

CITY COUNCIL
Sunbury PA 17801
February 10, 2014
6:15 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
John K. Shipman, Director of Accounts & Finance (via telephone)
Richard L. Reichner, Director of Public Safety
Dale L. Henry, Director of Public Works
James R. Eister, Director of Parks, Recreation and Public Buildings

Other City officials in attendance:

Kevin E. Troup, City Treasurer
Brianna Apfelbaum Kula, City Solicitor
Stephen Mazzeo, Chief of Police
John Bakowicz, City Engineer
Michael Bordner, Workforce Supervisor
Michael Rhoads, Zoning Officer and Fire Chief
Terry Specht, City Clerk

There were seventeen (17) visitors present.

MINUTES AND REPORTS

Minutes of 1/6/2014 and 1/27/2014 and the available departmental reports of the Police Dept., Treasurer's Office, Controller, Health Dept. (quarterly), Fire Dept., City Engineer, Code Office, Park and Recreation Department, Park and Recreation Board, Public Works Dept., Planning Commission, Redevelopment Authority and Police Pension Board (quarterly) are in the City Clerk's office for review. Motion to accept was made by Councilman Eister. Second – Henry. Unanimous vote. Minutes will be posted at cityofsunbury.com.

PUBLIC COMMENT/AGENDA ITEMS

Mayor Persing asked if anyone had a comment in regard to agenda items. There were none.

CONSTRUCTION PROJECT LOAN

Councilman Eister explained the line of credit with Northumberland National Bank should be changed to be used not only with the Riverfront Project but any construction project, such as the Chestnut St. Project. Mr. Troup talked to Mr. Tom Crissinger at the Northumberland National Bank and he said as far as the loan is concerned it can be used for anything but council must first approve it. Councilman Eister moved to expand the loan to be used for any City construction projects. Second – Reichner. Unanimous vote.

SRI UPDATE

Mr. Slade Schreck reported on the different SRI projects (see attached). Area bars are planning a "Mardi-Crawl" on March 1st. Councilman Reichner asked if the additional funding partners has to do with the Albright Church and the tax credit program. Mr. Schreck said yes it is and it is open to any amount of money now. A business can use it for tax credits on PA taxes.

REDEVELOPMENT AUTHORITY

The Redevelopment Authority will meet next week weather permitting.

CDBG UPDATE

Councilman Eister said Ms. Jamie Shrawder completed the application preparation schedule for 2014 CDBG projects (see attached). Councilman Reichner moved to accept the timeline as proposed by Ms. Shrawder. Second – Henry. Unanimous vote.

Councilman Eister moved to accept the Keystone Communities agreement with the Northumberland County Housing Authority (HANC). The City committed \$30,000 from a prior CDBG year to this project and in return will receive approximately \$44,000 from HANC to be used for blighted property demolition. Second – Reichner. Unanimous vote.

Councilman Eister moved to pass the Fair Housing Resolution as required by the CDBG program. Second – Reichner. Unanimous vote.

APPROVAL TO PAY INVOICES

Councilman Eister moved to pay the invoices reported on the voucher's payable report in the amount of \$56,938.66 from the General Fund and \$6,468.36 from the Liquid Fuels Fund. Second – Henry. Unanimous vote.

TAX EXONERATION

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

AUDIENCE COMMENT

Ms. Regina Russell asked if the construction loan was designated just for the Riverfront. Councilman Eister answered it was. Ms. Russell asked if the loan was from the state and Councilman Eister answered it is with the North'd National Bank. Ms. Russell said the city is taking a loan in addition to the \$300,000 for the wall repair. Councilman Eister said this line of credit was set up years ago for the Riverfront Project. She asked what constitutes construction. Councilman Eister answered the Chestnut St. project. Ms. Russell said "Charlie" that parks his uncovered waste truck that transports trash, chemicals and furniture is parking again on the sidewalk. She asked if he is given permission to do that. Councilman Reichner said he does not think he needs permission to do that because he is parking on private property. 4 city officials looked at the truck and all that was in it was scrap metal – there was no garbage. Ms. Russell said she has been hit in the head with he same thing he is telling her for the last year and a half. Sometimes the code office has control over it and then changes are made on council and they are back to the same problem. She said she researched for hours to find the correct codes that would deal with the issue. By council permitting this to continually happen and finding reasons it seems like it is not being enforced. She said that is a commercial truck, uncovered, he transports and has a run off on private property within city limits. Why make the ordinances if they are not going to be enforced? Since that gentleman can park anything he wants to on private property it is setting a precedence for people in her neighborhood to park other vehicles however they want to because it won't be enforced. Ms. Russell said it is either through the friends and family plan or it is just being ignored. Councilman Reichner said it is not being ignored and every complaint she has made has been answered and there is a thick packet of them. Ms. Russell said she has to be persistent. Councilman Reichner said 90% of the complaints are unfounded. He said Chief Mazzeo was there and asked him about what was wrong with the truck parked there. Chief Mazzeo said it is private property and not in violation of Title 75. Ms. Russell said she is not fighting anyone any more about it being on private property. She is fighting about what type of vehicles are being parked on private property in city limits. Councilman Reichner asked Ms. Russell if he should park the vehicle on the street. Ms. Russell said she can't remember the ordinance but they are not using it. She said the tenant is renting a garage and why isn't the vehicle being parked in the garage? She said the ordinance deals with commercial vehicles being parked on private property in front of a garage door so now the tenant upstairs parks his vehicle on private property in front of a garage door. Ms. Russell said she does not know what caused the fire on the property before it was renovated but it can happen again. Councilman Reichner asked Ms. Russell if she ever parked her vehicle in front of her garage door. Ms. Russell said of course I do but she has a driveway and that's why she can park her vehicle in front of her garage. Councilman Reichner explained they found nothing wrong with it and she answered they are not using the code book but she will keep bringing the issue up because they are in violation of their own codes. Councilman Henry asked Councilman Reichner if there was any garbage on the truck when he was there today and Councilman Reichner answered no it was metal. Councilman Henry said it does not fall under the Municipal Waste Act then. Ms. Russell said it is an eyesore in her neighborhood. She said she is not being unreasonable and for 1 ½ years they smacked her in the head with it. Now there is a neighbor with the same code council has been quoting to her for 1 ½ years, as long as they leave 5' for the public to pass. There is another neighbor that is parking 2 cars and blocking 2 entrances to her house and she has children in the house. If there was a fire it would be considered an exit but council is finding reasons not to tell her to move her vehicle. Councilman Reichner asked Chief Mazzeo if there was anything wrong with the way the car was parked. Chief Mazzeo answered she is blocking part of the sidewalk but she has allowed a passageway for pedestrians to pass through. He spoke to the woman and she has 3 handicap people in the house. As long as there is passage around the sidewalk it is not in violation of Title 75. Ms. Russell said so when the kids walk by there and they are banging on the car because they have to walk around the car to walk on so called quote un-quote public sidewalk that's no problem because she has handicap children. If she has handicap children she should have an exit and an entrance for the handicap children to be rolled out on a bus. Her vehicles are parked side by side and there is no way without pulling the vehicles out of the entrance way she has to get someone in the vehicle with a wheel chair. Chief Mazzeo said she has a handicap van and a ramp at the end of the driveway. He said he is trying to be compassionate because there are 3 handicap people in there.

Councilman Reichner said the woman said the door that is being blocked is not used. Ms. Russell said it wasn't happening until the house was renovated and then both homes were connected so she could park the vehicles. She wasn't using it before. Ms. Russell asked what about all the other handicap people and Chief Mazzeo asked what handicap people are they and Ms. Russell said she would send him a list.

Mr. Drake Saxton said he agrees with Ms. Russell and the city is not taking care of code enforcement. He is going to bring up a long and old issue that Councilman Eister does not want to hear. Mr. Saxton said he is addressing Mr. Henry, Reichner and Shipman. He said council has been informed many times about the site and lack of code enforcement. He said there is everything going on including not enforcing the codes which are far too numerous to list. He said he would be happy to work with Councilman Reichner on it. Councilman Reichner said as far as he knows nothing is happening there now. He has not seen any traffic in the place. Mr. Saxton named some Articles that deal with storm water management plans that is not in place but needs to be according to codes. He also wants to talk about other Articles that are storm water management owner and maintenance plans that must be in place according to the city's codes. He said he could go on and on in regard to the code violations. These are 2 that have been left go by council. He said 2 meetings ago he brought the Celotex site up and Mr. Eister said it was old businesses but Mr. Saxton said nothing has been done about it. He has submitted numerous letters about it. He has a letter from DEP that he read from in regard to a study that was done on the site. It said there is so much arsenic on the site they do not want human contact. Last summer there were so many trucks on the site it looked like the city was on fire some nights because of the particulate in the air. All the residents any where the particulate was raised breathed that. He called it to council's attention but nothing has happened. He has compiled the list over 1 ½ years. He said summer is coming but the activity must be stopped because there are so many other violations on the site that something needs to be done, must be done. Councilman Reichner asked if these are violations Mr. Moran did. Mr. Saxton said Mr. Moran by not filing a storm water management plan for the site is in violation and the city has failed for more than 1 ½ years since he initially notified them of the violations to do anything about it. Councilman Reichner said he remembers the city deferred to the county or Municipal Authority storm water plan. Mr. Bakowicz said the last time this was brought up a gentleman from Northumberland County Conservation sent a letter that he visited the site and there were no violations of the plan. There was a plan in effect that the owners of the Celotex site had to go by and the test that was complied with was the inspection by North'd County Conversation District as an agent for DEP on that. There is an exemption qualification such as lots under 5000 sq. ft. Years ago it should have been construction under 5000 sq. ft and when the county finally adopts their plan the City's will be in sync with that. One of the exemptions is when there are plans that are controlled by state agencies like DEP it is exempt from the City's storm water management plan that is controlled by DEP and their agents. That is why there is no requirement for a storm water management plan for the closure of that site. There is already a plan filed with DEP and the North'd County Conservation District representative. He (North'd County Conservation District representative) visits the site every so often. There were complaints filed and he has inspected it and the owner is in compliance with the closure agreement. Unless there are new violations that he (Mr. Bakowicz) is not aware of is a legal question whether the city has jurisdiction there. Mr. Saxton said there are a number of things that have changed one being the earth disturbance. The site is about 22 acres and his inspection done for DEP was on a 1 acre site and that does not exempt the other 21 acres. The problem remains that the reference is concerning 1 acre. There are 21 additional acres to deal with. Additionally, Mr. Saxton said there has been discussion about the agreement with North'd County taking over those sorts of things. A letter has been received by North'd County to Mr. Saxton who forwarded it to the City that says there is a problem with storm water management there. Mr. Saxton said he would like to work with Councilman Reichner on this. Councilman Reichner said Mr. Saxton should get him copies of that. Mr. Saxton said he would meet with Councilman Reichner. Mr. Bakowicz suggested that if there is a meeting Mr. McClery should be invited to attend. Mr. Saxton said there are serious problems and people in Sunbury are breathing the stuff in and it is not good. It needs to be resolved. Summer is coming and the same situation will be there. There are people that live in that part of town and they will tell you that what he is saying happened. It is a cloud over the city that is not good.

Ms. Regina Russell said Market St. is starting to look very nice and she applauds council for the work they are doing in the business area. Mayor Persing said the SRI group is in front of that and there are a lot of good things going on.

Mr. Gordon Lamb asked about demolition and contracts. He did a Right-to-Know request and he was surprised that Steinbacher of Williamsport was awarded a demolition contract. He said there were no bids for the contract and he didn't know how there cold be an award without a bid. Councilman Eister said there was a pre-bid meeting where contractors showed up and no one else bid the job. We cannot give him a document that does not exist. There were numerous bidders there. They thought the job was too difficult so they walked away from it. Mr. Lamb said Steinbacher got the contract when they are already facing legal action over the mess they made on Race St with the house they damaged there. Mayor Persing said that has nothing to do with the City of Sunbury. Mr. Lamb said he thinks it is strange that is hanging over their heads and then they get another contract. Mayor Persing said nothing

is hanging over their heads and if he is going to come to the meetings he should bring facts with him. That is Mr. Lamb's opinion.

Ms. Julie Brosious asked if any additional information was found about spaying. Mayor Persing said there are several things printed out on the council table for anyone to take. She said she has some documents. Mayor Persing said there is an outfit in Williamsport and Bloomsburg. Ms. Brosious said there is one with PA PETS with clinics in Bloomsburg, Danville and Selinsgrove. She said there is one called the Eastern PA Animal Alliance and they say if you would like to host a spay day with their local van they have a contact number.

Councilman Henry said he is checking into text alerts for snow and other events that might occur. This has been the most snow accumulation since 1996. He thanked Councilman Eister and Reichner for their help with snow removal. Part of the problem is getting the vehicles moved from streets. They are trying social media, radio stations, TV and newspaper to get the word out. The Municipal Authority has about everyone's phone # in the City and they can send an alert to cell phones. There is a fee but he is checking to see what that might be. Councilman Eister said that could include when a child is reported missing.

Councilman Eister asked Councilman Shipman when he will be back in Sunbury. Councilman Shipman answered the last week in February.

Mr. Troup said he has been in touch with Susquehanna Bank in regard to taking credit card payments. There is a fee but it will not be charged if the city does not use card swiping. There will be no fee if someone logs on to the computer to pay parking fines. He would like council to vote to give him the authority to continue to check into this process. Councilman Shipman said it will be more convenient for people to use, especially for parking tickets. He agrees that Councilman Shipman made that motion to support Mr. Troup in finding out more information. Second – Henry. Unanimous vote.

There being no further business the meeting was adjourned at 6:55 pm.

Respectfully submitted,

Terry Specht
City Clerk