

CITY COUNCIL  
Sunbury PA 17801  
March 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  
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  
Kenneth Kipple, Fire chief  
Terry Specht, City Clerk

There were twenty-eight (28) visitors present.

### **MINUTES AND REPORTS**

Minutes of 1/13/2014 and 2/10/2014 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 Reichner. Second – Eister. Unanimous vote. Minutes will be posted at [cityofsunbury.com](http://cityofsunbury.com).

### **CDBG PUBLIC HEARING**

Ms. Jamie Shrawder opened the CDBG public hearing by explaining the City is an entitlement municipality under the CDBG program and under the program public hearings must be scheduled. Tonight is to go over the program and discuss projects that are under consideration. The funding comes through HUD and DCED administers the program under PA Act 179. The program is to assist municipalities with the opportunity to enhance viability for non-entitlement communities by targeting and funding projects that provide decent housing, suitable living environment and expand economic opportunities for low to moderate income persons. The Fair Housing Resolution (see attached) has been adopted and the Antidisplacement Plan (see attached) states that people cannot be displaced and if they are the city has to make up for it with 1 for 1 housing taken away by a CDBG activity. The Section 3 Preference Statement is attached and is unique to HUD projects. Operating and maintenance expense are not eligible to be paid from CDBG funds as well as political activities, new housing construction, purchase of equipment (except fire equipment) and buildings for general purpose government. Projects must benefit low to moderate income individuals. The 2000 census shows the city is 53% low to moderate income. 70% of CDBG funds must be used to benefit low/mod people. The other 30% can be used for elimination of blight or response to an urgent need (must be declared emergency) with no other funding available. The 3 year plan is renewed each year. A list has been distributed for possible CDBG funding for 2014 (see attached). A scheduled project review will be held on April 7<sup>th</sup> with council members. Ms. Shrawder asked if there were comments on the proposed projects or if anyone had other projects to add to the list. Mr. Gordon Lamb asked if less than 50% of the population was not low/moderate income would the grant funding be lost. Ms. Shrawder answered no, the city would still be eligible but each project would have to be looked at individually to determine who it serves and then do an income survey of the people. A lot of the projects benefit everyone so the census data can be used. Ms. Shrawder asked for questions or comments on historical or environmental impacts associated with any of the projects. There were none.

Ms. Shrawder also reminded council members the projects cannot be started until an Environmental Review is completed on each project.

Ms. Shrawder asked for comments or questions on previously funded projects. There were none. Ms. Shrawder explained cities receive the most CDBG funding and at a minimum they receive \$300,000 from HUD.

Ms. Shrawder said there is no program income earned at this time but if any is earned, new activities must be assigned to it.

Mr. John Bakowicz said Ms. Shrawder mentioned the origin of the program was in 1974 and he said most people were not here in 1974 but the president at that time was President Nixon who started the project and he was a friend of local government and was not given credit for that.

The public hearing was closed at this time.

Ms. Shrawder went on to update CDBG projects. Most of the design work has been completed for the Chestnut St. project which has been postponed until 2015 while the Municipal Authority is checking to see what work under the street needs to be done. A meeting was held in regard to transportation projects and funding opportunities.

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

Mayor Persing asked for any public comment on agenda items. Ms. Regina Russell said at the last meeting she made a statement and said the bathrooms in the building were not up to code and she publicly said she was incorrect about that and there are ADA restrooms.

### **SRI UPDATE**

Ms. Meghan Beck said the Keystone Communities application is complete and they are responding to feedback they heard from the original application. They are in the process of their 2014 membership campaign. The River Festival committee started to meet and the 2014 River Festival will be the 25<sup>th</sup> anniversary of the festival. The Albright council is meeting regularly to seek funding partners through the SPP program and donations of any size are welcome. Hometown Veteran's Banners deadline has been extended to March 17<sup>th</sup> and the unveiling ceremony is scheduled for May 17<sup>th</sup>, Armed Forces Day.

The Promotions Committee has new leadership in Jessica Newell as chair. It will be geared more to downtown merchants and collaborative advertising. The Easter bunny brunch is coming up and they are working on merchant discount cards for downtown businesses.

Mr. Bill Fontana proctored a board retreat and his suggestions will be forthcoming soon and the board will review his suggestions.

Ms. Beck also explained the new planters for the downtown area have been ordered and they still need sponsors to help defray the cost. The new baskets will be larger with internal reservoirs that will hold water so they don't have to be watered as often. The baskets are \$200 each.

As always SRI is looking for interested volunteers.

### **REDEVELOPMENT AUTHORITY**

Mayor Persing explained there is a meeting on Thursday and they will discuss selling some of the properties at auction. If anyone wants on the list to be notified about the auctions they should contact Cheryl in the office.

### **2015 5K RACE**

Councilman Henry moved to allow Ms. Angela Tamecki to close certain streets in March 2015 for a 5K run. Mayor Persing asked if this is a new person and is it benefiting something. Councilman Henry said it is benefiting Laurie's Mission, a children's charity. Second – Reichner. Unanimous vote.

### **RESOLUTION/MUNICIPAL PENSION PLAN**

Councilman Eister explained the pension auditors recommend a contact person for whenever they have correspondence with council members. Councilman Eister moved to appoint the city clerk as the main contact who will in turn relay information to mayor and council. Second – Shipman. Unanimous vote.

### **APPLY FOR GRANT/RAIN GARDEN IN BURGER KING PARKING LOT**

Councilman Eister said a section of the parking lot leased by Burger King is still in city possession. There are grants out for rain gardens to be instituted. Councilman Eister moved to allow Cheryl Delsite to apply for a rain garden grant for the Burger King lot. Mr. Bakowicz asked where the grant comes from and Councilman Eister answered there are funding sources just for rain gardens and rain barrels but he did not know off-hand where the funding is from. Ms. Shrawder said it is probably DCNR.

Councilman Eister explained rain gardens are specifically for use as a detention pond and the water is taken out of the storm water drains and retained on the property. Second – Henry. Unanimous vote.

### **APPROVAL TO PAY INVOICES**

Councilman Shipman moved to pay the invoices reported on the voucher's payable report in the amount of \$75,948.88 from the General Fund and \$5,015.51 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**

Mr. Drake Saxton said he talked about the camera system a few meetings ago and submitted Right To Know requests and he has received partial replies. The request for documents included: Who is in charge of camera system and who makes decisions concerning cameras? All records indicating location of cameras and how many are in each location with serial numbers, etc. All documents indicating location of box, shield or cover of camera system and disposition of unused material, including cameras. The response to the request for information was no document exists. He said this response gives the impression no one is in charge and the city does not know where the cameras are located and they don't appear to know how many cameras are located in any location. It also indicates the serial numbers of the cameras are unrecorded and that opens the possibility that the city did not receive what they are paying for. Mr. Saxton said the serial numbers may answer the question to some of those questions but without them they may never be known. In response to another request for all documents showing a background check on technicians involved in the installation of the cameras and backgrounds checks was no document exists. Mr. Saxton said it is interesting to note the individual hired was arrested on theft charges as reported in The Daily Item. He said the city seems to have failed to exert due diligence concerning the installation and it is interesting to note other cameras were installed in the city but the response was no document exists. An initial right to know request answered was made for all contracts for installation of the cameras, etc. the response was document is not available. He said this raises red flags and other questions. Multiple camera installations were completed in the requested time frame and those documents lost is an indicator of self-evaluation and reform needed on the city. He looks forward to the remaining responses to his outstanding requests. Councilman Shipman asked Mr. Saxton what his interest is in the camera information. Mr. Saxton replied it appears that the city has been lax in the administration of the grant for \$200,000. He said it appears a \$200,000 government grant of tax money has been loosely handled and possibly mishandled and there was no due diligence on the individual that installed the cameras. If the serial numbers are not recorded the city does not know what they got and his interest is he is a tax payer and he helped to pay for it like everyone else in the room. He said Mr. Shipman is new on the council and Mr. Saxton has an interest in Sunbury, he was born and raised here and has family here. Everyone knows he doesn't live here and he has properties here that he manages just outside the city. He has an interest in the area and when he sees \$200,000 used in a questionable manner he is going to question it. Councilman Shipman asked if his concern is not the cameras but the use of the money. Mr. Saxton said his concern is the money was used and the value for that money was gained. Mayor Persing said the former council decided where the cameras would go and contrary to the thoughts of some people where they should go they put them where they wanted them. Also, if the police dept. goes out and has a drug raid they do not tell everyone where they are going before that happens so no one will see a list of where the cameras area and there will never be a list of where they are given out to the public because they have to be kept secret so the bad guys do not know where they are. There is no problem showing how the money was spent and the documentation of that. There are things they solved and there are things they did not solve because there can't be a camera at every place there is a crime. They have made an impact on the city and will continue to do so. There are some portable ones that will be available to the police department and no one will know where they are. Mayor Persing said every dime that was spent from the grant is accounted for and thanked Mr. Saxton for his concern.

Ms. Becky Enders said she serves on the board at Elijah's Bowl Soup Kitchen and invited council members to visit any Saturday morning and see what they do. They not only provide comfort, love and concern for each person but they provide clothing and housing. Haven Ministries is full and they are having trouble finding places to house them. They have exhausted their funds through churches to house them and there is a great many people crawling into sheds or wherever they can find a place. She asked if the city has any regulations or restrictions if they would open a homeless shelter. Mayor Persing said he is sure there is. Councilman Reichner said there are state regulations that would have to be followed and he would check on city regulations. Mayor Persing asked if they are people from the city and Ms. Enders answered yes. She said some sleep outside in cardboard boxes and she can tell them where they are. Mayor Persing asked Ms. Enders to schedule a meeting because he was not aware the problem was that bad. She said they are proud people that come under hard times, they lost

their job and/or homes. Some are women. Food is served at the shelter from 11 am to 12 noon and the doors open at 10:30 am. She said a lot of them do not want to leave the city because they grew up here. Housing could be found in Shamokin or Williamsport but they don't want to leave.

Mr. Britt Hoagland said in talking about cameras, he had a disagreement with Chief Mazzeo and he called the mayor and he did not call back. He also talked to other council people about this matter. He talked to the head of North'd county security, Vinny Clausi and Rick Shoch. He does not know what to do next. He thought after he disagreed with the chief his next step would be to go to the mayor. Mayor Persing said he did discuss this with the chief. Mr. Hoagland said he is concerned. Dan Ramer gave him prints that started the concern about an alley. He wants the gentleman to quit plowing snow in the alley way so he does not have to shovel it. He expressed his concerns and they said he was "SOL." He said the allegations he is concerned with can be seen on North'd county cameras. He was told he would need a subpoena from a judge to view the film. Mayor Persing explained there are properties every snow storm where people get angry because their driveway is plowed shut. Mr. Hoagland said this is not an accident but intentionally done to harass the neighbors and him. Mr. Hoagland said the city plows streets that no one else plows. This man is allowed to plow a city street that no one else is allowed to plow. There is an alley that is plowed shut so it cannot be accessed and it is done on purpose. He plows people in and is not a good neighbor. Councilman Shipman asked if this city employee lives in his neighborhood and Mr. Hoagland said it is not a city employee. He is the only guy that can plow a street that is not a city employee. Councilman Shipman asked if he lives in the neighborhood and Mr. Hoagland said no he owns the neighborhood. Mr. Hoagland said the last person that made allegations against him ended up in court being sued and the allegations were dropped. Mayor Persing said he lost him when Mr. Hoagland said he is not talking about a city employee. Councilman Henry said since he is in charge of maintenance at the county he would like to talk. He said this person does not plow the street just because he wants to plow it. There are dumpsters at the different complexes which are required to be open. Councilman Henry said the snow from the last snow storm was removed, it was not left there. Councilman Henry said Mr. Hoagland is having a problem with Penn Seiple who is going to have him arrested for not staying off the property and Mr. Hoagland is trying to drag everyone else into it. Councilman Henry explained the cameras are the county's cameras for their own use and not for private citizens. Mr. Hoagland said he is not talking about the snow plowing – he is saying after he removed the snow that was put in the alley he walked to the man and he asked him not to plow it shut again. Mr. Hoagland said this person then hit his van with his truck with the snowplow. Chief Mazzeo said there was no damage so there was no crime. Councilman Shipman asked if this is not a city employee, isn't his complaint with the county? Mr. Hoagland said he didn't get anywhere with the county either. Mr. Jerome Alex said that alley is not county property and it has been plowed by the city crew. The alleyway is hardly used. Mr. Hoagland said he uses it every day. Discussion was held in regard to this matter among audience members. Councilman Shipman explained to Mr. Hoagland he has to get a subpoena to view the camera.

Ms. Regina Russell, community activist, said she had some public safety issues to follow up on that she brought up at the last meeting. She said council members are in office because the public put them there and public safety should be first as a public official. She has made complaints about 207-209 S. 4<sup>th</sup> St. and a trailer is parked on the street for several months. The trailer has materials on it. She feels it is a safety issue because there are 3 pipes extending outside the trailer. She said she believes there is an ordinance that says the trailer cannot be parked on the street in a residential area in Sunbury. The property at 238 S. 4<sup>th</sup> St. has a gutter hanging so low it is coming across the sidewalk and it is not falling because it is stuck on a branch on a tree. 354 Walnut St is where the owner parks 2 vehicles that extends across the public sidewalk. She said she is bringing this up again because Chief Mazzeo said when he and Councilman Reichner went to the property there were 3 children in wheelchairs. She asked what happens to the other residents in the community who use wheelchairs, canes, or walkers, what are these people supposed to do because 1 person is allowed to park a vehicle on the sidewalk and the ordinance is not enforced. She said there are probably other public safety issues that should be addressed. Also, there is a young man that takes his wheelchair down that block and he has to go in the street to go around it. Mayor Persing asked if there is no access to the sidewalk and Ms. Russell said the sidewalk has an incline and that is what "you people" are saying people can walk on. She said the vehicle blocks the sidewalk and she has pictures. She does not come to council with frivolous complaints. She also said the sidewalks on Walnut St. in proximity to the school are deplorable and should have been noted by the code office every time they investigated a complaint Ms. Russell made in the blocks close to the school. Compassion and convenience should not endanger public safety. She suggests that someone go to the Board of Education to do a survey and they will come out and do a survey in the community. They have to work with the municipality, law enforcement and the school. You can get a grant to take care of safety issues. She asked Mayor Persing to please fix the long overdue public safety issues. Mayor Persing asked if the code office has these complaints and Ms. Russell answered yes. Councilman Reichner asked Mr. Rhoads about the damaged sidewalks. He said there are damaged sidewalks and he spoke to the owner and when the weather conditions are better they said they would repair the sidewalks. Councilman Reichner also said the vehicles parked on Walnut St. were looked at by he and the chief and they can park there. He said by following the letter of the law the handicap parking in front of Ms. Russell's house should be given to 354 Walnut St. because Ms. Russell has off-street parking and she does not need the handicap parking. Ms. Russell

said she is disabled and she needs to use a walker and she can't use it in the garage because it is too small. Councilman Reichner said she has access to off-street parking and the code book says if you have access to off-street parking you can be denied a handicap spot. Ms. Russell said the occupant of 354 Walnut St. has a 10 seat bus on the street, 2 vans and a vehicle. She doesn't understand how he can say anything like that to her. Councilman Reichner said she heard what the chief just said to Mr. Hoagland about false reports and he said that same thing applies to anybody. Ms. Russell said he is ignoring the codes and not enforcing them and she doesn't understand why for this particular person. She said she already mentioned it is a fire violation and she does not understand why Mike does not address it. Councilman Reichner said the door is not being used. She said any training she has had says you cannot block any doors that exit a house in case of a fire. If there are disabled children in the house there is a violation. She said she does not like to bring out things about people she is just asking that he take care of things that should be taken care of. Councilman Reichner said until the chief tells him they are in violation, Ms. Russell interrupted and said he can't tell them anything because they employ him, interviewed him and gave him the job. He can't tell them something they don't want to hear. She said she didn't come here for a verbal battle she came here to get help and everything comes from the mayor. Councilman Shipman asked when the last time was she observed the trailer and she answered today. Councilman Shipman said he would take a look at it.

Ms. Jan Dockey thanked the public works department for fixing potholes.

Mr. Gordon Lamb asked about the tax anticipation loan and said he remembered that Swineford Bank was to get the bid and asked if they did. Mayor Persing said whoever the low bidder was got it and that was Swineford Bank.

### **HRI CONTRACT/PHASE 3 RIVERFRONT PROJECT**

Councilman Eister announced that the contract has been reviewed and is ready to go for this project.

### **2014 LIQUID FUEL BUDGET**

Councilman Henry announced the 2014 liquid fuel budget has been prepared and he said the only significant change was that \$100,000 was to be applied to the Chestnut St. project but since it won't let for bid only \$50,000 will be budgeted in 2014 and another \$50,000 in 2015.

### **KELLER ST. PLAYGROUND EXPANSION**

Mayor Persing said the Redevelopment Authority Board acquired a property next to the Keller St. playground and they want to know if that land should be attached to the playground. He said it would probably need a new fence. Councilman Eister said in 2015 something could be budgeted for it.

### **ANNOUNCEMENTS**

Mayor Persing announced the street sweeper schedule begins March 31<sup>st</sup> and ends November 14<sup>th</sup>.

The compost area at N. 4<sup>th</sup> will begin accepting brush and grass clippings from city residents only beginning March 29<sup>th</sup> from 7:30 to noon.

Councilman Eister requested an executive session to discuss personnel issues be held when this meeting is over.

There being no further business the meeting was adjourned at 7:10 pm.

Respectfully submitted,

Terry Specht  
City Clerk