

CITY COUNCIL  
Sunbury PA 17801  
May 12, 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  
John Bakowicz, City Engineer  
Michael Rhoads, Zoning Officer  
Ken Long, Asst. Workforce Supervisor  
Ken Kipple, Fire Chief  
Terry Specht, City Clerk

There were seventy-two (72) visitors present.

### **MINUTES AND REPORTS**

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 Henry. Second – Reichner. Unanimous vote. Minutes will be posted at [cityofsunbury.com](http://cityofsunbury.com).

### **PUBLIC COMMENT/AGENDA ITEMS**

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

### **CDBG UPDATE**

Ms. Jamie Shrawder gave council a packet of information regarding the Chestnut St. project for discussion points when Congressman Bartletta is in town. The OPG basketball court project will have engineering done by the city engineer, Mr. John Bakowicz. He will create the bid specifications for the project. Councilman Reichner moved to allow Mr. Bakowicz to do the engineering for the OPG basketball court project. Second- Eister. Unanimous vote.

Ms. Shrawder updated council on the demolition projects using CDBG funding – the Redevelopment Authority held auctions in May, 5 of the properties being CDBG properties. The funds will go back into CDBG projects to continue to be used for demolition projects. A list is needed for the demolition projects that will be funded with the Keystone Communities program funds and some tax credit funding the county received for demolition in Sunbury. Final payment will soon be made to CES Engineering and Steinbacher's.

Mr. Lee Zeger of CES Engineering was hired to do the preliminary design and study work for the 4<sup>th</sup> St. corridor traffic signals for a PA DOT grant. Surveying is complete and the grant will be submitted in June. Mr. Zeger also met with Mike Kerstetter from the Municipal Authority in regard to the Chestnut St. project. The City was awarded the Keystone Communities grant for the Chestnut St. project in the amount of \$500,000.

Ms. Shrawder recommends funding the Chestnut St. project in the amount of \$246,000 and \$54,000 for CDBG administration for the 2014 CDBG funding. Councilman Henry moved to use the 2014 CDBG funding for the Chestnut St. project and administration in the amounts discussed. Second – Eister. Unanimous vote.

Mr. Tyler Dombroski is completing an application for a CDBG Competitive Grant in the amount of \$500,000 for the Chestnut St. project. A public hearing will be held on June 9<sup>th</sup> at 6:15 pm in regard to this subject. The grant will be used toward the Municipal Authority work on the infrastructure. Public hearing notices will be placed in well-travelled public places announcing the public hearing. Councilman Shipman moved to hold the public meeting as discussed on June 9<sup>th</sup> at 6:15 pm. Second – Eister. Unanimous vote.

### **SRI UPDATE**

Ms. Meghan Beck said the SPARC planters are almost ready to hang. Discount cards are being developed by the Promotions Committee. The Hill Neighborhood had a successful yard sale and clean-up and will be having a rain barrel workshop soon. The River Festival planning is on-going. The Riverfront planning committee will be holding the 2<sup>nd</sup> Wake the Lake celebration and concert on June 7<sup>th</sup>. Councilman Eister moved to approve the Resolution for use of the Riverfront area for Wake the Lake. Second - Reichner. Unanimous vote. Councilman Eister moved to waive the open container law for this event. Second – Henry. Unanimous vote. Councilman Reichner thanked Zach Stotter and his committee for the river clean-up. Ms. Beck also thanked the city crew for putting the planters and veteran banners up.

### **REDEVELOPMENT AUTHORITY**

Mayor Persing announced that 4 of the 5 properties sold for \$48,500 at the auction on May 1<sup>st</sup>. The next auction is scheduled to take place on May 8<sup>th</sup>.

### **CAMERA UPDATE**

Councilman Shipman created a timeline of the surveillance camera project to bring the citizens of Sunbury up to date regarding this project. He said it is a project that there are concerns about in regard to government spying on citizens.

- 9/22/2010 – Received federal earmark stating technology earmark approved effective 12/16/09
- City did research into the type of camera best suited for use
- Project discussed at 10/8/2012 council meeting
- Surveillance camera bids advertised 10/12/2012
- Bids received (8) and opened at 10/22/2012 council meeting. Council moved to purchase the cameras and related equipment. ABP International Inc. was low bidder and Global Surveillance System was 2<sup>nd</sup> low bidder. Camera quotes were based on the purchase of 100 cameras and both companies were wholesalers. Installation was not included in the bid specs or the bid
- 10/26/2012 – ABP International Inc., Dallas TX and Global Surveillance System, Chantilly, VA, both wholesalers of Mobotix Cameras withdrew their bids because they were bidding against their re-sellers.
- Low bid withdrawals announced at council meeting on 11/11/12. Genesis Security Integration, Pittsburgh PA was next low bidder. Council also discussed why the process had taken so long.
- 11/29/2012 Ms. Delsite drew down \$150,000 from earmark to purchase equipment and \$5,041.02 from JAG grant, to be used toward other expenses
- Spent for equipment:
  - Genesis Security System \$166,728
  - DDB Unlimited \$26,426.12
  - 3G Store \$7,751.76
  - Cradle Point Technology/Verizon \$7,751.80 (Total \$208,657.)
  - Moyer Electronics \$2,053.11
  - K & N Electric \$9,884.82 (parts and labor)
  - Friedman Electric (less than \$500)
  - Global Security Tactics (labor and \$7,300 for labor and equipment for Ft. Discovery location)
- 12/5/2012 city requested final draw on the grant
- 1/7/2013 city filed the final grant report showing what was purchased with the grant money including details of the items that were purchased and the unit costs
- Within 60 days the city received a letter from the U.S. Dept. of Justice stating “a final analysis of budgeted costs has been completed. Costs under this award appear reasonable, allowable and

consistent with existing guidelines.” The letter further states “All costs; listed in this budget were programmatically approved based on the final Budget Detail Worksheets submitted by your agency to the COPS Office.”

Additional Information:

Each invoice is reviewed, clarified and forward to the city treasurer’s office for payment. The treasurer’s office reviews the invoice for accuracy and enters it into the computer system for payment. When the check is drawn three city officials sign each check.

Cameras have two lenses for day/night operation –night vision is not necessary for Mobotix cameras because of dual lenses.

Information about specific cameras or locations are classified for security reasons

The city has spent additional money on the camera project as additional cameras are deployed

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There was no provision made for installation as the city crew was going to be tasked with that job. It turned out to be technically too advanced for someone without knowledge of Mobotix cameras to do. The city has acted prudently during this process and everything is accounted for and the Dept. of Justice is satisfied the money was properly spent that was received for them. Mayor Persing said there was no plan to use the grant for installation but the plan was to use city workers and outside installers. This project is ongoing and will grow for years.

**POLICE DEPARTMENT ANNOUNCEMENT**

Mayor Persing read from a statement (see attached) in regard to demoting Stephen Mazzeo from police chief to police officer.

**PA ACT 90**

Ms. Brianna Kula told council members they did not have to adopt an ordinance for Act 90 but they could pass a Resolution instead (see attached). This can be used as a tool to go after blight. Councilman Eister moved to pass the Resolution concerning blight properties and Act 90. Second – Henry. Unanimous vote.

**239 SPRUCE ST**

Councilman Reichner moved to pass a Resolution regarding hiring an outside attorney to represent the City in litigation brought forth by the property owners of 237 Spruce St (see attached). Second – Henry. Unanimous vote.

Also, Councilman Reichner moved to pass a Resolution to delegate authority over 239 Spruce St. to the Redevelopment Authority (see attached). Second – Henry. Unanimous vote.

**HARB APPROVAL**

Mr. Michael Rhoads told council on May 7<sup>th</sup> the Historic Architectural Review Board addressed the property at 343 Market St. owned by Mr. Vito Bua. The restoration includes a brick façade to match the next building he owns. The 2<sup>nd</sup> story will have a stucco band. Councilman Reichner moved to accept the recommendation of HARB and approve the issuance of a building permit for the work to be completed. Second – Eister. Unanimous vote.

**PA DOT ROAD CLOSURE PERMIT**

Councilman Henry moved to approve the road closure permit for the Ta Ta Trot on July 12<sup>th</sup> on N. 4<sup>th</sup> St. and the Northumberland County Historical Society on July 5<sup>th</sup> on Front St. Second – Eister. Unanimous vote.

## **PROCLAMATION/EMSC DAY**

Mayor Persing read and moved to accept a Resolution in support of Emergency Services week (see attached). Second – Reichner. Unanimous vote.

## **APPROVAL TO PAY INVOICES**

Councilman Shipman moved to pay the invoices reported on the voucher's payable report in the amount of \$522,836.80 (police pension payment made) from the General Fund and \$5,960.70 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 – Eister. Unanimous vote.

## **AUDIENCE COMMENT**

Mr. Drew Bingaman: Said he has issues with the camera project. Councilman Shipman read that the locations of the cameras was to remain private and Mr. Bingaman thought the camera locations should be public knowledge.

Mr. Henry Truslow: The Mazzeo's are valued members of the community and participate in many community activities. He feels more respect is needed in regard to the demotion of the police chief. He said the last paragraph of the press release read by the mayor deals in contractual issues and the chief of police was not involved in the negotiation of the contract and had little to say about the police budget.

Mr. Trent Wilson: Lived in Sunbury for 5 years and he said he does not think Mayor Persing should use Chief Mazzeo as a scapegoat for his shortcomings.

Ms. Jan Dockey: Does not understand why the citizens do not have the right to know why the chief was demoted. Mayor Persing explained it is a personnel issue. No company takes personnel issues public.

Ms. Cora Campbell: Asked if the demotion was personal between the mayor and chief. Mayor Persing answered no. She asked if the public shouldn't know why it happened and he explained again it is a private, personnel issue. She asked if the board approved it. Mayor Persing said they had nothing to do with it. Councilman Eister said council has been involved. Ms. Campbell asked if the board voted on it and Mayor Persing explained the council never met as a group to discuss this. Ms. Kula stated that to clarify, by law, Section 37-002 of The 3<sup>rd</sup> Class City Code states the mayor is the sole authority to make a decision in regard to the police department.

Mr. Henry Truslow: Said he spoke to the chief and asked him how he and the mayor were doing. He said the mayor told the chief he had no problem with him and if he did he would tell him (according to the chief). He said that is why he is confused.

Mr. Drake Saxton: Has spoken to council before about not supporting the police department. Not having money is an important thing. There are projects in the city that squander money, including the WPA wall. A FEMA grant in the amount of \$30,500 which engineering showed the wall could be prepared for that amount. The city is now spending \$400,000 on a new wall. There could have been money to support the police department but in his opinion the money is not being spent to help make the city a better place. Councilman Eister asked about the report that said the wall could be fixed for \$30,500. Mr. Saxton said it is not an engineering report but it says \$30,500 to repair the wall to its pre-disaster condition. In the same document it said if it does cost more, the city could be reimbursed by FEMA for additional funding. Mr. Saxton said Buchart-Horn was hired to do the engineering study. Councilman Eister said they were not hired to do a study. Councilman Eister said 2 meetings ago Mr. Saxton said on May 13, 2013 he made a statement in regard to the WPA wall. He did not have a copy to show Councilman Eister. Councilman Eister asked for a copy. Mr. Saxton also said the wall installed in 2012 was falling. Mr. Saxton said if you look at it it is uneven and starting to waiver and it has moved. Councilman Eister said he asked the engineer to come back in and he asked if Mr. Saxton has an engineering report to give the Buchart-Horn engineer. Mr. Saxton said he has a photograph and physical evidence. Mr. Saxton said they can raise the money for an engineering study. While Mr. Saxton was

looking for the May 13, 2013 information Mayor Persing said that the statement Mr. Saxton made about money that could be used for the police department, grant money must be used for its intended purpose and nothing else. Mr. Saxton said that's true but how much money was borrowed for the Phase 3 riverfront project. Councilman Shipman said they do not expect any money will be borrowed to finish that project. Mr. Saxton asked where the money was coming from and Councilman Shipman answered there is state funding, the riverfront project phase 2 money is still available. Mr. Saxton went on to say at prior meeting the Municipal Authority was giving \$100,000 and FEMA upped their funding to \$50,000 so there is a shortfall of \$250,000. Councilman Shipman said the \$250,000 is covered and no money will be borrowed. Mr. Saxton said the money could have been used for other purposes and Councilman Shipman said it was earmarked for river front. Mr. Saxton said it could have been fixed for \$30.500 and Councilman Shipman said then the grant money would have to be sent back to the state if not used.

Mr. Saxton went on to discuss the cameras. Councilman Shipman said he could make statements but council would not be answering any camera questions. The city made a statement, everything has been accounted for, the Dept. of Justice is satisfied, which Mr. Saxton knew before he asked any questions because he received copies of the information. The grant was already audited prior to when Mr. Saxton tried to get it reopened. Mr. Saxton said invoice 622 dated 12/18/2003 from Global Security Tactics was for downloading video from servers at different locations. The video was for the murder investigation and given to the police department. Mr. Saxton said the police department had to request the information because they could not access it so he surmised the cameras are not working. Mayor Persing said that's like saying the city's computer system doesn't work because MePush is hired to take care of it. He said in that situation someone was hired to download the video. Councilman Shipman said when the police department is fully trained that expertise won't be necessary. Councilman Henry said to be used as evidence it has to be downloaded by someone that is certified in order to go to court to testify.

Mr. Saxton said the Redi-rock wall was not going to be 670' but only 420'. It was originally 670' but pared down. The cost is now more for less wall. Councilman Eister said there is not that much footage at the wall area and that was a clerical error in the original estimate. Mr. Saxton said \$120,000 increase in cost in a short amount of time, the numbers don't add up and why would the project move forward. Councilman Eister said there was an estimate that said 670' which was an error. Mr. Saxton read a discussion on the WPA wall project from prior minutes.

Mr. David Whipple: Anywhere you go, Williamsport, Weis Market, Wal-Mart, you are on camera so he doesn't understand what the issues are with the city's surveillance cameras because people have been on camera for years.

Ms. Jan Dockey: Why would you worry about being on camera if you aren't doing anything wrong.

Ms. Penny Noll: Lives at 350-354 Walnut St. Her property has been mentioned in complaints at several city council meetings. She is a 35 year veteran child advocate and she takes care of multi-racial and special needs children and young adults. The complaint from a neighbor is that she is blocking a pedestrian walkway. She went to the Dept. of Transportation website which states you must have 5' for pedestrians to be able to get through any area. Also, in driveways as long as there is 5' it is considered safe and appropriate. 5' does not have to be a continuous straight 5' as long as pedestrians and wheelchairs can get through. Her vehicles are not over that 5'. She is attending the meeting to stop the multiple visits by code enforcement and the police department because of the complaint of a neighbor that does not use her sidewalk. Councilman Reichner said he has been at the house numerous times and found nothing wrong. If a complaint comes in it has to be addressed but the office is keeping track of legitimate and frivolous complaints and will address it if need be. Ms. Noll said the last time the police department came they said they would have to ticket and she moved the car. Councilman Reichner said as long as the 5' is there she will not be ticketed.

Mr. Randy Yeomans: Lived in city 22 years. He raised 3 children and taught them to be honest and not compromise their integrity. He also taught them if they see someone being bullied they should stand up to that person. Mr. Yeomans feels Mayor Persing is being bullied into replacing Steve Mazzeo because what he is saying does not make sense. The Craigslist killing was handled professionally. There was no backlash on the Front St. shooting. Now they are being told it is a personnel issue. He feels the situation is not right. He said he respects the mayor and his position but he is afraid he is about to compromise his integrity with this decision.

Mr. Gene Heller: Feels the decision to demote the chief was a good one from what he has heard and seen.

Mr. Gordon Lamb: On January 17, 2014 he got a permit to get his roof replaced. The work was done and he submitted all the info required. He spoke to Mr. Rhoads and has not received his certificate of completion which should have come to him two weeks ago. Councilman Reichner said NEIC (3<sup>rd</sup> party inspector) does not give certificates. There is a final inspection and the permit is signed-off on. Mr. Rhoads said typically a Certificate of Occupancy is not given for that type of project. A prior employee of NEIC said he would give the C of O to Mr. Lamb. Mr. Rhoads will try to get that from NEIC tomorrow.

Ms. Julie Broschius: Someone from Elijah's Bowl asked the status of housing for the homeless in Sunbury several meetings ago. Mayor Persing said he went to the people that run Elijah's Bowl and several other service organizations to see if there is a need for it. They could not identify a need for it. He met with Ms. Enders and said there may be a house the RDA has that might be coming up and could be used for that purpose.

### **ANNOUNCEMENTS**

Mulch give away from 7:30 am until gone on June 7<sup>th</sup>.

May 31<sup>st</sup> at 9 am a bike auction will be held on Chestnut St at the city warehouse.

Shikellamy Showdown on May 31<sup>st</sup> at 7:30 at the Shikellamy High School gym, sponsored by the Sunbury Celebration Committee. Proceeds to benefit the fireworks fund.

No council work session on May 26<sup>th</sup> (Memorial Day)

There being no further business the meeting was adjourned at 7:35 pm.

Respectfully submitted,

Terry Specht  
City Clerk