

CITY COUNCIL
Sunbury PA 17801
April 14, 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 E. Troup, City Treasurer
Stephen Mazzeo, Chief of Police
Michael Bordner, Workforce Supervisor
Terry Specht, City Clerk

There were twenty-three (23) visitors present.

MINUTES AND REPORTS

Minutes of 2/24/2014, 3/10/2014 and 3/24/2014 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 – Reichner. Unanimous vote. Minutes will be posted at cityofsunbury.com.

PUBLIC COMMENT/AGENDA ITEMS

Mayor Persing asked for comments on agenda items and there were none.

REDEVELOPMENT AUTHORITY

Mayor Persing announced the area of the community gardens is a mess. The Redevelopment Authority is going to take it over and clean it up. Lloyd's Landscapes and Lytle Construction are looking at it in regard to landscaping and a handicap accessible walkway. Councilman Henry said the site has been cleaned up of litter.

The site the Degenstein Foundation purchased for the North'd County Historical Museum at 325-327 Market St. will include a City of Sunbury library. The Historical Society has to decide what to do with the inside of the building. Mayor Persing explained that property is purchased for the Historical Society, not Northumberland County.

On May 1 and May 8 there are 10 properties (see attached) that will be auctioned off by the Redevelopment Authority. The auctions begin at 5 pm and are scheduled every half hour at the properties to be auctioned. 152 Bainbridge is a very nice property for someone to purchase. There are other properties on the Redevelopment Authority Board watch list. If anyone wants to be on the e-mail list to be notified when an auction is scheduled please contact Cheryl in the city clerk's office.

Ms. Kula explained a Resolution has to be passed that approves holding the public auction the Redevelopment Authority will be having and recognizing the proceeds from the sales will go back to the Redevelopment Authority to be used for future blighted property projects. Councilman Eister moved to pass the Resolution as explained by Ms. Kula. Second- Reichner. Unanimous vote.

Ms. Kula further explained another Resolution to add 3 new properties to be declared a public nuisance as recommended by the code office. The property addresses are: 113 Chestnut St, 449 Race St and 116 S 4th St. By declaring them a public nuisance, a notice will be placed on the property explaining to the owner they have 10 days to bring the blighted property to code to remedy the blighted condition. Councilman Reichner moved to pass the Resolution as explained by Ms. Kula. Second – Henry. Unanimous vote.

Mayor Persing added that they are in the process of negotiating lease agreements for SUNOCO and Burger King and they will both be making improvements to their buildings.

PA DOT ROAD CLOSURE

Councilman Henry moved to approve the road closure for the Sunbury River Festival on August 15 and 16, 2014 and the Good Will Hose Co. parade on July 19, 2014. Second – Eister. Unanimous vote.

HIRE DPW PART-TIME SEASONAL SUMMER WORKERS

Councilman Henry moved to hire 5 part-time seasonal summer workers for grass cutting, etc. Second – Eister. Unanimous vote.

ADOPT PA ACT 90

Councilman Eister explained a Resolution was previously passed by council to adopt PA Act 90 but it was not inclusive enough. Mayor Persing said it was passed to participate with the county Housing Authority in a blight program but they needed more information in the Resolution. Councilman Eister moved to pass on a 1st reading an inclusion in Chapter 107 (see attached). Second – Reichner. Unanimous vote.

HARB APPROVAL

Councilman Reichner moved to approve the request for work submitted by HARB for 343 Chestnut St. They will be repairing a front porch. HARB said they must leave the ballasts on the porch. Second – Eister. Unanimous vote.

SCOPE OF SERVICES/SEDA-COG CDBG

Mayor Persing moved to pass the Scope of Services (see attached) as requested by SEDA-COG to administer the 2014 CDBG program in the amount of \$54,000. This is less than last year. Mayor Persing stated that SEDA-COG does a wonderful job for the City. Second – Eister. Unanimous vote.

APPROVAL TO PAY INVOICES

Councilman Shipman told council members that in their packet they have procedures that were rewritten for the financial department – they deal with year-end check processing and city debt. They do not need approval but he wanted to make council aware of these changes. They will be added to the accounting manual.

Also, Councilman Shipman included the 1st quarter statements for each councilman's department and asked them to look at where they stand for the year so far.

Councilman Shipman moved to pay the invoices reported on the voucher's payable report in the amount of \$150,545.97 from the General Fund and \$41,128.59 (street sweeper lease payment included) from the Liquid Fuels Fund. Second – Eister. Unanimous vote.

TAX EXONERATION

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

AUDIENCE COMMENT

Ms. Julie Broschious said that in the May 13, 2013 meeting minutes in regard to the WPA wall Councilman Eister said the bid had not gone out yet for the wall repairs. Ms. Broschious said she saw equipment at the wall and wondered how HRI was selected because they are a paving company. Councilman Eister asked who told her they were a paving company and Ms. Broschious answered it is on their website. Councilman Eister said they are a massive national company and do more than paving. Ms. Broschious said in the article from The Daily Item on February 24, 2014 it says the contract was won by low bidder HRI a paving company headquartered in State College. Councilman Eister said he did not write that. She said she knows that but wouldn't it be his responsibility to correct Rick Dandes if he did not understand what he was trying to put forth. Councilman Eister said no I'm sorry and asked what the next question is. Ms. Broschious went on to say in the minutes one of the other things he mentioned was that money was from FEMA and is for engineering when they were talking about the \$30,500. Ms.

Broscious said that would not be for engineering it would have been for the repair. Councilman Eister said to his knowledge he didn't think there were any restrictions what it would be used for. Ms. Broscious said it mentioned on February 24th that "the wall had repairs done to it over the years but in 2011 it failed an inspection." Eister said this time we want to do things right to correct the problem for the future. Ms. Broscious said going back to 2013 in an article written by Mark Lawrence it mentioned "regarding his opponent Julie Broscious, Persing said it is a shame with the internet and social media voters cannot always decipher what is fact and what is fiction. Regarding the Sunbury flood wall Persing says despite what Broscious is saying the flood wall is in excellent shape and residents are safe." Ms. Broscious said that seems conflicted about what is going on with the wall. Councilman Eister said he thinks the problem is are they referring to the WPA wall or the flood wall. Ms. Broscious asked how Mr. Persing referred to it and Councilman Eister answered the flood wall and they were just discussing the WPA wall. General discussion was held about which wall anyone was referring to. Councilman Eister said the WPA wall failed in 2011 and it was repaired in 1997. Ms. Broscious asked what they were doing about infrastructure regarding those types of things like the flooding within the city. Councilman Eister said the Municipal Authority governs the flood wall and any repairs to it. Ms. Broscious said someone from the Municipal Authority should attend the council meetings to answer questions. Councilman Eister said she should attend the Municipal Authority meetings if they have questions in regard to the flood wall.

Mr. Drake Saxton said he thought the City should have rebid the camera project when the 2 low bidders withdrew their bid. The bid was consequently given to Genesis Security Systems. He asked how the bid from Genesis was \$1,215 per camera but the invoices to the City showed the cameras billed at \$1,275 per camera which is more than the bid price. Mr. Saxton said the City received less cameras than the bid required and paid more and he asked why. Mayor Persing said he would look into it. Mr. Saxton went on to say since the City did not comply with the bid threshold – Mayor Persing said that is Mr. Saxton's opinion and he answered yes. Mr. Saxton said the City purchased a torch portable camera system for \$39,000 from Genesis and no bid exists for the purchase as none was supplied through a Right to Know request. Mr. Saxton said the \$39,000 far exceeds the bidding threshold and why wasn't it bid? Mayor Persing took note of that. Mr. Saxton said there appears there was no bid for the tripod rapid deployment cameras in the amount of \$43,000 and again no record of the bid through an RTK request. Mr. Saxton said invoices indicate the City purchased 15 Access servers at a cost \$1,750 for a total of \$26,000 with no known bid. These particular servers can be purchased on the internet for \$1,350 and he wanted to know why they were purchased at the higher amount. Mr. Saxton asked if the street lights purchased for 4th & Market St have been installed yet. Councilman Eister said no. Mr. Saxton asked when that would happen and Councilman Eister said they should be here soon and will be installed as soon as possible after they arrive.

Mr. Saxton asked why the WPA wall project is being done in the height of the flood season. Councilman Eister said there is a fabric dam that is raised every year and put down every year so it either had to happen in spring or fall to work on it. Councilman Eister said if it was done in the fall Mr. Saxton would have had the same question so it was a no win situation. Mr. Saxton said historically there have been many more floods and high water in the spring so it would make sense to do it in the fall. Mr. Saxton said the original cost of the Redi-rock replacement for the WPA wall replacement was \$391,120 for a 670' wall of 12' height in 2013. In 2014 the project has escalated to \$394,000 for 425' of wall and asked if that was correct. Councilman Eister said the numbers are correct but the footage was incorrect at the 670' because there is obviously not 670' there. It was an error when the quote was written. Mr. Saxton said the bid received by the City said 620' and they would do it for \$391,000. Councilman Eister said that was an estimate and sometimes estimates are not accurate. Mr. Saxton said it was only an increase of \$3,000 but it is a 35% increase over the cost of the original estimate. He feels in 1 year a 35% increase is exorbitant. He said the new wall is being constructed on a base of crushed limestone and he said he believes it will have a difficult time standing up to multiple flood events. Councilman Eister said all the other walls installed are also on crushed limestone. He said he is not an engineer, although Mr. Saxton might be to which Mr. Saxton replied he is not, but several engineers looked at the project. Mr. Saxton said he has looked at the project and it has started to shift already. Mr. Saxton said excavation is occurring against the concrete wall and scrape marks are visible on it. Heavy machinery brushing against the wall could cause damage to it. He said he believes they are not supposed to dig closer than 20' to the wall. Councilman Eister said the Corps of Engineers looked at the soil and tested it about 10 years before the project started. He said everyone has taken every precaution to make sure it is done properly. Mr. Saxton said we will see. Councilman Eister said a lot of property owners are affected by the wall but it has been studied by many engineers. Moving on Mr. Saxton said the City claimed at a council meeting on May 13, 2013 that the WPA wall passed its inspection. Just before the primary election Mayor Persing stated in The Daily Item that the "flood wall is in excellent shape and the residents are safe." Councilman Eister said once again there is a flood wall and a WPA wall. Mr. Saxton said he said the WPA wall and read from minutes of the meeting "Ms. Broscious stated that the Buchart-Horn said the damage was subsequent to the stabilization work that was done and there are 4 different

locations that are in need of repair. She wants to know why the \$30,500 is not being used for repair. It was explained this money was from FEMA and it is for engineering.” Mr. Saxton said that is not a correct statement made by Councilman Eister. Councilman Shipman asked Mr. Saxton if he does anything positive with his time. Does he volunteer to help people? Does he serve on any (not distinguishable on tape). Councilman Shipman asked what he is doing now in Sunbury – any charitable work, serving on boards – what is he doing now to make Sunbury a better place? Mr. Saxton answered right now he is doing something to make Sunbury a better place and that is Councilman Shipman’s opinion that he is not. Mr. Saxton said he is helping the City they just don’t realize it. Mr. Saxton said so there is no confusion in the minutes about Ms. Broschious’ question about the WPA wall and what was referenced or that the \$30,500 was used to repair the wall (tape was indistinguishable) Mr. Saxton said the wall pushed because storm drains weren’t properly attended to. He said it is in the report. The same thing will happen to this wall and that is according to FEMA and their engineers. Mr. Saxton said on May 13, 2013 at a council meeting that the wall passed its inspection (the WPA wall). If the WPA wall goes away the flood wall will have problems. Mr. Saxton said the City is plunged into debt because of the repair to the wall. He asked how much money was received for selling topsoil from the site. Councilman Eister said the topsoil goes back on site. He asked what the disposition of the rock that presently comprises the WPA wall be. Councilman Eister said it is reused in the project.

Ms. Becky Newberry asked about the ramp built at 51 S. 4th St. – she asked if the neighbors are going to be asked to fix their sidewalks. They are bad on both sides of the ramp and there is not a lot of walking space around the ramp. The code officers are not present at the meeting so they will have to ask them. She said she does not understand why the ramp is that far out. The Rescues were not allowed to build a ramp down the front – they had to build a 75’ ramp in the back. Councilman Henry answered for every inch of height you have to build up a foot to be ADA compliant. Ms. Newberry said getting around the ramp could be a problem for anyone with an extra wide scooter.

Ms. Julie Broschious asked who reviews storm water management plans. Councilman Eister said John Bakowicz, the city engineer and the Municipal Authority. She said there was some sort of stone or material being put on the old Wilhold property last week and it doesn’t look like it’s porous. Councilman Reichner said it was put in the parking lot. They took modified and filled the holes up. Ms. Broschious said no they did fill holes but they went beyond that were there was grass and dirt and put the material on it. Councilman Reichner said he has pictures and it was all inside the chain link fence. Ms. Broschious said the chain link changed since Moran purchased it. That was where the kids played baseball and football. Councilman Reichner said right now it is parking lot and the bakery are the ones that did it. She said Dan Ramer told her anything regarding storm water management plans would be reviewed by the code office and then the Municipal Authority. Councilman Reichner said it was not over 5000’ and it was on an existing parking lot. Ms. Broschious said they changed the look of it because it was grass and dirt. Councilman Reichner said they spoke to NEIC and they said they did not need any type of permit.

Mr. Gordon Lamb asked why the failure of the WPA wall was kept quiet until now. He said it was not mentioned during the election last year. Councilman Eister said it was mentioned because it was in the campaign literature. Mr. Saxton said the minutes reflect what Mr. Lamb just said. Councilman Eister said he would apologize one more time – he said he misspoke about the inspection of the WPA wall.

Mr. Bruce Whipple asked how much the contract for SEDA-COG was. Mayor Persing answered \$54,000 and mentioned that prior to SEDA-COG the City spent over \$90,000 in wages and benefits to do the same thing.

ANNOUNCEMENTS

The city-wide clean-up in conjunction with the Sunbury Municipal Authority is scheduled for April 22, 24, 29 and May 1 for Sunbury residents only from 7:30 am to 7:00 pm. Proof of address is required.

There being no further business the meeting was adjourned at 7:00 pm.

Respectfully submitted,

Terry Specht
City Clerk