



Allentown

435 Hamilton Street
Allentown, Pa. 18101

Minutes - Final

City Council

Wednesday, June 28, 2023

6:00 PM

Council Chambers

Special Meeting

Roll Call

Present: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Natalie Santos, and Santo Napoli

Appointment of City Solicitor

[15-6001](#)

R108

Appointment of John F. "Jack" Gross as City Solicitor at an annual salary of \$70,000 effective upon passage of this resolution.

Attachments: [R108 Solicitor Appointment \(John F Jack Gross\)](#)

[John F. Jack Gross Resume](#)

[Memo from Mayor](#)

[Resolution #30659](#)

Mayor Matt Tuerk thanked City Council for their flexibility in scheduling this meeting. This meeting seems like a long time coming. Not for the Solicitor's Appointment, but for a couple other items on the agenda. He is grateful for Council for being flexible to get additional items on the agenda. He stated that he is pleased and honored to be able to present Jack Gross to them as a candidate for Solicitor of the city of Allentown. He spoke of the work that Matt Kloiber did first under Mayor O'Connell and was an amazing Solicitor. He thanked Mr. Kloiber for his tremendous service and wishes him the very best. His thoughts were who could fill this position. One of the people that he turned to was someone that he has known for a very long time since he started working in Allentown at the Allentown Economic Development Corporation as well as the Allentown Commercial and Industrial Development Authority which was Jack Gross. He reached out to Jack and asked what are his thoughts on what they can do to fill the Solicitor position. The residential requirements, coupled with the need for professional expertise can make it incredibly challenging in this modern era to fill positions that the professional character of our residents changed significantly over the years since the time when the ordinances were first introduced. He called Jack up and asked for some assistance and thinking through where they might find a suitable candidate to serve as City Solicitor. He stated honestly it would be a total honor for him to have Jack

was interested in serving in this position. He said Jack surprised him saying that he might be interested in doing that. He jumped all over that and sat down and talked through what he is presenting, Jack Gross. He mentioned the Solicitor's office team and stated that he has full confidence in the office and Jack Gross to lead the office as City Solicitor and represent our city in all legal matters. He stated that they are going to present an engagement with Mr. Gross. He will be providing an annual bill to the city of Allentown for his service. He will serve as a part-time basis.

Attorney Jack Gross stated that he knows all of them. Some better than others. He appreciates the opportunity and the mayor's kind words. The mayor stated that he would be an honor and pleased that he offered this to him. He echoed his comments regarding Matt Kloiber and the current law office. He stated that he and Matt had an opportunity to speak about this. Certainly, in his experience with the law office it has been very positive. It made it all the more interesting proposal knowing that the city has a really good law office. It makes the position attractive to him. He stated that he is happy to answer questions.

Mr. Daryl Hendricks thanked Attorney Gross for the willingness to serve the city of Allentown, providing that he is approved. He asked his colleagues if they had any questions or comments.

Mayor Matt Tuerk stated that one note in his selection was that the first part of the administration was being very cautious of the way they would proceed in the law office. They checked all the boxes. He stated that Attorney Gross' willingness to do creative things and to use data to drive the decision making process, but take calculated risks. He asked Council to keep that in mind as we go forward.

Mr. Daryl Hendricks stated that he will do so and he is sure that his colleagues will.

Mr. Ed Zucal asked Mayor Tuerk to bring him forward during Budget time as a full-time Solicitor. He is curious because he is looking at the letter and the salary was \$50,000 and then you moved it to \$70,000. Is there a benefit?

Mayor Matt Tuerk stated that the Plan at this point is to present the Budget for a retainer at \$70,000. He will not be a W2 employee and will not incur benefits and Pensions.

Mr. Michael Hanlon stated that Council made an adjustment and he is a little confused now. His understanding is that at first it was at \$50,000 as a retainer. Council changed it to \$70,000 as an annual salary with no

retainers.

Mayor Matt Tuerk stated that it may have been miscommunication. The intent is for Mr. Gross not to be a W2 employee. They will bill in a way they will bill in the past.

Mr. Ed Zucal asked if the city will pay him \$70,000 and he is going to bill hourly.

Mayor Matt Tuerk stated no.

Attorney Jack Gross stated that reason for the change was that the original proposal was a \$50,000 annual retainer and he will bill at a rate. If the billing exceeded \$50,000, the city would need to pay the additional. Instead, they discussed it and increased it to \$70,000. There is a cap for the set amount for a calendar year because he will be starting mid year, they discussed half of that for the rest of the year. He will take the risk that if it is more than that, he will not charge the city.

Mr. Ed Zucal asked about on Page 2 of the letter sent to the Mayor. Number one, the city will pay \$50,000 retainer to Gross McGinley. He stated that he does not know if it is an issue. We are hiring you and not the firm.

Attorney Jack Gross stated that is correct. He will be doing this work. No one else in his law firm will be doing it. That is his business and where he will expect the payment to go.

Mr. Ed Zucal asked if he represents anybody on Council.

Attorney Jack Gross stated that he has done work for Mr. Napoli. He is not aware that he representing anyone else.

Mr. Daryl Hendricks stated that for the record, Mr. Napoli is going to announce that. He and Mr. Napoli spoke about that prior to the meeting.

Ms. Candida Affa stated that when the city had Susan, they addressed this before about litigation. We are trying to pursue Nuisance Abatement and DCNRs. They talked about Adam being a litigator. Ms. Wild was a litigator and did go to court for the city several times on issues. She asked if he is available for that.

Attorney Jack Gross stated that it depends on the matter. He does not

want to necessarily speak on certain matters. He doesn't litigate at this point in his career. He does substantial amounts of municipal work for 25 years. He knows Adam litigate.

Ms. Candida Affa stated that it is important instead of having outside Counsel, we have Counsel and especially one that is a litigator. She stated that she understands that Adam is quite competent.

Mayor Matt Tuerk stated to Ms. Affa not to take work from Adam. He loves litigating.

Ms. Candida Affa stated that she respects Adam. They work together. She stated that it is important to be available to Mr. Hanlon because she might have a question that he doesn't understand. Are you going to be available?

Attorney Jack Gross stated that he will be available. His office is two blocks away and expect to have an office in the building. The advantage that he does not litigate is that he is not in court all day. He is in his office all day, every day.

Ms. Ce Ce Gerlach stated that when she first moved to Allentown his family's last name was one of the first ones she heard. She stated that your family is very politically involved. She did a quick search of her Act Blue and he has not given her any money. She asked if he has given anyone else on Council and the administration money for political campaigns.

Mayor Jack Gross stated that he did not.

Mr. Santo Napoli stated that he would like to add that he had a conversation with Mike Hanlon, Chuck Smith, Council's Solicitor; and Mr. Gross. He is disclosing that Mr. Gross has been his attorney for 10 plus years. He helps with real estate, sales of businesses and he finds him to be very experienced and his integrity is top notch and his character as well. He thanked Mayor Tuerk for bringing such an excellent candidate forward. He thanked Mr. Gross for his willingness to serve and is excited to get him on board.

Ms. Cynthia Mota stated that Mr. Gross has an impressive resume. She likes the fact that he graduated from Allen High School. She asked if he is planning to be at the city during Budget Season because the city tends to need a Solicitor at that time.

Attorney Jack Gross stated absolutely.

Mr. Daryl Hendricks stated that one of the things that Council has done is to have their own attorney, Chuck Smith who is extremely competent. Any questions directly to Mr. Gross will be directed specifically to the city. There will probably be few that Chuck will not have the answer to by virtue of the fact that he is not a city employee.

Attorney Jack Gross stated that he appreciates that and knows it is a good situation. He knows Mr. Smith well. They have been involved in matters for more than 20 years. He feels that Council made a good choice and they work well together.

Attorney Charles Smith echoed Mr. Gross' comments stating that they have known each other for several decades and finds that he is a person that makes himself available and willing to discuss things in an open way for a Resolution.

Attorney Jack Gross stated that he is a 1990 graduate of Allen High School.

Mr. Daryl Hendricks stated that he graduated from Dieruff High School, but did go to Allen and they moved to Seventh Street. He asked if there were any other questions from his colleagues or from the public.

Ms. Phoebe Harris stated that she does know Jack. He worked with the School District when they were looking at purchasing a property. He was a man of integrity. He told them what they could do and what they could not do and how things should be done. She stated that he is not a Yes man. He is going to proceed with integrity and honesty.

Mr. Daryl Hendricks asked if there were any other comments.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Natalie Santos, and Santo Napoli

Enactment No: 30659

Appointment of HR Director

[15-6000](#)

R109

Appointment of Nadeem Eli Shahzad as the Human Resource Director at an annual salary of \$128,000 effective upon the passage of this resolution.

Attachments: [R109 - HR Director Appointment \(Nadeem Eli Shahzad\)](#)
[Candidate for Director of Human Resources Statement](#)
[Nadeem Eli Shahzad Resume](#)
[Nadeem Shahzad Memo to Council](#)
[Resolution #30660](#)

Mayor Matt Tuerk stated that this is the moment that he is talking about. They have conducted an extensive search for a Human Resources Director. They received no qualified responses. He asked Council for financial support in contracting with a search firm that brought us many different candidates. None of whom met his standards or me the standards or qualifications that Council demands. As he went through this process, he was cognizant of how Council would react. He is thrilled to present and thankfully he got an inquiry from Mr. Shahzad. When he got the resume, he immediately asked for an interview. Mr. Shahzad reached out to the search firm stating that he is really interested in this position. He was impressive by his determination. He asked the candidates two questions: Why do you want to work for city government? What is your interest in working for a city government and what do you love about HR? Mr. Shahzad is a stranger to the city of Allentown, but intrigued by what we are doing here. He expressed interest in providing support to our employees. He said that his interest in HR is in serving people. He asked him to come in for an interview and went through his extensive resume. He was really impressed and would be an effective leader. The time spent without an HR Director has been challenging. It is a lot of work to do. He has to update an Employee Handbook and implement policies and procedures for a changed workplace. He has to create materials for City Council and work to change the culture of the city. His education is impeccable. He will help to get to the next level.

Mr. Nadeem Eli Shahzad stated that he sent out a draft of what he was going to say today. Council can take a look at it and question what he was going to say to them. He spelled it out. Human Resources is important. People are very scarce. He stated that there are 800 plus ambassadors out there. He wants to ensure that they are taking advantage of that. They are in the community. They are the community. he came up as an immigrant and the first place he landed was Philadelphia and attended Villanova with fond memories. He has given a lot in life to those less fortunate. HR is something that he learned. He worked in healthcare, government, Nassau and Delaware Counties. If we are fair and treat them, they will be fair. We have to give them the tools. He gives a handbook to a Pro Bono Firm to take a look at it to make sure it is legal in every represent. Laws change constantly. Health insurance is changing rapidly. He has met with the department employees. They are very dedicated, but they need help and leadership. He is a professor that teaches at various universities. He has two master's degrees, one from Villanova and one from Long Island University. He is big into charities with two being in Pakistan where he is building schools for kids. He started a charity which is a dairy farm to start his school. He does all these things because he remembers when he came here with \$200. What he is today, is because of this country. He has three kids, one daughter is a lawyer, his other

daughter is an executive and his son is a banker. He stated that he has everything. He wants to give.

Mr. Ed Zucal asked how long has he lived in Allentown. What experience in municipal government? What was your title?

Mr. Nadeem Eli Shahzad stated that he lives in New Jersey. He stated that he worked for close to 10 years in Nassau County. He worked with both the republicans and democrats. His reference was from there. The last position was in Delaware County.

Mr. Ed Zucal asked when Mr. Shahzad was in Nassau County what experience did you have as an HR Director. He asked in Delaware County what was your job.

Mr. Nadeem Eli Shahzad stated that the roles varied in 10 years. He dealt with the unions and dealt with all the employees being unionized. They had excellent relationships. He dealt with IT infrastructure, on-going litigations. HR has everything. There is recruitment, benefits, labor relations and employee relations with training and mentorship. He is a proactive person. He stated in Delaware County he was outside the prison. The county had taken over the prison and had him working with a very dynamic female warden. They had to do a change in culture.

Mr. Ed Zucal asked if he had any HR duties there. He asked him about FMLA. He asked about his 501C(3) in Pakistan.

Mr. Nadeem Eli Shahzad stated yes, he was the Director of HR. FMLA is constantly changing. If you don't watch it, you can be taken to the cleaners. If you give the employees carte blanche, they will do it. Yesterday, it was another change in the law. If you don't keep up with it, the liabilities are very big if you don't do that. He stated no, sir. He has two 501C(3)s here from the IRS.

Mr. Ed Zucal stated that there is one major problem for Council and the Mayor, the Charter says you have to live within five miles of the city limit.

Mayor Matt Tuerk stated within one year. It is one year to relocate.

Mr. Ed Zucal asked what are your plans to move within.

Mr. Nadeem Eli Shahzad stated that he has a beautiful house in South Jersey. He does not want to sell it. He will get something here. He will look around to see if someone has something to rent.

Ms. Candida Affa stated that she is impressed with him, his degrees and accomplishments. It seems like you wear a lot of hats. These charities you have, are they in Pakistan. She asked him if he is an educator. You wear a lot of hats. It is time consuming and takes a lot of time and energy. It has to be a priority. We need an HR Director that is going to be here, all the time and full-time.

Mr. Nadeem Eli Shahzad stated yes, they are in Pakistan. He has board of directors there and a president from one of the largest universities is on his board. He basically go there every six months or four months for a week or so to make sure they are doing fine. It doesn't take a lot of time. It is a 12-hour difference. He stated that he is an adjunct professor. It gives him a lot of joy. His first degree was in education and his PhD is in Psychology. he is an educator. He wants to make a change in the lives of kids. Our colleges are not what the used to be. The kids need a lot of mentoring. The key to the whole thing is that he takes it very seriously. He has eight to nine people depending on him, 800 employees and dozens of department heads. To him, it is 24/7. He used to go to China in December and May and teach over there. He doesn't do that now, because his schedule doesn't allow it. he is not here just for the paycheck. He is here because he has a mission in his life. That is to make a difference. If he worked in the big city with the offers, he had he would not have been able to make that difference. Here he can make a difference.

Ms. Cynthia Mota stated that Mr. Shahzad is passionate and when he talks about helping people, he always smiles. She can relate to that. She likes the fact that he has a lot of experience and a lot of education. He is an educator, plus an immigrant. She can see him being sensible to people's need.

Mr. Santo Napoli echoed that Mr. Shahzad's passion comes through clearly. He likes that Mr. Shahzad called the city employees ambassadors. Most of the city staff are ambassadors. They are engaging with the public. They are the face of the city and we are very fortunate to have such great ambassadors. they are the most important asset. When you have something so important and valuable, it needs to be taken care of. That's why it is such an important position. He does agree with the passion. They need to be supportive and feel welcomed. That will be one of your biggest tasks. He is looking forward to seeing that happen. As an employer himself, it is the most important thing in his company. We need someone with your caliber. Your resume, congratulations for building an extensive resume over the years.

Ms. Ce Ce Gerlach stated that she and Ms. Santo a year ago she was able to see some of the preliminary results of a Climate Survey that was done.

There were some challenges. What experience do you have with the DEI, racism, the homophobia that may exist in certain institutions?

Mr. Nadeem Eli Shahzad stated that he has seen that all of his life. Now, all of a sudden it is surfacing. It is nothing new. He has dealt with it. It really takes all of us to be out there and to make sure we are dealing with it. That we are reaching out to those communities that are underrepresented and bring them in and cultivate them. They won't just come here. If we go out there, we would know our own people. We don't know the others. It takes a long time. He has dealt with it and feel very strongly about it. Give them the education and the opportunity. If you educate one person, you make a change in the whole family. How you bring them up is that you recognize that they are human beings, and they are educated, and they may be different in a lot of ways. If you take a look, this country is run by doctors and scientists from all over the world. Very few from America because they are educated and they came here with respect to them. He wants to reach out to areas where there are underrepresented people and go to these communities and these ambassadors can welcome them. Just to advertise the job is not good enough. He wants to go to the community, go to the local colleges that graduate certain people, go to workshops or schools that teach these skill sets and bring people from there. It is all in a zip code. He wants to go to a zip code that doesn't have it. In the last three years, it has been very interesting. When the kids were told, go home and study. There were millions of them that could not go home and study because they did not have wireless or the computer. We have to do something with it. It takes a village to change. This is a good village to change.

Ms. Ce Ce Gerlach stated that she appreciates his comments especially, since the city is majority people of color. People from around the world is in this city and make up the majority of Allentown. As the city tries to better reflect the community there will be clashes with the old school and the new school.

Mr. Nadeem Eli Shahzad stated that it is culture, but we are all human beings. We have to understand the culture. We have to accommodate others and be tolerant.

Mr. Daryl Hendricks stated provided that he is approved this evening. What is your timeframe and things work out and you enjoy the job. How long do you anticipate you remaining in that position.

Mr. Nadeem Eli Shahzad stated that he works at the pleasure of the director and Council. When he is not useful, he will leave. To him, he

needs to be useful. He drove an hour and a half to get here. He wants to be happy when he comes here. He wants to make sure that he is making a change and his staff is happy and the word is that HR is making a difference. Once that stops, either he is doing his job or not doing his job.

Mayor Matt Tuerk stated that one of the things he is asking all of the department heads to do with the assistance with Mr. Shahzad is to make sure there is a succession plan in place and that they are not the only person that create that culture and it leaves with them. He is asking Mr. Shahzad to train his replacement. Make sure that the people in the department are building their skills. We are invested in their professional development so they can find ranks and be the next Director of HR.

Mr. Daryl Hendricks asked Ms. Santos if she had any questions or comments she would like to make.

Ms. Natalie Santos stated that she does not at this time.

Mr. Daryl Hendricks asked if the public had any questions or comments they would like to make.

Ms. Phoebe Harris thanked Mr. Nadeem Eli Shahzad for coming to Allentown. There are 72 countries in Allentown School District and 26 languages. She thanked him for taking the salary. The fact that you care so much and have so much compassion and passion to want to help change and do the right thing and be the change for Allentown, she applauded him. She asked what has he done in the past to grow students to come into this workforce. She talked about starting a program or grow a program that city grows their own too to make sure they are offering the job.

Mr. Nadeem Eli Shahzad stated that he always taught at the college level. He honestly feels that if you and remembers during his internship in Philadelphia when he was at Villanova for his master's that he did go and teach there. What a difference the lunch makes. What a difference the meals makes for the students. We saw it 20 to 30 years later when a pandemic hit us. When these kids did not get that meal. If you are a hungry child, you are not going to study. We need to make sure that our education is at a level that most of the other European are. We are not at that level yet. We need to make sure that we are putting the resources into educated our future generations. Put the money where the kids will benefit and take care of the teachers. Make sure they are not paying out of their own salary for supplies. Provide them support. It takes a lot of passion. He truly belief to graduate them to make a living. Not just a degree.

Ms. Candida Affa stated that the fact that Mr. Shahzad talks a lot that means he is an asset. She stated that shows her that he is a communicator. To be a leader and all the directors she feels the same way. If they can communicate, they will follow and they will listen.

Mr. Ed Zucal stated that Mr. Shahzad would need a little extra experience and will hopefully get it, but you seem like an incredible human being.

Mr. Daryl Hendricks stated welcome aboard to the city of Allentown.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Natalie Santos, and Santo Napoli

Enactment No: 30660

ORDINANCES FOR INTRODUCTION (To be referred to Committee with public comment prior to referral)

[15-6002](#)

Bill 64

Amending the 2023 ARPA Fund Budget to provide for a transfer of Two Million Dollars (\$2,000,000.00) to Cortex Residential. These funds will be used for an affordable housing project in the Walnut Square Apartments at 40 South 8th Street.

Sponsors: Administration

Attachments: [Bill 64 Cortex Residential ARPA](#)
[WSA - CED Presentation_v3](#)

Mr. Daryl Hendricks stated Ms. Kistler.

Mr. Michael Hanlon stated that this will be referred to committee. This is for discussion for Ms. Mota's CD committee.

Ms. Vicky Kistler stated that they can do the presentation during the DCED meeting.

Attorney Charles Smith recommended Council to refer to the committee and recommend that they take public comments before the referral just to comply with the Rules.

Mr. Daryl Hendricks asked if there were any comments.

Ms. Ce Ce Gerlach asked if they are going to bring back the Resolution to allocate funding for affordable housing and for infrastructure.

Mr. Daryl Hendricks stated that they will have a Special meeting on ARPA funding on July 19th.

Mayor Matt Tuerk stated that there is one more item that they asked Council to consider on the agenda and Request to Suspend the Rules.

REFERRED TO COMMUNITY AND ECONOMIC DEVELOPMENT
COMMITTEE

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Natalie Santos, and Santo Napoli

Request to suspend the rules to introduce and vote on the legislation this evening - given the fact that the city already had an account set up with 3rd Street Alliance, this became the easiest path to get funds to people displaced by a fire in Easton. This is simply a pass through from the state. This will need 6 of 7 votes to pass to eliminate the 14 days between introduction and final passage.

Mayor Matt Tuerk stated that he will turn it over to Vicky in a second, but expressed gratitude to Council for considering the Suspension of the Rules to consider this Bill to support the need of our neighbors.

Ms. Vicky Kistler stated that a devastating fire that she is sure Council all seen in the media occurred in Easton and displacing over 45 individuals. The state reached out to Allentown as the Fiscal Agent of the RHAB funding. The city has an open contract. One of the only open contract in the state with the Third Street Alliance. To save the time for the state opening a contract, Allentown is simply the pass-through agency of this funding from the state directly to Third Street to go to the families.

Mr. Daryl Hendricks asked if there were any comments from his colleagues or the public.

A motion was made by Ed Zucal, seconded by Cynthia Mota, that Council Suspend The Rules Request to introduce and vote on the legislation this evening.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Natalie Santos, and Santo Napoli

[15-6004](#)

Bill 65

An Ordinance providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1976, as amended; The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the city.

Attachments: [Bill 65 - NEW ACCOUNT SETUP](#)
[Ordinance #15912](#)

Enactment No: 15912

This will need 6 of 7 votes to pass to eliminate the 14 days between introduction and final passage.

Yes: 7 - Candida Affa, Cynthia Mota, Daryl Hendricks, Ed Zucal, Ce-Ce Gerlach, Natalie Santos, and Santo Napoli

ADJOURNED: 7:04 PM