looking to expand in what is needed. He said this grant was instrumental in plugging some very specific and strategic things that needed to be done and anticipates the Comprehensive Plan and User Fee Study would do. He thanked DCED for all their help in the City of Hazleton.

Gerald Cross, Pennsylvania Economy League, ACT 47 Coordinator for the City of Hazleton, said as coordinator, he agrees with the purposes for the grant, as stated in the City's application. Cross said the planning component, of the grant, is for \$70,000, and is to be paired with an earlier ACT 47 grant covering the same purpose. He said it is his opinion the City would need to utilize the additional planning consulting funds, under this grant, to prepare a proper Comprehensive Plan document which will serve the City well. Cross said not only is the current plan, outdated, and decades old, but the City's planning needs have changed, significantly, since the last Comprehensive Plan. He said the "Hazleton of 2021" has service demands from a growing and vibrant population which the prior plan could not foresee, to adequately plan and prepare for the City's future. Cross said the second component of this grant request is for \$30,000 to support the engagement, of a consultant, to prepare a user fee analysis of the City. He said this user fee analysis will complement the earlier Cost Allocation Study under the ACT 47 grant. Cross said the City is, currently, providing services and regulatory oversight to a growing number of citizens activities and demands. A proper fee structure and on-going analysis of these fees will ensure the City with the proper revenue to provide these regulatory and permitting services at their proper costs without the need for other revenue, to fill in, for an outdated fee and expense schedule. As the coordinator, I recommend the awarding, of the grant, for the City's stated purposes.

Mark Rabo, 8 West 1<sup>st</sup> Street, Hazleton, said he is a life-long City resident. Rabo said, recently, Hazleton City voted to adopt the amendment to the City's Zoning Ordinance. He said there is a lot of debate from the public, mayor and council as to how to "hash out" the Zoning Ordinance and has not been amended since the early 1990's. Rabo said the City's Comprehensive Plan has not been updated since 1991-1992. He asked how the Comprehensive Plan is going to be updated when the City Zoning Ordinance did a total comprehensive "re-zoning" of the City. He said the last time, he checked, under the State Municipality Planning Code, it states the Comprehensive Plan, of the municipality, needs to be updated,

first, before the SALDO or Zoning Ordinance could be updated. Rabo said the stakeholders, of the City, were not notified until after the map was presented. He said recent administrative actions and decisions “puzzle” him with properties and the City Land Bank. He said DCED needs to look into this, and, possibility, getting a third party involved, preferably the State Auditor General’s Office or the State Treasurer’s Office. Rabo said there is serious concern, here, of what has transpired.

Sheaf thanked all for participating tonight. He stated they will compile all the testimony, received orally, and any received by e-mail, along with their recommendations, and submit it to Secretary Davin for consideration. Sheaf said they will be in touch.

Sheaf declared this meeting closed at 5:24 p.m.