

**MINUTES
HAZLETON CITY COUNCIL
REGULAR MEETING
WEDNESDAY, MAY 12, 2021**

Call to Order: Council met in regular session on Wednesday, May 12, 2021 in Council Chambers and via ZOOM Teleconferencing. The meeting was called to order at 6:25 p.m.

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

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

Minutes of Previous Meetings: The minutes of the April 27, 2021 Regular Meeting were approved unanimously.

Presentations/Proclamations/Communications: Approval of public hearing for the City of Hazleton's Zoning Ordinance.

Atty. Sean Logsdon said the reason why he put this section, in the agenda, is for permission from city council to set a timeline for a date and advertise a full public hearing on the zoning ordinance and the zoning map. He stated this was sent over to the City's Planning Commission and to the Luzerne County Planning Commission. He stated this is approving a public hearing.

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

APPROVAL PASSES 5-0

Bid Opening: None

Courtesy of the Floor (ON AGENDA ITEMS ONLY): Mark Rabo, 8 West 1st Street, spoke of Ordinance 2021-13- An Ordinance Authorizing Amendments To The Fee/Fine Provisions of City Ordinances by Resolution. Rabo asked if this is based on two or three readings, and if it is based on two, he said the City solicitor needs to re-read the Third-Class City Code because under the Code, it states, "anything affecting a budgetary matter or anything amended, in the first or second reading, requires a third reading". He said this is why the City always had a third reading.

Rabo also spoke of Ordinance 2021-14- Amending Ordinance 2004-33, Certificate of Use and Occupancy (As amended by Ordinances 2005-26 and 2006-1). He said he told the City two months ago, regarding UCC rules, anything amended, above the limit, set by the state, the state would have to be notified. He asked if the solicitor or Mayor Cusat reached out to Labor & Industry regarding the UCC changes.

He also spoke of the bonds. Rabo asked if the City's audit is done yet, and how would this impact the borrowing. He asked how the City would know the Federal Reserve would not turn off the printing of money or stimulus within this year. Rabo said if this happens, interest rates will go "through the roof".

Rabo spoke of Resolution 2021-40- Resolution Authorizing the Administration to Explore Alternate

Means of Financing for Paving Projects. Rabo stated it was brought up, several years ago, regarding the impact fee. He said if the City solicitor checks, this is in the State Planning Code, under section 5. He said council has the ability to ask or develop an impact fee. He said the City has two major developments, Hazleton Creek and one by Birch Knoll. He said the trucks, starting the construction, that council has the ability to charge for any incoming trucks with fill or any construction material if the trucks are overweight. Rabo stated he hopes the City still has the scales purchased with donations by customers of the Hazleton City Water Authority. He said Mayor Cusat referenced the traffic study, several meetings ago, and could be used for setting up the impact fee. Rabo said the Planning Commission could work with the administration on this. Rabo said they do not want to “abdicate, but they need to delegate here”.

ORDINANCES AND RESOLUTIONS:

ORDINANCES:

(1ST READING)

Ordinance 2021-13

An Ordinance Authorizing Amendments To The Fee/Fine Provisions of City Ordinances by Resolution (1st **READING**)

Presented by Perry. Seconded by Sacco.

On the Question:

Atty. Logsdon said going through the City’s separate ordinances and going “through the book”, there are a lot of fees, penalties and costs that are all part of the ordinance and would have to be amended by an ordinance. He said rather than “coming through” and amending and re-amending, or if someone comes to look for the Parking Ordinance or whatever ordinance, and wants to know the fee, the City could keep track, by resolution if there are several amendments. Atty. Logsdon stated this authorizes council to be able to make fee amendments, to City ordinances, via resolution, rather than amending the ordinance.

Perry asked Atty. Logsdon to address Rabo’s question about two or three readings of the ordinance. Atty. Logsdon said if there is something that requires three readings, pursuant to statute, then it would require three readings. He said if there was a substantial amendment made, between the first and second readings, then it would be required for a third reading or considered the final reading. He said if it needs to be used, it will be used.

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

ORDINANCES PASSES 4-1 ON 1st READING

Ordinance 2021-14

Amending Ordinance 2004-33, Certificate of Use and Occupancy (As amended by Ordinances 2005-26 and 2006-1) (1st **READING**)

Presented by Sacco. Seconded by Barletta.

On the Question:

Atty. Logsdon said talking to the Code Department and with properties transferred, realtors and residents "closing" they are requesting use and occupancy inspections as quickly as possible. He said the City's standard fee is \$75.00 and \$450.00 for commercial. He said the City is "running into situations" where people are stating, "we are closing by 10:00 a.m. or need an inspection by 9:00 a.m.". Atty. Logsdon said in these situations, tying up code officers and putting these people in "front of the line", and these fees will reflect a "right away" "front-of the line" service, from the Code Department, it is going to have to come with a premium fee. He stated it would not be amending the Uniform Construction Code or fees. He said this is the City's administrative fees connected to the ordinance for use and occupancy ordinance. He stated council could discuss the fees, but they were looking at if someone has less than two weeks or a 15-day notice where if they need it done, tomorrow or in 72 hours, it really puts a burden on an already burdened office. He said the fees will be compensatory with the service.

Barletta asked Mayor Cusat how many times the City sees this happening. Mayor Cusat said there were twenty in the last month. Barletta said this is for "paying for a rushed service". Mayor Cusat said people call and say, "they need it tomorrow". Barletta asked why they are waiting so long and who could they reach out to let them know. Mayor Cusat stated, in the past, they did it without an occupancy certificate and the City then passed an ordinance that requires it. He said the City is "going after" the abstract company then, the abstract company tells them to bring their certificate of occupancy with them. Mayor Cusat said the people call the office telling them they need it today or tomorrow. Perry stated the abstract company or realtor needs to tell the people that they need to get this "way ahead of time" so they do not have to pay these fees.

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

ORDINANCE PASSES UNANIMOUSLY ON 1st READING

(2ND AND 3RD READINGS)

Ordinance 2021-12

Ordinance Authorizing Federally Taxable General Obligation Bonds, Series A & B of 2021 for the City of Hazleton (**2nd READING**)

Presented by Barletta. Seconded by Perry.

On the Question:

Barletta said she knows the City's audit is holding this up but as soon as they are done, the City could move forward. She said the City would not have to do anything else with the bonds. Brian Koscelansky, Stevens & Lee, said this is correct. He said they are held up "a little bit" with the

audits, but since the City started the ordinance process, it makes sense to finish this because they have advertisement requirements. Koscelansky said it gets filed with the state and they have their review time. He stated it is good until they “take it off”. He said this does not make a difference it is a couple months later. Koscelansky stated if they never do this deal, it only requires sending a letter, to the state, that this will not be done. He said since it was started, and the first ad was paid for, it makes sense to continue the process. He stated nothing will change when they wait for the audit and, hopefully, for the deal later on this year.

Perry said he is not sure if people, understand, that the City needs to wait for the 2019 audit to get done. Perry said this should be in August, sometime. Koscelansky said this is correct. He said the City has not been, in the market, for a number of years. He stated when they went back to S&P to do the rating process, they were uncomfortable, with the length of time and their requirement is to have the audit done within one year of when they do the rating. He said they thought it would be okay with the 2018 audit and then they called them, before the rating interview, and said they want to wait for the 2019 audit. He said they are “off a little bit”, but since the process was started, they do not want to pay another \$1,500 for the first ad. He said this gives them more time to approve.

Perry asked if the 2018 audit was holding this up. Koscelansky stated no. He said if the City had been in the market or had done a review, it would have been good. He stated the City has not been in the market since 2005. Perry said it would still be 45 days until it is completed.

Perry asked Lynch if he has started to work on all the S&P bond questions. Lynch said yes. Perry said, then, the City will be prepared when it is “ready to go”.

Koscelansky said after they get their rating, do the offering document, put it out to the investors, price the bond, and get the closing, it will be 45 days. He said by doing the ordinance, tonight, it allows to collapse the time, react and move quicker. He said this process will not have to be done again.

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

ORDINANCE PASSES UNANIMOUSLY

RESOLUTIONS:

Resolution 2021-39

Authorizing the Administration to Dispose of or Sell Certain
Decommissioned Vehicles and Equipment of the
City of Hazleton Department of Public Works

Presented by Colombo. Seconded by Barletta.

On the Question:

Barletta asked how the City will get rid of these, i.e.- auction. Mayor Cusat stated a lot of them were the vehicles just “sitting around over there”. Barletta said some are from years 2004 &1996’s. Mayor Cusat said the Escapes were bought in 2016 for \$1,000 back then. Perry said Mayor Cusat

is looking to sell or take them to Harry's-U-Pull-It. Mayor Cusat said some people have called about them to part-out. He said the City could put these on Municibid and Leshko handles the auction stuff. Barletta asked what #2 is. Mayor Cusat it is a vehicle "sitting over there". Barletta stated #1 is missing a VIN number. She told Mayor Cusat to "double check this".

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

RESOLUTION PASSES UNANIMOUSLY

Resolution 2021-40

A Resolution Authorizing the Administration to Explore Alternate Means of Financing for Paving Projects

Presented by Perry. Seconded by Sacco.

On the Question:

Perry asked if this is what the City wants to do from last year. Mayor Cusat said two years. He said this is the stuff they wanted to do with the PIB loan. He said the requirements do not meet the PIB loan, and pushing the City out more. He stated the cost of materials is going up. Perry asked if there is a difference in the rates. Mayor Cusat said he wants to be able to "shop around". Lynch said he has talked with a couple private banks and they felt they could be competitive with the PIB rate. He stated the PIB rate is 1.65 and, over a series of emails, and on their website, it states Luzerne County is in the "low twos". He said in an RFP situation, with the municipality, they may match the PIB. Perry asked what the timeline turnaround is. Mayor Cusat stated Alan Wufsus, City Engineer, is working on the bid specs and will put it out for bid. He said he is working on the bank bid. He said he is hoping this would be done by summer. He stated it would be around \$1,800,000-\$1,900,000. He said it will be a nice project and expects bigger companies to come in and bid.

Barletta said this includes the entire Hilltop: Franklin, Carleton, Terrace, Buttonwood and all the streets the City cannot use Community Development funds. Perry said correct. Barletta asked about the creation of David Avenue, Terrace Blvd. to Broad Street. Mayor Cusat said this is an extension from Ferrara to where Dr. Child's office is. Perry said it is a dirt road. Mayor Cusat said it shows up on GPS. Barletta asked if houses will be going up there. Mayor Cusat said he would like this to be developed in the future. He said there were plans, in the 1990's and early 2000's, for developments. He said he is looking to build a tax base. Barletta stated there is nothing "set in stone". Perry said there are multiple owners of that property. Mayor Cusat said it has been for sale with billboards there. Barletta said that no one lives there. She asked if the road will be paved. She asked if there are utilities "up there yet". Mayor Cusat said no. Sacco stated there is a big "pole there". Colombo said it "stops at Ferrara". Mayor Cusat said they will see what they receive from the RFP and the costs. Perry said they could say they do not want to do, "this and this". Barletta stated this is something Mayor Cusat would decide. Mayor Cusat said he needs to come back to council with the proposal for the money. Barletta stated, "looking at this", she thinks it is a great idea but does not feel comfortable with #6, "the creation". She said this is a road no one even lives on and would rather put it where residents live and drive. Barletta said there are not even utilities there. Mayor Cusat said the City is starting to do this to show the City is making an effort for expansion. Barletta asked if there are plans in place yet. She said it is a different story if there are plans, but how much would it cost to tear up, in a year, this road to put in the utilities. Mayor Cusat said they would not tear the road up. Barletta stated they would have to tear it up for stormwater. Mayor Cusat said the creation is the infrastructure and does not know if the water and sewer would be put on the side. Barletta said it also needs curbing. She said, "looking at this", she is completely fine with Lynch going to look for this. Perry agreed.

Barletta made an amendment to remove #6- creation of David Avenue. She said no one lives on the street, no one uses it, and is a waste to the taxpayer. Perry said they could get an idea of what it costs. Mayor Cusat agreed. He said by creating the street, the City would get money, every year, from liquid fuels, and generate money, every year, from this road. He stated it would become half a mile of road. Mayor Cusat said if any roads “branch off” of this road, the City would receive money from those. He said it is kind of like a “spur”. He stated if the City puts this road in, comes and develop it, there is a potential of getting an extra two to three miles of road where they would see extra in addition to the liquid fuels every year. Barletta said this is a “positive”, but at this point, looking at the roads, there are a lot of other roads that need repairs. She asked if Mayor Cusat spoke to PENN DOT with the City going out to Broad Street with a light or stop sign. Mayor Cusat said nothing yet.

Perry said the City would get a price to take it out.

MOTION TO AMEND #1:

Presented by Barletta. Seconded by Mundie.

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

MOTION TO AMEND PASSES 3-2

Barletta asked Mayor Cusat if there is another road to be added that is deteriorated and heavily traveled by residents. Mayor Cusat stated council could add anything they want to it. She said when the City gets the bids, they could say, “we have this amount of money” and “lets add another street”. Mayor Cusat said if the City would not “seek this”, they would not know how much it would cost and how much they could get. He said they would, then, need to another resolution at some point. Lynch said the City is still funding roads that are about 20-25% of what the optimal road funding would be. He said if the guidance of all the roads to be caught up, he said he does not know if the City would get there. He said his street was built by his township before houses were built because they expected it to happen. Barletta asked Lynch if he sees the streets in Hazleton. She said these are one of the biggest complaints. Lynch said there are places, in Ryan Township, where he is afraid his wheels will fall off. Barletta said if the City does a road, with nothing “in the works”, this will attract crime and drugs. She said this will be a big issue. She said if there were plans, that would be fine, but there is nothing. Lynch asked what the “marker” would be, for council, to build the roads. Barletta stated she would like to add another street and is asking if there is another street to replace this one. Mayor Cusat said he will spend money any time and has no problem spending. Lynch said the City would have roads deteriorating, every year, and not improving. Barletta said the City is still getting rates, from the banks, and just get rates for six streets. She said council could come back and have another “say on it”. Sacco asked what road is by Height Terrace School, making a left and is “pothole city”. Colombo said this is part of the school district property. Barletta said the City wants to spend money on roads to repair but no one lives there. Perry asked if the creation, of the road, would be included in the \$1,900,000. Mayor Cusat said the cost of the creation of the road is about \$1,000,000. Barletta said the City could still get the creation and see what the rates are like. She said the City is still getting the same price. Mayor Cusat said council, now, this resolution puts five streets, in here, and the City could get the pricing, on the loan, for about \$900,000. Barletta asked what other street could be added and could make an amendment in here. Sacco asked if council could make a second resolution to make up the “other half”. Mayor Cusat said they could do what they want. He stated if they want a resolution to go out and find someone to

loan the City \$3,000,000 to pave, he will take that resolution. He said he just put in specific streets in the resolution. Barletta asked if they could make an amendment for another street "to be determined" after council talks to Mr. Vito and the mayor. Mayor Cusat stated council could say, "Jeff go out and find \$1,500,000, \$1,900,000, or \$2,500,000 in financing". Barletta said she likes that the mayor "broke this down" and is good because it shows what the City is getting done for the summer. Sacco asked if they could amend this to a dollar amount. Mayor Cusat said they could amend to get financing up to \$2,500,000 and include this.

Atty. Logsdon asked if they voted on the first amendment. Barletta said yes. She said they took #6 out. Mayor Cusat said up to \$2,500,000 in financing and they do not have to spend it but could find a bank that would loan it to them. He said the "max" should be up to \$2,500,000. Atty. Logsdon said someone could make a motion. He said this could be done to the resolution.

MOTION TO AMEND #2:

Presented by Sacco. Seconded by Barletta.

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

MOTION TO AMEND PASSES UNANIMOUSLY

Presented by Perry. Seconded by Sacco.

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

RESOLUTION PASSES UNANIMOUSLY AS AMENDED

New Business: None.

Old Business: None.

Comments from the Audience: Mark Rabo, 8 West 1st Street, spoke of the \$18,000,000, the City is receiving, from the local Recovery Fund of the Stimulus Plan. He asked if council and administration decided on how this money would be utilized since the Treasury Department issued their guidance. He said he sent the information, to all the officials, from the U.S. Treasury Department. Rabo said he would like to personally see council put in a separate account, as Luzerne County is doing, and work with administration and Mayor Cusat to determine where the money could be disseminated and how the criteria applies to the guidance from the Treasury Department.

Rabo said for the new creation of the Terrace street, a few months ago, about an official street map the City needs. He stated this would be a good idea, going forward, with new development and any new streets constructed or extended. Rabo said the City could show this to PENN DOT and the state would give the City more options in terms of financing. He said this is in the Third-Class City Code and the Planning Code. Rabo said the Planning Commission could bid out for a street map to be created. He said if the City wants to extend or construct new streets, then these would be in order and the City could go to get financing through the banks or the state.

Rabo asked about the drop box, for the election, that is located in the basement at City Hall. He said the Election Board said it would be bolted and secured. Rabo asked Mayor Cusat if he spoke with someone at the Luzerne County Election Board or Luzerne County Administration in relation to the security of the drop box. Mayor Cusat stated they set it up. Rabo asked if they put "security or nothing". Mayor Cusat stated (*inaudible*).

Nicarol Soto, 206 Berner Ave., Hazleton, said she has a few questions for the administration to follow on what Rabo was saying about the money the City is getting. She said some of the guidelines is to use for the City's broadband. Soto asked if they could use broadband on the lights. Mayor Cusat said these are not the City's cameras. Soto asked who would be responsible for the operation of the cameras. Mayor Cusat said it is their cameras. Soto asked if they are using them. Mayor Cusat said "I do not believe so". Soto asked if the City could use the money to make them work. Mayor Cusat stated everything they said, so far, is very general. Soto stated the City has a population of 25,000 with 42 policemen. She said this is not enough policemen to combat crime in the City. Soto said these tools could be used to operate and have "crime on check" and combat crime, especially, now, in the summertime, with cars speeding on Broad Street. Soto stated if the cameras are, in place, it would be helpful to combat crime, especially in the areas where there is a lot of drugs and crime. Mayor Cusat stated these cameras are helpful for traffic lanes. He stated, in Pennsylvania, the City cannot enforce traffic violations, via camera, except for the state police. Atty. Logsdon said, locally, they do not have the capability, even including radar.

Soto spoke of the bonds. She said she heard there would be about \$700,000 left and asked if the City could use this to buy equipment. She said the City is short on ambulances and asked if this could be used to buy an ambulance. Lynch stated the problem with this is the recurring costs of staffing it. Perry said the City would have to start their own, but the ambulance is owned by Lehigh Valley. Perry stated he does not know if the money could be used for this. He said this would cost the City some money. Lynch said if the City buys an ambulance, and if it costs \$500,000, and hire five guys, and all "told" it is \$500,000 for the five guys, this is \$500,000 every year. Lynch said, with personnel, the City would commit to this cost. He said the grant does not give the City's recurring money.

Lisa Racosky, 175 Birch Knoll Drive, said she wanted to talk about the Birch Knoll project. She said Andy Mehalshick "came up". She said she had him look at everything. She said he spoke to Mayor Cusat. Racosky said Mayor Cusat said the residents should have been aware of this. She stated no one was aware of this. Racosky said if she was aware of this, she would have never of moved up there. Racosky said they should not be paying taxes up there. She said she knows "you people" do not care about this area. She stated the streets do not get plowed, roads are not cleaned, and the fire hydrants do not work. Racosky said they have this huge, monstrous warehouse going up behind her house. She said her house will not be worth anything. She said this is why she worked two jobs for 40 years. Racosky said, "you people have to put yourselves in her place". She stated something has happened, to her health, and this is why she needs her current house that is one floor. Racosky said they busted a water pipe and was a day without water. Sacco asked who "they" is she referred to. Racosky said the new company who is working on it. She said there is water "back there" because no one is doing anything. She said, now in the summertime, there will be mosquitoes, snakes, "whatever". She said kids are going back there with their quads. Racosky stated it looks like a big swimming pool and is going to start charging. She said it is "absolutely ridiculous". Perry asked if they busted a water line. Racosky said yes; they were

without water for one day. Perry asked if it was fixed. She said it was taken care of. She said this is only the beginning of this. She said the "so called" barrier is not coming until 2022. She stated council saw what happened to her house. Racosky stated she cannot stop the winds coming through there. She said she will not have a house left. She stated the wind is horrible. Racosky said if they left the trees by the houses, they would not be talking right now. She said she received a letter that they are going to start blasting underground. She stated her house is on cinder blocks. She said she has no foundation and asked who would be responsible. Perry asked if they reached out to her. Racosky said "she has no problem screaming at them also". Barletta asked Racosky if she has the letter. Racosky said yes and gave the letter to council. Barletta asked what they are blasting. Perry said it is "full of rock" up there. Racosky said it will affect everybody. She stated no one is on a foundation up there. She said some people rent the lands, and some own them. She said she owns her land. Racosky said if her house, goes over, "somebody will pay for it". Sacco asked if there is a property owner at Birch Knoll Estates. Racosky said yes. She said it is like talking to the government, does not want to know nothing and wants no parts of them because they do not contribute. Mundie stated the City has tried to help residents at Birch Knoll. He said it has been a problem for a long time. He said they cannot plow the roads there because they were not dedicated and never did what they were supposed to do. Mundie said they were supposed to get the roads up to "specs" and the City to accept them. Mundie said this is why the City does not go in there to plow and they cannot take care of the roads because they are private. He said the developer never did the right thing. He said it all stemmed from the original developer of Birch Knoll. Racosky stated he wants money from them, but she said she cannot pay both, him and the City. Mundie stated there are "private" snow people and "private" pothole people. He said the City cannot go in and fix these roads, as much as they like to, because they were never dedicated by the developer. He stated this is a major problem. Racosky said if they open up one of the roads, nothing but drug dealers will be coming in. Mundie said if they could get lights and cameras there, it may deter this. He said it has been a problem for 25 years. He said the developer never got the roads up to code. Mayor Cusat said nothing meets specifications up there. Mundie stated the developer had his own people, own paving, plowing, and snow crew. He said the City could not go in there to help them. Mundie stated the developer went to jail and should have been in jail 10 years prior because he took advantage of a lot of people in the whole development. Racosky said he never told the truth to the people when they moved there. Mundie said he knows exactly of what she is talking about. He stated the City's hands are "tied" because the developer did not do what he was supposed to do.

Racosky asked what she is supposed to do to protect her property. She said the barriers that are not coming until 2022. She said she needed them yesterday. Perry asked what kind of barriers are going in. Racosky stated some kind of wall and does not see it happening. Mundie said maybe they could push them to make the barriers sooner. Racosky asked how she will protect her property. She said the winds are a "nightmare". Sacco asked if there is a board of directors or property manager. Racosky said there is a property manager owns this, with his two brothers, and lives by Scranton. Sacco asked if she has paperwork with their names on it. Racosky said no. Racosky said when the previous owner had it, she did, but not with the current owner because she owns the land. Perry stated it changed hands, from the original owner to the Land Bank. Racosky said he is a "nightmare". Racosky said she does not want to be nasty, but they need to put themselves in her place. Barletta stated, "they totally understand and should not be dealing with this". Racosky said she bought the house to have peace and quiet. Perry said he will try to reach out. Racosky said the company that is putting the warehouse up stated, "they want to be good neighbors". She stated they are not being good neighbors. Barletta asked if Mayor Cusat spoke to the company who is putting the barriers up. Mayor Cusat stated this is the final landscaping project. Perry said the developer group is from Camp Hill. Sacco stated this will be the "last piece to the puzzle". Perry asked if the City could do something with the blasting. Racosky said people in Mountaintop are dealing with this and their foundations are getting cracked. She said her house is on cinder blocks and is not tied down. She said if they start their blasting, what will happen to her house. Lynch asked Racosky if Birch Knoll is still actively managed and if she pays fees. Racosky said she does not pay fees because she owns her land. She said this is why she bought the land so she would not have to deal with Dave Valenti. Lynch asked if there are anything in the bylaws to protecting the properties. Racosky stated, "he

could care less, he is in Scranton, has a girl managing it, going through people “like crazy, and is a disaster. Lynch said there should be civil representation on behalf of Birch Knoll. Racosky said she asked Dave Valenti if he checks people before they come in. She said Valenti stated, “oh sure, we did, Lisa, we check them”. She said anybody is let in and do not check them out. Lynch said not in “the sense” of who is let in but who collects fees, they own the property and should protect it. He said it is a civil manner and should have civil representation because of damage from an abutting property damaging another abutting property. Sacco asked if there is anyone else, up there, from her community, who has problems. Racosky said they just do not complain but there are issues up there. She said the majority, up there, are Hispanic. Perry asked if she is being affected the most. Racosky said she cannot talk to them and does not know what goes on. Racosky said they mind their own business. She said where she lives is great. She said the problem is the warehouse going up and is worried about taking any more damage. Perry stated they should cover any damage. Atty. Logsdon stated correct, they are not allowed to damage another property. Racosky stated they left it go, for two years, and did nothing. She said they planted trees but will take 20 years to grow. Sacco asked Racosky if she has any pictures. Racosky stated she has a lot of pictures. She stated she has everything and takes pictures every day. She said she wants to be protected and worries about “me” and this is all she is concerned about. Racosky stated she does not care what happens in the City. She stated she pays taxes and gets nothing in return. She asked council to point her in the right direction. Atty. Logsdon said she may want to consult an attorney if there is damage being done to her property. He said this is a step she could take. Racosky asked what kind of attorney she would need. Atty. Logsdon said she could see a general practice attorney. Racosky said she does not want to keep coming here “yelling at you people” but wants her house in one piece. She said she has a fence and carport. Racosky said she fears when the blasting starts, and the quality of life is gone. She said no one bothers them. Racosky said “someone with a brain” could have sat down and said, “hey, let’s let the people know what is happening back there”. She said it is all about the money, just like the government. She has been up there for 25 years. Racosky said she will look into an attorney and see what she could do there. Perry said he suggests she does this and has a “cover” in case something happens in the future. Racosky said the barrier is supposed to go up in 2022 but could go up in 2023 or 2024. She stated she is willing to work with them, but fears what will happen with the blasting. Sacco said she may have to rally people in her community. She said there are “power in numbers”. Racosky said she cannot talk to most of the people up there. She said there are a few people who know what is going on; one is 83 years-old and one is in a wheelchair. Barletta said she needs to let them know all the information. She said the water is coming onto Church Street, big potholes, but has big barriers up in one lane. Racosky stated traffic is horrible. Mayor Cusat said they need to widen the road. Racosky there are kids, up there, going on their quads, blaring music. She said the cops are up there all the time. She said the cops have better things to do. Racosky stated this town is not what it used to be. She said she will hire a lawyer and take it from there.

Comments from Mayor: No comments.

Comments from City Administrator: No comments.

Comments from Council: Mundie said the summer is coming with nice weather. He asked Mayor Cusat if there are any problems with the City’s lights. Mayor Cusat asked traffic or streetlights. Mundie said streetlights. Mayor Cusat said he has not heard of any problems with the lights. Mundie said some residents complain when the lights are out. He said they state it promotes crime and is a problem.

Mundie stated everyone needs to get out to vote on Tuesday, May 18th. He said there are good candidates and incumbents running.

Barletta asked if the light poles taken down, in accidents, will be replaced. Mayor Cusat said several are on back order, for about 1 ½ years, due to the insurance companies and accidents. He said the company

the City was using, for many years, has gone away. He stated they need to start all over again. Barletta asked if it is the same company that installed the new City lights. Mayor Cusat said no, not Smart Watt, but the electrical company. He said all the metal poles are made to order. He said they plan on putting up wood poles in the meantime.

Barletta said, in the Standard Speaker, Mayor Cusat stated city council is holding up the 2018 audit and 2018 questions. Mayor Cusat said when Grace Cuozzo, was here, she started questioning the accounting process. Cuozzo stated there was money missing and stolen. Barletta said it was an audience member who stated this. Barletta said people thought council was holding up the audit and wanted to make this clear.

Lynch said regarding the audits, each subsequent audit shows a better picture of the one before. He stated the 2017 audit looks bad, and just looking at this, with the City going into ACT 47 with a \$800,000 deficit, the 2018 audit is a little better, and 2019 & 2020 have dramatic improvements. Lynch stated these are held up with technical accounting reasons that effect the balance sheets but not with money missing. He said when the auditor finds this, they need to address it and is like "peeling the onion". He said they are correcting the 2018 issues, and concurrently, corrected for the 2019 audit and are moving much faster in the 2019 & 2020 audits. Lynch said the City should have up to the 2020 audit done by the late fall.

Perry said there are many people working in the Community Development Office: Robert Moore, Joe Zeller, Karen Parrish, and Annetta Williams. He said he does not understand how it came to a "halt" and now the City is speeding past this. Lynch said he is not involved "with this" because it is downstairs, but they were doing a lot of cash basis entries instead of being accruals. He said they had to go back, unpack them, and correct the trial balances. He said there was some older stuff creating issues that were personnel sources in the past. Lynch said they needed to correct some mistakes. Perry said the City is expecting to get 2019 audit done and start 2020 this year. Lynch stated the City should be done with the 2020 audit this year with the 2019 moving as quick as any normal audit. Lynch said there were some 205 issues, and some things were not expressed the way they should have been for him as an auditor. Perry said Robert Moore helped out with this. Lynch said they have been helpful, and they made a lot of "headway". Perry asked if they will permanently be there or only at audit time. Lynch said he has told the state and Mayor Cusat that the City needs to explore a third-party to help prepare and facilitate the audit. He said a lot of cities do this. Lynch said the City's financial administration office is "bare bones" in their staff count. He stated his office is busy doing the job of running the City. He said the tertiary level of accounting and address issues as they come up quickly and efficiently would be helpful. He said he is using his Assistant City Administrator, internally, to keep it moving and "shepherd it along". Lynch stated when there are technical issues, with the audit, they could come, through the City, to Robert Moore and get it "ironed out" more quickly, in the future, to prepare and address the questions ahead of time. Perry stated COVID-19 did not help and slowed the City down to a halt.

Barletta asked if Mayor Cusat looked at impact fees. Mayor Cusat said this went back and forth, in 2011, to the Hazleton Creek Project with the new saldo ordinance. He said he is not sure where it would fall because the impact, is minimal, coming into the City. He said an impact would be about a quarter of a mile on one development and is a state road and one mile at the most. Mayor Cusat said the City is doing the saldo ordinance over, which means subdivision and land division ordinance. He said this one has not been touched in "many, many years". Atty. Logsdon said if an impact fee would be feasible, it would be "popped in" into the land development ordinance.

Perry said the City has received their highway aid money. He asked if this is less than 2020 and is this where the money will come from borrowing. He said the City is already using this money for equipment and taking more out for paving. Lynch said, "like monetizing", being committed to an "X" amount per year. Perry stated the City has a line-item for paving which is not a lot but is something there. Perry asked Mayor Cusat about the City Hall union contract. Mayor Cusat stated they have made big strides

this week and the last two weeks with City Hall, DPW and the police department. He said they made really good progress. He said they are negotiating, all three contracts, at the same time. Barletta asked, "if they are all up". He said the City Hall contract expired five years ago.

Perry said Atty. Logsdon recently spoke of the City's imminent domain issue at the City's weekly PEL meeting. Atty. Logsdon said the appraiser had come up, did his evaluation and he is waiting for his report.

Perry asked Atty. Logsdon if the City's EIT petition hearing is on Friday, May 14th. Atty. Logsdon said yes, at 1:00 p.m.

Perry asked about the City's Land Bank. Mayor Cusat said this issue will be voted on at the next Luzerne County Council agenda. Atty. Logsdon agreed. He stated the City is on the next agenda. He said he sent them the City's ordinance that was passed as to have a "play book" as to what the City is doing.

Perry said he and Sacco recently attended a Lehigh Valley ambulance meeting. He thanked Don Leshko for organizing this with the "high ups". He said LVH is going to get into the Hazleton Career Center and schools to try to train more people. He said he and Colombo always say there is not enough people. Sacco said the incentive program is tremendous. Perry said just getting people to want to do it and are losing people to other industries. He said they will speak, also, to the Hispanic community. Perry said they will use the City's EMT's, in the fire department, instead of waiting for Columbia County to come. He said he was surprised they did not publicize their problems. Sacco stated they are going to come up with a "code of conduct" for the use of 911.

Perry said council received information, from the PA Municipal League, about the \$17,000,000 the City is to receive. He said it talks about infrastructure, water and storm sewers. He said he hopes the City knows about this before buying a VACTOR truck. He said there is a lot of paperwork and answers.

Perry thanked Sacco and Barletta for the Hometown Heroes Banner program. Sacco said they are in and will be up and completed by May 30th, 2021.

Comments from Junior Council: No comments.

Adjournment: Perry motioned to adjourn the meeting. Meeting adjourned at 8:00 p.m.