

**MINUTES
HAZLETON CITY COUNCIL
WORK SESSION
WEDNESDAY, FEBRUARY 10, 2021**

Council met for a WORK SESSION on Wednesday, February 10, 2021 via ZOOM Teleconferencing. The WORK SESSION began at 8:50 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, Fire Chief Donald Leshko, and Police Chief Brian Schoonmaker. Also, in attendance was Gerald Cross- Pennsylvania Economy League representatives.

Perry asked Atty. Logsdon if they need to take public comment on the WORK SESSION. Atty. Logsdon said yes to have public comment on the WORK SESSION. Perry said there is a WORK SESSION for **ORDINANCE 2021-6** -AN ORDINANCE REQUIRING THAT THE PROVIDING OF CABLE TELEVISION SERVICE BE AUTHORIZED BY FRANCHISE; GRANTING A FRANCHISE TO SERVICE ELECTRIC CABLEVISION, INC., A PENNSYLVANIA CORPORATION AND THE SUCCESSOR IN INTEREST TO SERVICE ELECTRIC CABLE T.V., INC., ITS SUCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM; PRESCRIBING TERMS AND CONDITIONS; ALSO PROVIDING REGULATIONS FOR USE OF THE SYSTEM; AND OTHER LEGAL REQUIREMENTS.

Perry stated he will open up, to the public, any comments, on this ordinance.

PUBLIC COMMENT: Mark Rabo, 1st Street, Hazleton, said he was always “perplexed” by this for the monopoly for cable services, throughout the past 60 years, with the cable company. He said, now, they need to come into the modern era and allow for competition. He said this is the benefit of free markets and capitalism. He said this is what makes America great. Rabo said competition makes businesses compete and the cream always, “rises to the top”. He stated he believes this and should be allowed, in the City, without having one monopoly that is sanctioned by the City. He said now is the time to allow for free markets and capitalism to be “at hand” for the City’s cable and internet services.

Mayor Cusat said it is not for sole proprietorship. He stated it is for a franchising fee. Mayor Cusat said if Blue Ridge wanted to come here, they could. He said this agreement is for the wires that are paid through the City. He said the City gets the money for this. Mayor Cusat said the City of Wilkes-Barre “signed-on” with Comcast. Perry stated someone would want to come here. Mayor Cusat said people think this is a sole franchise, but it is not. He said it is a business decision they would need to make. He said they are not giving them a franchise in the City. Atty. Logsdon stated no one has requested one. He said there is no AT&T or internet services. Perry said the City does not have Verizon FIOS and this is fiber optics. Mayor Cusat said they went “back and forth” on this. He said they cut the term, of this, down to 10 years. Mayor Cusat said the maximum, by law, allowed, is 5%. He said he asked for, in addition to the 5%, that they provide service to all the City’s buildings, at no cost. He said they gave this to him and will save \$90.00/month for six buildings. He stated it is about \$7,000-\$8,000 savings, a year, on top of 5%. Perry asked what they pay for the 5%. Mayor Cusat said it has gone down with 5% of their gross total to \$112,000. He said it used to be “big money” when there were no internet or satellite dishes. Perry said, currently, people have choices. Mayor Cusat said it is better than nothing. Perry said this will be on the next agenda. Atty. Logsdon said if this is okay with council members, it will be on the next agenda. Perry said yes. Mayor Cusat said there is nothing else to ask for. Perry stated it is a “mute” point. Atty. Logsdon said the City explored a couple different things. He said this is the statutory maximum and negotiated from the last agreement. He said the last agreement was for 30-year franchise. Mayor Cusat said the last agreement was done with Mayor John Ford. Zeller said yes, it was John Ford.

Atty. Logsdon said the 30 years was up, and that is why Service Electric contacted the City. He said this is a good deal and if council is okay with this, it will be on the next agenda, to get "it moving".

Mundie asked Atty. Logsdon if he reviewed other cities agreements. He asked if they are similar to our City's. He asked if he looked at Wilkes-Barre's agreement or somebody else's. He asked if their agreements are 10 years for 5%. Atty. Logsdon said they are very similar with "boiler-plate" language. Atty. Logsdon said it depends on who the provider is. He said Wilkes-Barre, based on what he saw, is with Comcast, and theirs is 3%. Mayor Cusat agreed. Mundie asked if their agreement is for 10 years. Mayor Cusat said they "went down" to 15 years. Mundie asked Mayor Cusat if he looked at any other cities besides Wilkes-Barre. Mayor Cusat said he happened to see Wilkes-Barre agreement in the newspaper. He stated the City is "maxed" out here. He said he tried to get more money, up front, and "top-loaded" knowing it was going "downhill". He said, talking to their lawyers, they are not allowed to go passed 5%. He said he came up with the idea for them to try, to install, more cables throughout the City. Mayor Cusat stated they cannot install, but since the City already has their service, through the buildings, they could already "comp" them for the City. He said he has the best deal out there. He said others are not getting free cable like he did. Perry said the City saved, some money, on this deal. Mundie said Mayor Cusat is a "super-negotiator". Mayor Cusat said the City will save \$90.06 per month for three fire stations, DPW, the airport, transit, and City Hall. He said this is a total of seven buildings. He said it will be a savings of about \$7,200/year.

Mundie asked if a copy, of the agreement, was sent out by the city clerk, to council members. Atty. Logsdon said he has an ordinance, itself, and a separate agreement, which "mirrors" the agreement. He said he will send these, along, to the city clerk and she will send them to city council members.

Perry congratulated Zeller on his appointment to the Hazleton City Water Authority. He also congratulated Frank and Rocco Formica for their appointments to the Hazleton Sewer Authority. He stated it is nice to "move people around". He stated these are five-year terms. Perry wished them well in helping the City.

Perry adjourned the WORK SESSION meeting at 8:58 p.m.