

CITY COUNCIL
Sunbury PA 17801
November 11, 2008
7:00 pm

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

Jesse C. Woodring, Mayor
John Shipman, Director of Accounts and Finance
Mark Walberg, Director of Public Safety
Kevin Troup, Director of Public Safety
James R. Eister, Director of Parks/Recreation and Public Buildings

Other City officials in attendance:

Elizabeth Kremer, City Treasurer
Michael Apfelbaum, City Solicitor
Stephen Mazzeo, Chief of Police
Michael Bordner, Public Works Supervisor
Chad Betts, Fire Chief
Michael Rhoads, Property Maintenance Officer

There were five (5) visitors present.

MINUTES AND REPORTS

Minutes of 9/8/2008 & 9/22/2008 and Reports of the Police Dept., Fire Dept., City Engineer, Code Office, Public Works Dept., and Planning Commission were accepted on a motion by Woodring. Eister – second. Unanimous vote.

LEGAL SEMINAR

Statutory Construction Act – Mr. Apfelbaum explained that the PA Statutory Construction Act gives guidance to anyone to understand items like the Third Class City Code. The General Assembly must follow guidelines when it passes a statute. Rule #1 is that it is not absurd, impossible of execution or unreasonable. #2 intends the entire statute to be effective and certain. #3 when a law is passed it does not violate the US constitution or the PA constitution. #4 When the Supreme Court makes a decision, the subject matter must be the same as the statute. #5 The General Assembly must favor the public interest over private interest. This law was passed in 1939 and amended in 1972.

SEALED BIDS/LOT 1-2-130 S CHESTNUT ST

One bid was received for the lot located in the parking lot near Cole's Hardware. The bid was \$500 and includes landscaping the municipal lot, including a curb line to separate the municipal lot from Cole's lot, light poles moved to Cole's property at time of construction and parking bumpers along 2nd St. moved to the appropriate location, per the bid specs. Councilman Eister moved to accept this bid after the solicitor's review. Second-Walberg. Unanimous vote. Any funds not expended on this project from the \$500 must be returned to the CDBG account.

2009 BUDGET

Councilman Shipman explained that the budget is almost ready to be printed. A meeting has been scheduled for November 17th at 4:00 pm to discuss the budget.

NON-UNIFORM PERSONNEL POLICY

Mayor Woodring asked council to look at the revised non-uniform personnel policy and raise concerns and ask questions before the next meeting. A vote should be taken on this policy before the end of the year. Councilman Eister wanted to know if there would be any "penalty" included in the policy in light of the PA Clean Air Act. At this time, there is no policy. The Clean Air Act includes the public and would not be relating to just employees. A policy regarding vehicles must also be set by the City. Councilman Eister would also like a policy regarding compensatory time before the personnel policy is ratified.

2008 CDBG \$10,000 SIDEWALK PROGRAM ALLOCATION

SEDA-COG asked council to think about how the \$10,000 in the 2008 CDBG sidewalk program should be allocated. After general discussion, this item was tabled until another time.

1ST READING/ADDITION TO ARTICLE 106 LICENSED OCCUPATIONS

Councilman Shipman discussed Article 106, which is a 52 year old ordinance regarding licensed occupations, with Mr. Apfelbaum. A \$10 to \$25 fee for anyone coming into the City, with a primary business outside the City, to sell items is currently required. This ordinance has not been enforced for many years. It includes all licensed peddlers and solicitors, trailers not attached to the land, amusement devices and vending machines, public garages and parking lots and public exhibitions. Councilman Shipman feels a \$100 fee is justified considering the age of the ordinance. Also, proof of payment will be required. Councilman Shipman moved to pass on a first reading 2 changes: 1. Increase the annual license fee to \$100 2. Require that proof of payment be provided upon request by the City Treasurer or other authorized agent. Second – Eister. Unanimous vote.

WATER LATERALS

Councilman Walberg explained that the code officers met with members of the Municipal Authority regarding the mandate to install water meters by the end of 2010. Councilman Walberg moved to waive the permit fee for installing the laterals. The Municipal Authority is providing the materials free of charge. A permit will be required to be completed but there will be no charge. The contractor installing the laterals must be a licensed contractor. Second – Woodring. Unanimous vote.

SEDA-COG ENERGY AUDIT

Ms. Megan Epler of SEDA-COG sent a letter to council requesting to conduct an energy assessment on the city hall building and the city barn for \$400 in conjunction with the energy audit they are conducting. Councilman Eister knows what the problems are with the 2 buildings and he does not recommend the energy assessment at this time. New garage doors are needed at the barn and Councilman Eister said he is working to get them replaced.

PPL LIGHT FIXTURE COSTS

PPL sent the following as costs to sell the street light fixtures in 2 facilities:

2 poles and fixtures in the 5th St parking lot - \$122.

4 poles and fixtures in the Edison Plaza parking lot - \$3073.

Councilman Eister remembers talking to PPL about a right-of-way they need and the trade-off was to give the City the poles and fixtures at no cost. Councilman Eister will follow-up with PPL regarding this subject.

BOARD VACANCIES

A letter will be sent to the various board members whose term expires at the end of December. Appointments will be made in January 2009. Also, if there is anyone else that expressed a desire to sit on a board, suggestions will be taken at the next meeting.

2 HOUR FREE PARKING ON MARKET ST AND ALL METERED STREETS

Councilman Shipman moved to allow 2 hour free parking on Market St. and all metered streets from November 28, 2008 to January 2, 2009. Second – Shipman. Unanimous vote.

NOVEMBER EXPENSE

Councilman Shipman moved to pass the November expenses in the amount of \$161,725.70. Second – Woodring, Unanimous vote.

TAX EXONERATION

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

ACCIDENT REVIEW COMMITTEE

Councilman Shipman stated that the City has no formal accident review committee. A recommendation from the insurance broker is that an Accident Review Committee be formed, which would consist of the council members. A review of all accidents will be performed by this committee.

ANNOUNCEMENTS

The Litefest Committee and its helpers will be decorating Cameron Park, Merle Phillips Park and downtown Sunbury on November 15th.

The Holiday/Christmas parade will be Friday November 28th at 6:30 pm. Free hot chocolate and cookies will be provided by the Litefest Committee.

There being no further business the meeting was adjourned at 7:40 pm.

Respectfully submitted,

Terry Specht
City Clerk