

CITY COUNCIL  
Sunbury PA 17801  
February 14, 2011  
7:00 pm

A regularly scheduled meeting of the Council of the City of Sunbury was called to order with the Honorable David L. Persing, Mayor, presiding. There was a quorum with the following in attendance:

David L. Persing, Mayor  
Todd E. Snyder, Director of Accounts and Finance  
Joseph J. Bartello, III, Director of Public Safety  
Kevin E. Troup, Director of Public Works  
James R. Eister, Director of Parks, Recreation and Public Buildings

Other City officials in attendance:

Elizabeth R. Kremer, City Treasurer  
Stephen Mazzeo, Chief of Police  
Michael Rhoads, Property Maintenance Officer  
Terry Specht, City Clerk

There were thirty (30) visitors present.

### **2011 CDBG PROJECT REVIEW**

Ms. Jamie Shrawder reviewed the 2011 CDBG projects that were submitted with council members (see attached). The first three are the ones recommended by Ms. Shrawder for funding. Some of the other projects submitted were not eligible. The recommended list includes:

- Riverfront Project \$150,000
- Demolition of Blighted Properties \$100,000
- College Connection Street Improvements \$50,000

Councilman Bartello asked what was left to be designed with the Riverfront Project and Ms. Shrawder answered all the design work is complete but funding \$150,000 would finish paying for those services. In regard to the demolition project, Mayor Persing said the Redevelopment Authority is planning ways to put money back into redevelopment so in the future more projects like this would be funded. The street improvement project would provide newly paved streets, sidewalks and lighting to connect a college to the downtown area for an economic boost to the City. Councilman Eister asked Ms. Shrawder what is needed regarding the master site plan for the recreation area to apply for recreation grants. Ms. Shrawder answered site development drawings are needed. Part of the administrative funds could be used to do the site development drawings. A DCNR recreation grant can be applied for after the Riverfront Project DCNR grant is closed out. Ms. Shrawder said funding may be reduced for 2011 but they should have a better idea by the beginning of April. At the meeting scheduled for March 14<sup>th</sup> council will have to select the projects for funding in 2011.

### **MINUTES AND REPORTS**

The available departmental reports of the Police Dept., Treasurer's Office, Health Dept., Fire Dept., City Engineer, Code Office, Park and Recreation Department, Public Works Dept, Planning Commission and Police Pension Board are in the City Clerk's office for review. On motion by Eister, second by Troup, the available reports and minutes of 1/10/2011 and 1/24/2011 were approved as presented. Unanimous vote. Minutes will be posted at [www.cityofsunbury.com](http://www.cityofsunbury.com)

### **RIVERFRONT PROJECT**

Councilman Eister moved to approve payment #5 to HRI for Phase 2 of the Riverfront Project in the amount of \$106,582.25. Second - Troup. Unanimous vote.

Councilman Eister moved to approve payment #6 to HRI for Phase 2 of the Riverfront Project in the amount of \$567,010.85. Second – Troup. Unanimous vote.

Councilman Eister moved to approve payment to Kinsley Construction for Phase 1 of the Riverfront Project in the amount of \$574,538.56. Councilman Snyder said between the 3 payments it is approximately \$1.2 million and the note will probably have to be used to payoff the line of credit to make these payments. Councilman Eister said all the checks will not be written at the same time and

some of the funds will be coming back from different grants and the bulk will eventually come from RACP funding. There haven't been any reviews for the RACP funding because HRG has pushed the reviews back several times. There is a meeting Thursday to discuss 3 or 4 open items for the RACP grant. Councilman Snyder said to clarify there were 13 special contingencies to start receiving reimbursements and there are a few yet to be resolved. Councilman Eister said he will know more Thursday and he hopes to have it all completed by the end of this week. The RACP funds are slow to come and as of yet, the City has not qualified to even receive them. Second – Troup. Unanimous vote.

### **SRI UPDATE**

Mr. Bob Lagerman passed on to council that the Business and Economic Development Committee (BED) asked the City to restart the business façade program in the downtown area. They would like to up the cap to \$40,000 with a 50/50 match. Any questions contact Bill Geise. Mayor Persing said once the engineering fees for Bucharth Horn are paid off with 2011 CDBG funding that could be considered for 2012. It has been a successful program in the past. Mr. Lagerman said SRI has had some inquiries recently.

Ms. Kristen McLaughlin explained that she met with the representatives from PA DOT to find out what needs to be done to move forward with the PCTI grant for Wolverton St. The Agreement needs to be executed and a Resolution must be passed designating the mayor as the person approved to sign all contracts. This is a reimbursement program so the money must be spent before a payment is made. The project design phase will be through June 2012 and construction should occur in the fall 2012 or spring 2013. Councilman Snyder mentioned that will require another line of credit to be opened. Councilman Eister said that the Riverfront Project line of credit should be closed out by the time this project begins. Council must also designate a Selection Committee and Ms. McLaughlin recommends herself as project manager, Councilmen Troup and Eister, Bob Lagerman and John Shipman as members of the committee. The Selection Committee members will design the selection criteria and evaluate the applications/statements of interest to all interested applicants. Mayor Persing moved to pass the Resolution Authorizing a Signatory on PA DOT Agreements and Contracts (see attached). Second – Eister. Unanimous vote. Mayor Persing moved to pass the Reimbursement Agreement as requested by PA DOT. Second – Eister. Unanimous vote. Councilman Troup moved to appoint himself, Councilman Eister, Kristen McLaughlin, Bob Lagerman and John Shipman to the Selection Committee. Second – Eister. Unanimous vote. Councilman Snyder stated that everyone had to be cognizant of the timeframe to bring in a consultant and think about the costs incurred which would be before the completion of the Riverfront Project. He asked Ms. McLaughlin for a preliminary cost schedule which she agreed to provide.

### **MORAN INDUSTRIES UPDATE/FORMER KNIGHT CELOTEX PROPERTY**

Mayor Persing said he hasn't heard anything from DEP as of today. Councilman Bartello said the rest of the former Celotex building has been torn down. Mayor Persing said he thinks a priority is to get the area cleared so trucks can stop using City streets. Councilman Snyder asked if plans have been submitted. He asked the code office to update council and the audience at meetings with anything that changed within the previous 2 weeks. Mr. Mike Rhoads said plans have been submitted and a lot of the items will be discussed at the Planning Commission meeting on February 17<sup>th</sup>. PA DOT has to do a study before any new intersections can be constructed. Ms. Carol Mazzeo said she wanted to clarify that Mr. Stroehmann said this is residential waste but it is residual waste and it is near hazardous waste. Mayor Persing said he had problems saying the word residual so he remembers it being called residual waste. Ms. Mazzeo said Mr. Stroehmann said it could be spread on the ground and it didn't have to be hauled away and that is not true and he was mistaken. According to the contact she spoke to at DEP they would have to dig a pit a certain number of feet deep, line it with material so the materials and chemicals involved would not leech through and it would have to be buried under 18-24" of dirt and certified by DEP before it is closed. According to DEP "residual waste" includes "near hazardous" wastes that are not covered by hazardous waste regulations. Mr. Dale Henry said the dough not used at Butter Krust Bakery is also considered residual waste which is just a DEP classification (residual waste). When Wil-Hold was in business, the ends of the bobbi-pins they cut off were considered residual waste. He doesn't think there should be a big scare tactic going on regarding the waste being brought to the former Celotex site. Councilman Troup said the waste removed from Celotex was also classified as residual waste. Ms. Cora Campbell asked if the City would send any of the material from the site to a state certified lab to have it checked. Mayor Persing answered that DEP has already tested it. Ms. Campbell said DEP is not getting back to them and for a trial run, no information is coming from DEP. Mayor Persing said the information from DEP is that they tested it and if there is a problem with it they will get back to the City. Ms. Mazzeo said DEP has not decided if there is a problem with it. It is a drilling oil and gas loophole. Ms. Campbell asked where the waste is coming from and Mayor Persing answered he does not know – somewhere in the huge corridor of approximately 5 counties to

the north. Mr. David Whipple said it is coming from Bradford, Sullivan, Clinton and other counties in that direction. Mr. James Smith said we have been beating this dead horse for weeks and he wants to know how anyone would know if it is toxic unless tests are done. Mayor Persing said that is what DEP is doing. Mr. Smith replied they aren't doing anything. Mayor Persing said Marcellus shale is huge and DEP is in charge of it and they are the ones that say what is toxic and what is not. The DEP representative the mayor talked to said they are on top of it and it is their top priority. The things they take out of the water is highly toxic, radioactive but there is no water being hauled to Sunbury. What is being hauled is coming from the pads. Mr. Smith said Mr. Stroehmann said all that is going into the gondolas is crushed rock. He said he crawled inside a gondola car and took samples that he gave to Councilman Snyder. Ms. Mazzeo had them in her basement not in an enclosed container and it stunk up the whole house. The samples were acidic and stunk –Mr. Smith said it is not crushed rock. Mayor Persing said Mr. Stroehmann explained they put saw dust and maybe other things in it to solidify it. Mayor Persing said it is not being dumped in the ground, it is being transferred to railroad cars and hauled out of Sunbury. As of tonight nothing has changed since the last meeting regarding what they are hauling. Councilman Snyder explained that with the whole process, including permitting, the City's "paperwork is in order." The problem is the state is behind in the Marcellus shale initiative. He has been to and worked on the pad sites and he feels there are unanswered questions. He said DEP is dropping the ball and there isn't much more they can do but come to the meetings and remind council of the importance of getting facts and information. Councilman Snyder also said more people from the community should call DEP and put pressure on the state to get answers. He said people should not be overly alarmed or scared because it is not that bad either. DEP is the only one that says whether this process proceeds in town. The City can say whether it is a permitted use on the site. Environmentally there are a lot of arguments as to the long term ramifications. PA has become the guinea pig of Marcellus shale development. Mr. Smith asked why the City of Sunbury is allowing them to continue until there is something in writing saying it is safe. Mayor Persing said there is no reason to believe it is not safe. They are working with an industry in the City that says it is safe. Ms. Regina Russell asked if there would be a spill is there a plan and the answer is yes, the City has an Emergency Management/Operations plan. Mr. Joe DeFazio asked if there were any other professional agencies to look to. He said next week Geisinger Medical Center is doing a symposium regarding the health issues associated with Marcellus shale development. He recommended that someone from the City attend.

#### **BUDGET REVISION/HOUSING REVOLVING LOAN FUND**

Ms. Shrawder explained that each year a budget revision is required to allocate income the City receives from the housing revolving loan program that was set up years ago. As payments are made on the loans, it is program income for the CDBG program. There is approximately \$30,000 in the fund at this time that she is suggesting be designated to demolition. It would go toward the acquisition costs for the properties already cleared. Mayor Persing asked why some of that would not be used for the site drawings for the recreation area. Ms. Shrawder said that would be a new activity and it would have to be approved by DCED. There will be about \$4,000 left from the Cameron Park project to be rebudgeted at next month's meeting and Ms. Shrawder is recommending that money be reallocated to Stroh Alley to finish the amenities to that project. Mayor Persing moved to make the budget revision allocating the funds in the revolving loan fund to the demolition project. Second – Eister. Unanimous vote.

#### **HIRE POLICE OFFICERS**

Mayor Persing explained that the Civil Service Board has examined the list of police officers that tested for the new eligibility list. For the first time, psychological and lie detector tests were also completed. Mayor Persing moved to offer a position as a 4<sup>th</sup> year officer to Gary Heckman at a starting salary of \$51,013. Second – Eister. Unanimous vote.

Mayor Persing moved to offer a position as a 1<sup>st</sup> year officer to Corey Zerbe at a starting salary of \$40,247. Councilman Bartello said he thought one officer was to be hired in June and Mayor Persing explained that the money is budgeted and available. Second – Eister. Unanimous vote.

#### **PA AVE/ONE WAY DESIGNATION**

Councilman Troup moved to pass a Resolution (see attached) to make Pa Ave one way going west between 6<sup>th</sup> St and Gashouse Alley to alleviate safety concerns with school busses and children walking to and from school. This would be for a period of 90 days and if the trial is successful, make it one way permanently. He met with school district officials, Chief Mazzeo and Mike Bordner at the site to discuss this change. Second – Eister. Unanimous vote.

#### **EXTENSION REQUEST/DUNKIN DONUTS**

Councilman Bartello moved to pass a 90 day extension at the request of the Sunbury Plaza, LLC to allow sufficient time for them to receive the approved sewage planning module back from DEP and to resolve questions relating to the existing on-site sewage system. Second – Eister. Unanimous vote.

#### **PLANNING COMMISSION VACANCY**

Mayor Persing moved to appoint Mr. Rodney Jones to fill the vacancy on the Planning Commission Board. Second – Eister. Unanimous vote.

#### **PA DOT STREET CLOSURE**

Councilman Troup moved to approve the street closure for the Fireman's Fair scheduled for May 14<sup>th</sup>. Second – Eister. Unanimous vote.

Councilman Troup moved to approve the street closure for Sunbury River Festival from August 25<sup>th</sup> through August 27<sup>th</sup>. Second – Eister. Unanimous vote.

#### **SUSQUEHANNA VALLEY COMMUNITY EDUCATION PROJECT LEASE**

Councilman Snyder explained that due to legal and insurance purposes he requested that the Susquehanna Valley Community Education Project (SVCEP) enters into a lease for the room they are occupying at city hall and authorizing the mayor to sign the document. The lease is month-to-month with a 30 day termination policy in the amount of \$175 per month beginning February 1, 2011. Second – Eister. Unanimous vote.

#### **\$200,000 CAMERA GRANT**

Mayor Persing announced that this grant has finally been received. Councilman Eister said there is \$10,000 from another grant for cameras and he feels they should all be tied together. He also stated that Councilman Snyder should be involved because that is his area of expertise. Councilman Snyder said the long term effect is important and also reducing liability in how it's designed. Some of the cameras will be able to be viewed on the City's website. The City does not have the manpower to allow someone to just sit and watch cameras all day/night. Key areas will be watched and if something happens it will be available for viewing. Councilman Bartello said that everything taped can't be saved and Councilman Snyder answered that it would be saved for approximately 90 days.

#### **VOUCHERS PAYABLE**

Councilman Snyder moved to approve the Vouchers Payable in the amount of \$63,448.32 as funds are available. Second – Eister. Unanimous vote.

#### **TAX EXONERATION**

Councilman Snyder moved to pass the tax exoneration as requested by Statewide Tax Recovery. Second – Eister. Unanimous vote.

#### **ANNOUNCEMENTS**

Mayor Persing announced that his State of the City Address will be held at the Degenstein Library community room on February 17<sup>th</sup> at 7:00 pm.

Councilman Eister explained that on April 26, 2010, a motion was made to transfer \$19,997 to the Riverfront Project from the general fund. The amount needed was only \$2,233.

#### **AUDIENCE COMMENT**

Mr. Darwin Klock, on behalf of the Men's Slow Pitch Softball League, presented a check in the amount of \$1,000 to Mayor Persing for Sunbury Celebration 2011. Mr. Klock also issued a challenge to other organizations to match their donation. Mayor Persing thanked Mr. Klock and the league for all their hard work in planning the All-nighter Tournament to raise funds for the annual fireworks display.

There being no further public business to discuss the meeting was adjourned at 7:25 pm.

Respectfully submitted,

Terry Specht  
City Clerk