

CITY COUNCIL  
Sunbury PA 17801  
March 11, 2013  
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  
Todd E. Snyder, Director of Accounts and Finance  
Joseph J. Bartello, III, Director of Public Safety  
Kevin E. Troup, Director of Public Works  
James R. Eister, Director of Parks, Recreation and Public Buildings

Other City officials in attendance:

John Bakowicz, City Engineer  
Mike Bordner, Public Works Supervisor  
Michael Rhoads, Property Maintenance Inspector & Fire Chief  
Brad Hare, Police Officer  
Steve Bennick, Police Officer  
Dan Saxton, EMA coordinator  
Michael Apfelbaum, City Solicitor  
Cheryl Delsite, Adm. Asst.

There were thirty (30) visitors present.

#### **APPROVAL OF MINUTES AND REPORTS**

Jim Eister made a motion to accept the minutes and reports from the following:  
Fire Department; Engineer; Code Office; Public Works and Planning Commission  
Second – Troup. The motion passed by unanimous vote. Minutes will be posted at [cityofsunbury.com](http://cityofsunbury.com)

#### **CDBG UPDATE**

Ms. Jamie Shrawder explained the public hearing scheduled to be held at this meeting was cancelled until a meeting could be held with DCED to discuss the guidelines for economic development projects. DCED has a very strict underwriting policy for economic development projects done with CDBG funds. The city's grant manager Beverly Hutzel will be meeting with the mayor and interested council members to work out the details.

Ms. Shrawder is also working with Ms. Hutzel to determine if stretchers can be purchased for the ambulance company. It has been determined that the company's service area covers a 6 municipality area. Ms. Shrawder is working with the City's grant manager to determine if one of the ambulances primarily serves the City of Sunbury can the city fund the purchase of the stretcher with CDBG funds using the city's LMI status.

The public hearing will be rescheduled as soon as Ms. Shrawder receives an answer.

Currently there is \$47,933.10 in FY11 and \$54,320.00 in FY12 for façade work on hold. The City is still waiting on a determination from HUD on this project.

There is \$9,891 in FY11 admin money. This money can be spent on an administration or planning activity.

\$5,668.06 from program income that has to be allocated to a project. \$32,880 in FY12 was allocated to Economic Development. This money could be used for tax forgiveness on building improvements or to make loans to start up businesses. Again these activities are waiting on a determination from HUD.

There is \$30,000 that was budgeted for FY12 land acquisition that needs to be re budgeted because the land has already been purchased.

All the issues with the 2012 CDBG contract have been amended and contract is on its way. The 2012 and 2013 projects that are under consideration included fire hydrant availability within the City. Councilman Bartello was going to speak with the Municipal Authority and the Fire Department to see if any research has been done on areas lacking hydrants coverage. Councilman Bartello also proposed for access to Pennsylvania Avenue for emergency vehicles. Street reconstruction has also been proposed for funding. Ms. Shrawder is recommending budgeting \$110,000 out of the FY11 and FY12 that has to be re budgeted. She will need the list of streets from Public Works to determine the service

area of those streets. Once the service area has been determined, the streets will have to undergo an environmental review which takes several months. Then it will have to be determined if project has to be designed and bid through the federal process. Councilman Troup asked Mike Bordner to get the list to Ms. Shrawder by the end of the week. Councilman Troup asked if it was easier to get a main street qualified. Ms. Shrawder said yes because everyone would use the street to get in and out of the city.

Ms. Shrawder is estimating the city will receive \$300,000 in FY13 CDBG funds through Act 179. Admin money would be about 18% and demolition would be 30%. That would leave about \$172,200 to be allocated to the projects. She asked that council consider what projects they would like to fund with this money. Some of the proposed projects are the Wolverton St Bike Path, River Front projects and recreation projects.

Ms. Shrawder will continue to work on scheduling the meeting with Ms. Hutzler and to get a determination on the project. She also asked Councilman Bartello to get the hydrant information. Mr. Bartello said he spoke with the Municipal Authority and there isn't any information. There are 2 other hydrants that are on a 4 inch main that could be replaced at Church and Third or Greenough and Third. He said the SMA said 4 inch line is too small and doesn't have the flow rate. It was recommend to put in an 8 inch line and connecting it to the Arch Street because it is a dead end water line on Pennsylvania Avenue if a fire hydrant is connected.

Ms. Shrawder recommended setting up a meeting between council and the Municipal Authority to discuss this project.

Ms. Shrawder has asked Tyler Hertzog to do an income survey on North 3<sup>rd</sup> Street to see if the street qualifies for CDBG funding. If the whole street qualifies, this project could be done as a public works project. If it doesn't qualify, the project could be completed by doing individual projects. Councilman Bartello said the Municipal Authority has a project planned for that same area and suggested coordinating them.

The Redevelopment Authority is currently working through an issue with the environmental reviews for 2 of their projects. 1126-1128 Wolverton Street is in the Susquehanna Mills Historic District. Pictures of the area were sent to Pam Reilly at the PHMC for her review. Ms. Shrawder suggested putting together a letter that states the city has an excess of housing stock and the cost to rehab the house would exceed the fair market value. Councilman Bartello asked if there was documentation to support this determination and if it was in writing. The Redevelopment Authority had someone look at the property and Ms. Shrawder will gather the information.

The second environment review issue is with the old Weis' warehouse. Ms. Reilly has concerns with this building because she believes it was the first Weis Market. Mr. Apfelbaum said it wasn't a store. Councilman Bartello said the first Weis store was at the Edison Plaza and has already been torn down. Ms. Shrawder will inform Teri from SEDA COG that the property was not a store but was used as a warehouse and has no historic value. If the environmental review concerns are not cleared, the city could tear it down with their general funds.

If the city decides it doesn't want to wait on DCED to make a decision about the projects that are on hold, Ms. Shrawder said they could be removed and added at a later date. She would like to get the streets funded as soon as possible. A public hearing will be schedule to allocate the funding. The timeliest issue is getting the FY11 funds re allocated because it has to be spent within 3 years of the contract date.

Mayor Persing asked if he should send a letter to the houses on Third Street. Ms. Shrawder said a post card was sent to those who have not responded and she will follow up with a form letter.

## **SRI UPDATE**

Meghan Beck reported SRI is working on their membership drive and have increased their membership by 20%. Anyone wishing to join SRI should contact the office.

SPARC is applying to DCED and NEP programs for money to rehab a property. Mr. Apfelbaum asked if the City could apply for this grant or if the City has to sign off on the application. Ms. Beck stated these programs are tax credit from private businesses. The businesses must make a commitment for 5 years of \$50,000. This money is paid directly to SRI and the businesses will receive a tax credit of 75% to 80% of their total state taxes after the project is approved. The businesses have to be large enough to have at least \$50,000 in taxes.

The Home Town Veteran Banners currently has 42 new banner applications and there are several old banners that will be re hung. Last year there were 77 banners. Last year's banners can be re hung for \$100. New banners cost \$200. The deadline to sign up is March 22<sup>nd</sup>. She thanked the Daily Item, The News Item and Sunbury Broadcasting for helping to promote the program.

TBIZ is in the process of recruiting 5 Shikellamy School District. They have met with FBLA representatives and the vice principal from the high school.

The Elm Street Neighborhood is working on a rain barrel grant. They are expecting a response by July.

Ms. Beck also has a list of their meeting if anyone is interested.

### **REDEVELOPMENT AUTHORITY**

Mr. Apfelbaum read a list of nuisance properties that were posted and added to the list. The properties are: 312 South Front Street; 964 South Front Street; 1028 Augusta St and 737-739 Market Street. These properties were posted and the owners will be given 10 day to make repairs to their properties. If the owners do not make the repairs, the properties will be added to the acquisition list to remove blight. Councilman Bartello questioned even though there is a back log will houses continue to be added. Mayor Persing stated when this happens some of the properties are removed from the list as the owners make repairs. Mr. Apfelbaum stated there were 58 properties on the list at one time and currently there are 25 properties on the list. Councilman Bartello questioned if these were all vacant homes. Mr. Apfelbaum affirmed they were.

Ruth Riehl stated the Bitner Building is a death trap. She said the building is falling apart and is not safe. She said they were pumping water out of the basement for two weeks. Mayor Persing will ask the Code Office to look into it.

Mayor Persing made a motion to accept the additions to the nuisance list. Councilman Eister seconded the motion and the motion passed unanimously.

### **NEW BUSINESS**

#### **GUN SALE**

Mr. Apfelbaum prepared a resolution concerning the sale of 2 City of Sunbury Police Department's shotguns to the Shamokin Dam Police Department. The price for the weapons is \$300. This is to formalize the transaction. The City is permitted the sale of property to other municipalities under Third Class City Code 36-9-19. He also stated it was done to promote public policy of allowing the transfer of weapons between police departments to promote public safety and although the chief believed he did everything properly by working with Alcohol Tobacco and Firearms, the Third Class City Code must be followed and he will inform the council of any future transaction prior to their completion.

Councilman Eister questioned if all future sales of city property will be brought before council prior to the completed transaction. Mr. Apfelbaum stated that will happen in the future. Mayor Persing also stated there is a complete inventory on file in his office.

Mayor Persing stated the chief realized what happened and doesn't blame him but anything in the future will be documented correctly.

Someone from the audience believes this issue was brought before council. Both the mayor and Councilman Bartello stated it was about handguns and not the shot guns.

Mayor Persing made a motion to accept the resolution. Councilman Bartello seconded the motion and the motion carried unanimously.

### **APPROVAL TO PAY VOUCHERS**

Councilman Snyder made a motion to pay Liquid Fuels payables in the amount of \$6,127.19 and to pay the General Fund payables of \$25,692.19. Councilman Eister seconded the motion and the motion passed unanimously.

### **TAX EXONERATIONS**

Councilman Snyder made a motion to accept the exonerations as presented. Councilman Eister seconded the motion and the motion passed unanimously.

### **AUDIENCE COMMENT**

Mayor Persing announced following this meeting he is calling an executive meeting to discuss the police contract.

Drake Saxton asked for comment on how far the New City Plan has advanced and what will be the next steps to implement the plan. His other issues were the lack of code enforcement for the Moran site and whether or not the code will be updated as suggested in this plan.

Mayor Persing responded that every department has a copy of the plan and should be using it for their direction. He said he is involved with Redevelopment Authority and is addressing the neighborhood and blight issues. Mayor Persing said the question would have to be asked to each department director how they are implementing the plan.

Mr. Saxton stated there is a wide variance from the plan and what is happening at the site. He stated there have been numerous code violations that have not been enforced. He has a long list that he said he presented to Mayor Persing. Mayor Persing said he has given that list to the Code Office to answer. Mr. Saxton believes it would behoove the city to begin to enforce the codes they have enacted since they were enacted to advance the cause of the city and to protect the citizens. Mayor Persing instructed Mr. Saxton to get his requests in writing and Mayor Persing will forward it to the Code Office. The Code Office will answer it as they have done in the past.

Councilman Bartello asked Mayor Persing if he had the list. Mayor Persing responded the list was given to the Code Office after he met with Mr. Saxton about 3 months ago. Councilman Bartello asked Joe or Mike had the list. Councilman Troup asked Mr. Saxton to get the list to Mr. Bartello since he was in charge of that department. Mr. Saxton said he would.

Cora Campbell asked why they were bringing in dirt and building the road up so high at the Moran site. She stated that everyday or almost every day they have been dumping dirt up there. Since there is nothing going on at the site since Clean Harbor moved out, she would like to know why they are building the road up.

It was questioned if they had a permit to do the land disturbance. Mr. Apfelbaum asked Mike Rhoads if a permit was needed. Mr. Rhoads said no because it was open space. The road they are constructing was a part of the original plan because of the complaint from the 5<sup>th</sup> ward group about all the traffic on Julia Street. Part of the plan to get the traffic off of Julia Street was the construction of this road. The plan called for porous material. Councilman Bartello. The plans were presented to the Planning Commission.

Mr. Rhoads stated it is a porous material and that Mr. Strohman has weigh bills from the quarry. Although Mr. Rhoads has not seen them. Councilman Bartello asked if they don't need a storm water plan when they are changing the drainage on a 20,000 sq ft area. Both Mr. Rhoads and Mayor Persing answered that they were not changing the drainage since the area is not being paved. Mr. Saxton said the code calls for a permit if grading is done. He stated that DEP has required to Norfolk Southern a storm water management plan that he says has deficiencies. He said he has filed them with DEP. He also noted that the storm water plan is needed because of the square footage. Secondly he said no permit has been issued and a storm management plan maintenance agreement must be in place prior to activity on the site. He also stated a subdivision plan according to Sunbury's zoning must be filed prior to any activity by Norfolk Central, Minute Man and Clean Harbors. He stated there has been activity going on for several years. Mr. Apfelbaum said those businesses are no longer there. Mr. Saxton stated he point was that the businesses have operated without the proper permits and zoning has not been enforced. And he says there is illegal fill and grading going on without permits.

Councilman Troup stated when Clean Harbor couldn't get their permit they moved out. Mr. Saxton said that was correct. He also stated that Clean Harbor intended to put evaporation pits on the site to evaporate BOC into the air. Mayor Persing asked him how he knows that if they never applied for the permit. Mayor Persing said they would address his concerns although he did not agree with them. Mayor Persing said Clean Harbor was going into an existing building so a subdivision wasn't needed since there weren't any changes. Mayor Persing instructed Mr. Saxton to get his list of concerns to the city and it will be forwarded to Code Office so they can have the answers for the next meeting. Mr. Saxton said he has copies of the permits that DEP is requiring and that Sunbury also requires a permit for. Councilman Bartello stated that anything over 10,000 sq ft requires a permit and they are modifying 20,000 sq ft. He said they haven't been requiring things of people. Councilman Eister asked John Bakowicz to review this issue.

Mr. Saxton read a portion of a letter dated January 11, 2013 from the City of Sunbury that asked what the Zoning Officer's position would be on the stabilization and oily water sensor separator unit with a caustic scrubber system being installed. Mayor Persing said that is what Councilman Troup said they couldn't get because of the city's zoning so it was never an issue. Mr. Saxton said they couldn't get it but it was still their intent. Councilman Troup responded that intent and getting are two different things and that is why they are no longer here. Because no one wanted it and that is why they moved. Mr. Saxton said they have asked repeatedly at council what going on. Councilman Troup responded

they had a meeting and that anyone at the meeting with Clean Harbor and DEP where they informed the public what they were going to do. That was when the city objected to their plan.

Gordon Lamb asked for a list of blighted properties. Mayor Persing asked him to stop by the office the beginning of next week.

Dean Marshall asked if there have been any studies as to what kind of fill was put on the site. He stated where he lives there is a hydraulically fractured well pad that was reclaimed that tons and tons of the rock that sat under the leaking liner now sit on the mountain behind his house. He said city council should know where the dirt is coming from and what it is. Councilman Bartello asked Mr. Rhoads to try and get the weigh bills.

Diane Whipple wondered if a feasibility study would be done about putting a line down on Chestnut Street. She said PennDOT said the city was notified. Councilman Troup said PennDOT has not spoken to him. He also fears putting a stripe down the middle will turn the street into more of a race track. He also stated that he would like to talk to Ms. Shrawder about re doing Chestnut Street with the CDBG monies and he will see if that could be address at that time.

Ms. Beck thought the issues would be addressed with the Wolverton Street Project. Councilman Troup said the Wolverton Street project will take place beginning at 10<sup>th</sup> Street and will narrow down to one lane.

Julie Brosius asked what kind of certifications and credentialing the dog has and whether or not he will be trained as strictly a drug dog. She also asked if the dog was a partnership between Northumberland County and the City. Mayor Persing said the dog belongs to the city and has 3 or 4 different ones and he has to be certified in each one with Officer Hause. These certifications will take 3 to 4 months. She asked if it would be possible to have the dog at the next council meeting to introduce him to the public. The mayor said he would check Officer Hause's schedule to see when it might be possible.

Jan Dockey asked if he would be what is referred to as a bite dog that is used for crowd control and bad people running. Mayor Persing said the dog would be sent into buildings for searches.

Becky Enders stated she travels Chestnut Street to go to work. She said there are school buses that pick up handicap children along this street. She stated the bus drivers gets out of the bus and goes in to get the passenger some of which are in wheelchairs. This process ties up traffic. She has had to find an alternate route to work. She stated there is an issue with oil trucks as well. Mayor Persing said the oil trucks will not be able to block traffic once the Wolverton Street project is complete but traffic will have to wait on the school buses.

At this point the meeting was turned over to Alan Mosberg from Phillips for a presentation about new street lighting.

With nothing further to report, the meeting was adjourned.

Respectfully submitted,

Cheryl E. Delsite  
Adm. Asst.