

CITY COUNCIL  
Sunbury PA 17801  
December 22, 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  
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 Troup, City Treasurer  
Brad Hare, Chief of Police  
Brianna Apfelbaum Kula, City Solicitor  
Ken Long, Public Works Assistant Supervisor  
Michael Rhoads, Zoning Officer  
Terry Specht, City Clerk

There were thirty-five (35) visitors present.

**AUDIENCE COMMENT ON AGENDA ITEMS**

Mr. Gordon Lamb: Council needs a 4<sup>th</sup> option for the 2015 budget which would be a reduction in the parks budget which would cover the cost of keeping both cops. The park budget is 14% of the budget and most people have 3%. It is a luxury that can't be afforded any more.

Mr. Ruell Whipple: Why didn't council members read over police budget before it was signed? He meant the police contract. Mayor Persing said that has nothing to do with the budget. Mr. Whipple said it does. What does a retired person get? \$1.7. And council keeps raising taxes. Why doesn't council get work in town instead of putting it on the property owner? Mayor Persing said that means Mr. Whipple is against raising taxes? He said they can do whatever they want because they are all one party and yes men.

Ms. Cora Campbell: Against raising taxes especially when it goes to 5 mils. She said she would appreciate if the officers could be kept but people just can't afford taxes. Her social security was increased 1.7% and how far does that go when taxes and everything else are raised. Every year they get less to live on and it can't always be put on the home owner to foot all the bills.

Mr. Drake Saxton: Mr. Lamb mentioned the recreation budget if it were cut back to what other municipalities spend, there is a DCNR report that shows 3% for cities this size is what they spend, if reduced to what other cities spend there is money to pay for another police officer. The pool and skating rink snack bars have lost money for 4 years. It could easily be turned into a profit for the city by privatizing it. The loss would be stopped and money would be collected from the concessionaire. He has heard the pension is a problem looking at the accrual of unfunded liability. Further privatization of the skating rink would pull the city out of that by selling the facility to a group that would run it as a business as a profit for their own. The city would then be able to retain a police officer and provide the public with the protection they need and pull council out of the budget crunch.

Mr. Ken Maurer owner Southside Sports on S. Front St for 20 years: Would like council to find a way to keep the police officers because over the years it has gotten worse. He would like to do whatever can be done to keep the police officers. He had an instance where they had a shop lifter and it took almost an hour for the police to arrive. They are busy. This past summer he had his door smashed in and had over \$6,000 worth of stuff stolen. The reality of being in business is they need police protection.

Mr. Bob Lehman: Sunbury needs 15 police. He has had the police in his neighborhood a lot, recently with the arsonist. When he purchased the home it was a nice residential community and now it is not. He installed security cameras for peace of mind. This has to get fixed somehow.

### **REDEVELOPMENT AUTHORITY**

Mayor Persing explained that 239 Spruce St. is a half-double that the Redevelopment Authority got involved in to help the adjoining property owner who decided he didn't want to get involved in it. It was put up for sale and was sold and the new owner is fixing it up. To settle the legal issues Councilman Reichner moved to pass a Resolution (see attached) to settle any and all litigation in the Northumberland County Court of Common Pleas, specifically CV-2014-446, regarding this property. And also to give special counsel permission to negotiate a settlement agreement regarding 239 Spruce St. for the sum of \$4,300 to settle, discontinue and end with prejudice all litigation in the Northumberland County Court of Common Pleas, CV-2014-446 and give the mayor authority to sign all documents on behalf of the City of Sunbury and Redevelopment Authority. Second – Eister. Unanimous vote.

### **2<sup>ND</sup> READING CODE ORDINANCE/ADOPT CURRENT IPMC**

Ms. Kula explained this is the final reading to update the code ordinance to give the code officers the most up to date information to work with. The ordinance updates to the 2008, 2009 and 2012 codes. The adoption will take effect in the following Sections: 68.2, 82.2, 88.2, 110, 127.2 and 131. It also includes the use of Act 45 and the ordinance will take place in 10 days which is January 2, 2015. A copy of the ordinance was placed on file with the North'd County Law Library, The Daily Item and city clerk's office. Councilman Henry moved to accept the final passage of this ordinance change. Second – Reichner. Unanimous vote.

### **2<sup>ND</sup> READING 2015 BUDGET**

Councilman Shipman stated this is his 7<sup>th</sup> or 8<sup>th</sup> budget and is the most difficult one to put together. Whatever budget is passed tonight will affect the lives of the citizens and employees of Sunbury. This is not taken lightly. Three options were discussed prior to this morning. Tonight he is offering a 4<sup>th</sup> compromise. The difference between a termination and a lay-off is that a termination is permanent and a lay-off is expectations that the individuals will be called back within 18 months. \$49,000 can be cut from other departments. The 2015 budget will be policed more carefully including the snack bar. A fence that was in the general fund budget has been moved to a capital budget – the money will be borrowed if the fence is needed. Part-time employees have been cut from 3 departments and eliminated from the treasurer's office. The police computer lease that ran out in December was originally in the proposed budget but has been removed because it has already been paid. Councilman Shipman moved to pass a budget that lays off 1 police officer with the hope that officer could be called back within 18 months, terminates 1 part-time person in treasurer's office including further cut-backs to part-time employees in each department. That will give enough money in the budget to carry the 2<sup>nd</sup> officer probably through the end of May. That will be 5 months to look at options to raise additional income or cut additional expenses to save that officer's position and to call 1 officer back. He feels confident that it can be done. When someone is laid off there is a risk that they may go someplace else. He hates to lose good officers and all the department's officers do a good job every day. The taxes will increase 2 mils with this proposed option. Mayor Persing said one of the goals is to come up with a different report to see what all officers are doing and looking for ways to generate income. The 2 officers whose positions are in jeopardy are 2 of the better officers and there will be some retirements in the near future. Councilman Henry asked how sick time, vacation time, etc. will be paid if there is no money in the budget. Mayor Persing said it will be in the budget. Councilman Henry also asked about their health care and Mayor Persing answered they will not stop their health care immediately. Second – Persing. Vote: Yes – Persing, Shipman. Reichner – abstain rather than vote because the officer that will be laid off is more invested in the city than any other officer. He is against this because they worked 5 months with the previous chief that by his own admission did not make calls or arrests. There was another officer off that was off and came back light duty in August and full duty in November. Right there they were down 2 police officers. There were 2 officers working on the murder investigation for most of the beginning of the year. That is 4 officers that were not working. Other officers were off with surgery or other reasons and the city survived with overtime. The police force was down 4 or 5 officers most of the year. He said he is totally against this. Mayor Persing said Councilman Reichner cannot abstain from voting unless he is personally affected by the issue. Councilman Reichner said he would vote no then. Ms.

Carol Mazzeo said her husband explained in great detail the reason he did not answer calls was because when people file complaints there has to be a neutral person to listen to complaints to decide whether or not the complaint was valid. Her husband put in 60-80 hours overtime unpaid every month and he should be ashamed for saying that. Councilman Reichner said her husband told her he did not answer calls. No – Reichner, Henry. Yes- Eister. Motion carried. Councilman Henry said Officer Zerbe should have known what was going on before this. Mayor Persing explained until a final vote no one knew what was going on but he will talk to Officer Zerbe. He and Councilman Shipman just discussed this 4<sup>th</sup> option before the meeting.

## **2<sup>nd</sup> READING TAX LEVY ORDINANCE**

Councilman Shipman explained the 2015 Budget was passed with a 2 mil increase in general revenue taking the city's general revenue millage to 25. There is also a recreation, debt reduction and library tax in the general revenue fund. Councilman Shipman moved to pass on a 2<sup>nd</sup> reading the 2015 Tax Levy Ordinance raising general revenue millage to 25. Second – Eister. Yes – Shipman, Reichner, Eister, Persing. No – Henry.

## **\$10,000 TRANSFER FROM RIVERFRONT TO CHESTNUT ST PROJECT PHASE 1**

Councilman Shipman moved to authorize the treasurer to transfer \$10,000 from the Riverfront Project that was left from that project to the Chestnut St. Project Phase 1 which is also a construction project beginning in the spring. Second – Eister. Unanimous vote. Councilman Shipman said the funds were managed well for the Riverfront Project.

## **PA DOT HIGHWAY OCCUPANCY PERMIT (HOP)/N. 4<sup>TH</sup> ST**

Mr. Rhoads explained SUNOCO is requesting the city to submit an application for the HOP at the site on N. 4<sup>th</sup> St. because the city owns the land. Councilman Reichner moved to submit the HOP and authorize the mayor to sign all documents. Second – Henry. Unanimous vote.

## **OPEN BIDS/FORD ECONOLINE AND 2003 CROWN VICTORIA (CODE VEHICLE)**

Councilman Reichner opened the only bid for the Ford Econoline which was from Matt Johnson \$300. Bids for the 2003 Crown Victoria code vehicle were opened: Chicago Motors \$407, Georgia Cole \$500., Roy Kuhns \$100., and Joseph Grescavage \$800. Councilman Reichner moved to award the bids to the apparent high bidders and the funds should be earmarked for the lease/purchase of a police cruiser. Second – Eister. Unanimous vote.

## **APPROVAL TO PAY INVOICES**

Councilman Shipman moved to pay the invoices on the vouchers payable report totaling \$73,085.89 from the general fund and \$283.05 from the liquid fuels fund. Second – Henry. Unanimous vote.

## **AUDIENCE COMMENT**

Ms. Carol Mazzeo: Councilman Eister said the Chestnut St. project was \$175,000 short and has funding been found for that and if not how can it move forward. Councilman Eister answered the bids came in lower than expected and it is now fully funded.

Ms. Regina Russell, Community Activist: Suggests considering health insurance for 6 months to a year paid by the city for the laid off police officers. Also, 2 years ago former Chief Mazzeo was requesting additional officers on the department and his request was declined. A chief's responsibility is to delegate and supervise and report to council and the public what crimes happened in the city. The chief is usually at a meeting but a report is not given. In most cities the chief gives a report to the public so the public knows what crimes are going on in the city. Not everyone reads the paper or listens to TV or radio. She noticed with Chief Mazzeo that he was at every meeting called by the mayor. She does not know if Chief Hare has been doing that because his responsibilities have increased but they do not have to attend every meeting. If there is a shortage, 2 or 3 officers do not need to be sitting at a city council meeting.

Ms. Laurie Johnson: Jillian Bogar is in charge of the children's program in Cameron Park for New Year's Eve and this year the theme is "Frozen." There will be a lot of things going on from 6 – 8 pm

for children, including carriage rides, Kingdom Kids Puppets and free hot chocolate and cookies. The music begins at 8:30 with 4 tribute bands playing. The light bulb has been refurbished by Triangle Tech and it includes a ticker tape machine. It will also light up and have a message. Ms. Johnson said the VIP tickets for the heated tent include food and adult beverage and are now on sale.

Chief Brad Hare: Addressing Councilman Reichner's comments about man power issues – in the beginning of the year an officer was out on sick leave due to surgery, one officer was injured in the line of duty, he was on administrative leave and there were 2 or 3 officers working the homicide case. There were many shifts where one officer was working and they did not want the public to know that. He has addressed that with the mayor several times. That is not a safe practice nor conducive for the city. In light of the shooting of 2 police officers in New York City, he is letting council know there will no longer be 1 man shifts. People may think that only happens in the big cities but he is not going to be the one to go to an officer's door because there is one person working alone. He has worked well with everyone on council with the budget and it has not been easy. He has known Officer Zerbe for a long time. That is the reason they worked all year with fewer police officers and it is not safe.

Mr. Justin Strawser: After 4-5 months council said they will either lay off another officer or bring back Officer Zerbe – what are the circumstances that will lead up to that. Mayor Persing said the Chief and he will have to come to council with reasons that it can happen. If revenue is generated or other money won't be spent. At this time there are no ideas but they will keep trying to find something.

Ms. Regina Russell: Has there been discussion for the officers to work part-time? Mayor Persing said there is no money in the budget for part-time officers. She said coming from a big city she has noticed crime is increasing and more officers are needed or volunteers to help the officers. There is a program that allows people to volunteer and work alongside the officers. They can make citizens arrests. There is a training program. She urged council to consider keeping them part-time which would help them in their financial crisis they will face.

Mr. Bob Lehman: Can you put a dollar amount for the average tax payer what the 2 mils would be and what the tax increase would be if both officers were kept. Councilman Shipman said the average property tax would increase \$40. with the 2 mil increase. That is the average assessed value. Mr. Lehman said he does not have a problem with the tax increase to keep 2 police officers. Ms. Cora Campbell said that is only city taxes and there are school taxes which will probably go up and county taxes.

Mr. Drake Saxton: Is there a plan in place to have the police pension fund underfunded amount to begin to recover that and be fully funded. Mayor Persing said the police pension meetings are public meetings held every quarter and he can ask the police pension board that question. The police contract is up in 2015 and that will include the police pension. Mr. Saxton also asked about the arbitration filed by a policeman. Mayor Persing said there has been nothing filed by a policeman.

Mr. Gordon Lamb: Is there a raise in the 2015 budget. Councilman Shipman explained there is a raise for all employees that are retained. For non-uniform it is .25 cents an hour or \$10/week. Mr. Lamb asked what the total is and Councilman Shipman answered for non-uniform about \$13,000 and for the officers it is about \$32,000. The officers have a contract and there is no option. Councilman Shipman said the rest of the employees could be punished with no increase but council felt .25/hour is modest. Mayor Persing said the health insurance increase will not be covered by .25/hours increase. Councilman Shipman explained non-uniform employees contribute 7% toward their health insurance premium and the increase will not be covered by the raise and they will be seriously behind.

Councilman Reichner: Next year council will be doing the same thing at budget time because the band aid the original proposal put on is bleeding right now with the changes as passed.

Councilman Henry: What is happening with the property on S. Front St. belonging to John Moore. Ms. Kula said that is still in court proceedings and they are waiting to hear back from the judge. It probably will not happen before spring.

Ms. Carol Mazzeo: Have the solicitor explain to Councilman Reichner how police complaint procedures work so he does not embarrass council by making ridiculous comments.

## **ANNOUNCEMENTS**

Owner occupied home owners in need of code compliance improvements to their properties in Ward 2, 4, 6 and 9 may contact Mr. Tim Brickley at 570-524-4491 to see if they qualify for a HOME grant for home repairs.

The Redevelopment Authority has scheduled public auctions on January 10<sup>th</sup> beginning at 9 am to include:

822 S. River Ave.  
113 Chestnut St.  
149 Church St  
216-218 Spruce St.  
218 N. Front St.

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

Respectfully submitted,

Terry Specht  
City Clerk