

CITY COUNCIL
Sunbury PA 17801
March 23, 2015
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:

Brad Hare, Chief of Police
Michael Apfelbaum, City Solicitor
Michael Rhoads, Zoning Officer
Ken Long, Assistant Public Works Supervisor
Terry Specht, City Clerk

There were thirty-six (36) visitors present.

PUBLIC COMMENT/AGENDA ITEMS

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

CDBG COMPETITIVE GRANT PUBLIC HEARING

Ms. Jamie Shrawder opened the public hearing by explaining this allows the public a chance to comment on the city's application to DCED for additional funding for the Chestnut St. Project Phase 2. The city will be applying for \$750,000 through the competitive grant program to begin the utility portion of Phase 2 which includes 3rd St. to 10th St. The total project will be approximately \$1,162,355. 2014 CDBG funding in the amount of \$236,000 could be available. The local funding would be about \$176,000 if the competitive grant is acquired. Chestnut St. Phase 1 has started with cutting the street trees down. DCED has competitive funding to allocate to projects that can be spent quickly so the application needs to be submitted right away. The utility portion can be completed this year and will be done and close out that grant without relying on getting the rest of the project completed. Ms. Shrawder is also looking for other funding through Penn DOT and additional CDBG funding for the street and street scape to begin in spring 2016. Ms. Shrawder asked for letters of support for the project which make the application much stronger. At the 2nd council meeting in April the final public hearing will be held and the mayor will sign all documents. Ms. Shrawder will submit to DCED and hopefully it will be awarded in June so the bids can go out and the project finished in 2015. Public comment:

Mr. Gordon Lamb: Is Ms. Shrawder hoping to get the money? She answered yes it is a competitive grant but she did discuss the project with DCED and they asked her to submit the application. He also asked if the project would start if the money is not available and Ms. Shrawder answered the project will not start until the funding is 100%.

Ms. Carol Mazzeo: Where is the local funding coming from? Ms. Shrawder said that generally means that 2015 CDBG funding would be used. It can also come from liquid fuels or the Municipal Authority. It is a city decision and has not yet been discussed.

Ms. Becky Enders: Are the funds state and is there state money being used since it is a state road. The funds are federal and even though Chestnut St. is "Truck Route 61" it is not a state road.

Unknown: Is the money to be reimbursed? No

Mr. Steve Mazzeo: Is this part of the Appalachian Local Access Road funding? Ms. Shrawder said yes, that grant has been applied for. They are still waiting for letters of support. Penn DOT

funding could be used for the streetscape part of the project and the Local Access Road funding could be used for the actual street paving.

Mr. Justin Strawser: Will this funding cover the entire project? Ms. Shrawder answered the \$750,000 is just for the utilities and additional funding will be required. Mr. Strawser asked what the percentage is that is already paid for and Ms. Shrawder answered Phase 1 is completely covered. Phase 2 will have funding left over from Phase 1 and that is all the money that is in place now.

Councilman Ric Reichner: They are actually ahead of the game because the bid was not going to go out until fall 2015 but the \$750,000 would put the project ahead of schedule.

Councilman Dale Henry: Met with the Municipal Authority and they will be doing utility work at 4th & Chestnut Sts. because 4th St. will be paved from either Market St. to Walnut St. or Chestnut St. to Walnut St. and it is not part of Phase 2 work.

Ms. Shrawder also reminded the Section 3 Preference statement is specific to HUD funded grant programs and will make opportunities available for low income persons or low income business owners to be able to work on a CDBG funded project. The city's Fair Housing Notice and Anti-Displacement Plan are still in effect. The Environmental Review has been completed with no effects noted. Also, program income was earned through the housing revolving loan fund with the sale of properties cleared using CDBG funds for demolition projects. DCED requires that the public be told that this money, which is around \$12,000, will probably be allocated to the Chestnut St. project. There were no public comments.

116 S. 10TH ST. DEMOLITION

The contractor that was awarded the bid for demolition withdrew his bid. The next low bidder was Burgess Excavating – the bid was within \$300 of the withdrawn bid. Councilman Eister moved to withdraw the original award and award to Burgess Excavating and give the mayor the authority to sign all documents. Second – Reichner. Unanimous vote. Ms. Shrawder said all paperwork has been completed for the 3rd St. demolition project so it can be started at any time. The agreements for 10th St. will be furnished early in the week.

COMPETITIVE GRANT ADMINISTRATIVE SERVICES AGREEMENT

Mayor Persing moved to accept the competitive grant administration services agreement in the amount of \$64,300 which will be paid from the administrative line of the competitive grant. Second – Henry. Unanimous vote. Ms. Jan Dockey said she thought sidewalks were the homeowner's responsibility and it is but since this is an entire street rehab the sidewalks will be included in the Chestnut St. project. The sidewalks are terrible because of the trees that were planted there with spreading roots. The new trees that will be planted will be more appropriate for street trees.

3rd STEP GRIEVANCE/SCHEDULING

Mayor Persing explained there is a written response to the Sunbury Police Officer's Association (SPOA) Step 3 grievance in regard to changing from a 12 hour shift to an 8 hour shift. Council and representatives of the SPOA met and suspended the meeting until Monday March 16th. At that time they were looking for compromises. The council had a compromise schedule thanks to Chief Hare, the SPOA did not give council a compromise schedule. At this time there is a new 8 hour schedule than what they were using. The contract states that the mayor has the authority to change the schedule. He did not feel the 12 hour schedule was working the best. Mayor Persing moved to deny the Step 3 grievance and send written response to the SPOA. Second – Eister. No – Henry. Yes – Eister, Persing, Shipman, Reichner. Motion carried.

PENN DOT STREET CLOSURE/RIVER FESTIVAL

Councilman Henry moved to submit a road closure permit for Sunbury River Festival to be held August 14th and 15th. Second – Shipman. Unanimous vote. Councilman Henry stated that Penn DOT will be doing work on the Veteran's bridge and the bridge to the island. Chief Hare said he was told the work would not start until the summer of 2016. Most of the work will occur at night.

APPROVAL TO PAY INVOICES

Councilman Shipman moved to pay the invoices on the vouchers payable report totaling \$128,486.79 from the general fund of which \$67,000 is the health insurance premium and \$50,568.02 from the liquid fuels fund. Second – Reichner. Unanimous vote.

DISCUSSION

Zach Stotter introduced Eric Attinger, Director of 21st Century program at Shikellamy, Greg Morton, Director of Food for Thought Educational Services program and Kristina Fangmann who is interested in helping with the garden. He explained that after the first year or two of the community garden there was not much involvement. Last year it was not planted at all. They are interested in getting the garden going again in a different path by teaching students to do gardening. Mr. Attinger said he is in charge of after school grants and activities with students. He wanted a service learning project for the students. He has a grant that would cover the funding for shovels, seeds, gloves, etc. He would like to have the students garden and harvest the vegetables to show students they don't always have to buy vegetables at the grocery store. Mr. Morton said the goal is to get the garden set up and beautify the area and show pride in the neighborhood. He said they would like council's permission to use the lot. They are contacting donors to see if they can get some donations. They also will need a water hook-up at the site. They will also use rain barrels as a teaching aid. Mr. Stotter said the soil quality of the garden is not great so they are using raised beds and they will bring in topsoil so it won't wash away. They are not asking council for funding at this time. It is March and planting season begins soon. Councilman Shipman asked if this was going through the Shikellamy School District and Mr. Attinger said yes he works for the school district. Mayor Persing said it is a fantastic idea and he thanked them for taking an interest in the garden. Ms. Julie Broschious asked if they will be using gmo or non-gmo seeds. Mr. Morton said the cost of non-gmo seeds is expensive and they are looking for donations so whatever they receive they will use. He said he hopes to get some donated so they can teach the students the difference. At this time there is little data stating that gmo foods are unsafe. Ms. Broschious said internationally they are not accepted. Mr. Stotter said if others are using gmo seeds it would contaminate their garden anyhow. Ms. Fangmann said they can teach the students about natural pest control, etc. Mr. Stotter said there is a Facebook page that will be updated and made live soon. Mr. Attinger said the students that want to tend the garden will be involved.

Councilman Reichner explained the Sunbury Municipal Authority said the city-wide clean-up should be about \$10,000. The City has no funding budgeted for this project. He met with Mr. McBryan and they thought maybe they would shorten the time and put restrictions on what can be brought in. Councilman Shipman said the budget is very tight, employees are being laid off. He asked if there was a way a small fee could be charged. Councilman Reichner will contact the Municipal Authority and have more discussion with them. Identification should be shown that whoever is bringing items in are Sunbury residents. It is for residents only for items from the house, not contractors to dump for free.

AUDIENCE COMMENT

Mr. Bill Shipman: Decided he would like his new address to be S. Horn Railroad Path, because trains don't operate on streets, avenues and boulevards. He is interested in preserving history in Sunbury. The railroad ran past his house at one time. Councilman Henry said it is automatically south because of the side of the street it is on. Path could be used but it is not recommended because it is not recognized. The 911 addresses should be street, alley or boulevard. He said you have to be careful what you do because if something is changed for one it has to be changed for others. The address should start at 60 because if the building in front of his is torn down and rebuilt they have to let some addresses lower than that for newly constructed buildings. Mayor Persing said there are not a lot of other places that need to be changed. Councilman Shipman said the numbers will be changed not the streets. The list of un-named streets will be used as well and some people will have to change their addresses because of that. Mr. Shipman said he would prefer Avenue if he had a choice. Councilman Henry said he would arrange a meeting with the 911 people and Mr. Shipman so they can discuss it amongst themselves. Councilman Henry said there are other buildings on that street that will have to be changed to S. Horn Railroad "Avenue" as well. Mr. Gordon Lamb said why not make it S. Horn Rail Road.

Mr. Steve Mazzeo: Can he get the schedule from Chief Hare and Mayor Persing answered yes. He said Article 13 does not allow him to change the contract. He requested a meeting for contract discussion and Mayor Persing said he had a cancellation on Thursday at 4:15. Mr. Apfelbaum and Councilman Shipman are also available for that discussion.

Ms. Julie Broschious: Question about article in The Daily Item on March 18th. The mayor raised concern about 12 hour shift schedules and he indicated he did not think it was fair for citizens to wait to have an investigation done because of the way the 12 hour schedule works. She asked how long it would be if officers are continued to be cut for investigations. Mayor Persing said he is referring to incidents and explained if the last day of their shift is Friday night and he has 8 days off after that, it isn't as much the investigation but getting back to the citizens that does not occur. There has not been a detective for many years so they prioritize their investigations. The last detective was Sgt. Blasé. Councilman Shipman said that every 5th week every officer had a week off paid under the 12 hour shifts. Mayor Persing said he has studies that say the production is not the best when people work 12 hour shifts. With their other time off they can be off 1/3 of the year.

Officer Steve Bennick: Mayor Persing said the 12 hour schedule gives a 7 day break so investigations aren't followed up on. Officer Bennick said if they are working nights they don't contact anyone because they work 11 pm to 7 am on the 8 hour shift. It turns into 13 days you cannot contact people to follow up. The 8 hour schedule is horrible for follow up with investigations. Mayor Persing said they rotate shifts and asked if the new schedule is that way. Chief Hare said no. Mayor Persing suggested checking the new schedule to see if it is any better.

Mr. Gordon Lamb: During the last contract the mayor agreed to 12 hour shifts. Mayor Persing answered the 12 hour shift was negotiated with the understanding that the 12 hour shifts could continue as long as it benefited the citizens. At that time there were more officers so the reduction of officers has had an effect on the schedule. Mr. Apfelbaum said the contract gave the mayor the full authority to change to an 8 hour shift if he felt it was a better way to manage the police department.

Ms. Julie Broschious: There are a lot of street lights burned out. One is near the hospital that has been out for over a year. Councilman Eister said that is a PPL light and if someone gets the pole number the office will call PPL to have it repaired. Ms. Broschious said the grate on N. 2nd St. is sinking below street level. Councilman Henry asked Mr. Long to get in touch with the Municipal Authority in regard to that.

Mr. Michael Reitz: Wrote a letter in the newspaper about Gary Heckman. He does not understand how more officers can be laid off. Crime has gotten worse over the years. Mayor Persing said this was discussed last December in regard to the budget. He was hoping for a good end of the year revenue stream and it did not happen. Officer Heckman was kept on as long as possible. All lay-offs were done by seniority. The mayor and chief are trying to keep within their budget goals so they do not go through the same thing with next year's budget. Mr. Reitz said there are cops that care about the community. Officer Heckman turned his life around. He sold marijuana for 20 years. Mayor Persing said every police officer is a good one and they are trying to make them a more efficient department and live within the realm of 11 officers.

Mr. Terrance Bossert: There are good officers but some police officers commit crimes and get away with it. Heckman and Bennick both assaulted him about 2 years ago and did not have any consequences for what they did. Chief Hare said if he has proof he would be happy to look at it. The charges filed against Mr. Bossert were dismissed in court. Mr. Bossert said he has proof and Mayor Persing said call the office and he will meet with him to discuss it. Mr. Bossert said the officers did it because they thought it was someone with the last name Bennick. He does not feel it is worth spending half the city budget on the police department.

ANNOUNCEMENTS

Brush pile will be opening March 28th from 7:30 am to 12:00 noon.

Street sweeping will begin April 6th. Chief Hare said warning notices will go out 1 week before April 6th and ticketing would begin then.

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

Respectfully submitted,

Terry Specht, City Clerk