

CITY COUNCIL  
Sunbury PA 17801  
June 11, 2012  
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  
James R. Eister, Director of Parks, Recreation and Public Buildings

Other City officials in attendance:

Elizabeth Kremer, City Treasurer  
Lisa Martina, City Controller  
Michael Apfelbaum, City Solicitor  
Stephen Mazzeo, Chief of Police  
Michael Bordner, Public Works Supervisor  
Terry Specht, City Clerk

There were forty-eight (48) visitors present.

### **MINUTES AND REPORTS**

The Minutes of 5/14/2012 and the available departmental reports of the Police Dept., Treasurer's Office, Controller, Health Dept., 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 are in the City Clerk's office for review. Motion to accept was made by Mayor Persing. Second – Eister. Yes – Snyder, Eister, Persing. No – Bartello. Motion carried. Minutes will be posted at [cityofsunbury.com](http://cityofsunbury.com).

### **SRI UPDATE**

Mr. Gary Grossman reported that SRI is planning to get the planters on Market St. planted as soon as possible.

### **REDEVELOPMENT AUTHORITY UPDATE**

Mayor Persing said the focus of the Redevelopment Authority right now is on getting the house built at 202 Washington Ave. Demolition of the existing structure and putting the modular home on the site have to be coordinated so fill does not have to be put in the remaining hole and then taken out.

### **RIVER FRONT PROJECT**

Councilman Eister said work is proceeding but is behind schedule. There are a lot of people utilizing the area since the weather has been nice. There is some paving and sidewalk work to be finished. The dedication will be August 16<sup>th</sup>.

### **LANDLORD/TENANT ORDINANCE**

Mayor Persing reported that he, Councilmen Snyder and Eister attended the public meeting along with 2 audience members and 2 from the news media to discuss additions to Chapter 134 – Rental Property ordinance. The up-to-date ordinance changes will be available next week and a first reading should happen in July. There will be another public meeting scheduled to discuss the ordinance changes before final passage and what is on the website will also be updated.

### **CAUTION SIGNS/REAGAN ST & FAIRMOUNT AVE**

Councilman Bartello said he had some citizens that live in that area asked him if it would be possible to put caution signs leading to this intersection and perhaps a slower speed limit. Since Reagan St. is a PA DOT street Mr. Bordner was asked to contact PA DOT to request a study. Mayor Persing also said that the parking space at the top of Line St. hill should be removed because there is no where to move to if 2 cars come through at the same time. Mr. Bordner said people have always parked there but it is more noticeable since the lines were painted. He has looked into the situation already and will have the parking lines removed.

## **RIVERFRONT VENUES**

Councilman Eister said a committee will be formed to coordinate functions at Riverfront Park for 2013. Several requests have come into the office to have wedding ceremonies there. Councilman Eister said council will also have to discuss allowing alcoholic beverages in the area so wine or beer festivals could be scheduled. Ms. McLaughlin said she did not think Lock Haven allows alcohol at their events.

## **STREET SWEEPER**

Councilman Eister said Councilman Troup asked him to bring up the idea of staggering the street sweeper every other week. The cost of fuel for the street sweeper is \$4,000 already. Councilman Bartello asked how that would work with parking. Councilman Eister said that is being discussed. Chief Mazzeo said last year there were maintenance issues with the street sweeper and it did not run every week. Councilman Eister said if cars will not be ticketed that must be discussed because an equitable way would have to be found. The street sweeper schedules are already printed and out. Chief Mazzeo also said that there is a certain level of street sweeper ticket income that comes into the City as revenue so council should consider that issue as well. Councilman Bartello said he has had citizens ask him if Edison Plaza is cleaned and Mr. Bordner answered yes it is on the schedule. If vehicles aren't moved the cleaner cannot clean properly. Ms. Kremer said Northumberland has a schedule that one night you park on one side of the street and the next the other and it runs all year round. Corporal Brad Hare said the schedule shouldn't be changed. Councilman Bartello asked if using the sweeper makes that big of a difference and the answer is definitely yes. Mr. Bordner said the sweeper is being repaired at this time. Councilman Eister said he is going to discuss this with Councilman Troup because running the sweeper every other week will not work. More will be discussed on this topic at a later meeting. Mayor Persing did say do not change your parking patterns at this time because no parking is still in effect.

## **3<sup>RD</sup> PARTY INSPECTION SERVICE**

Councilman Eister said an RFP was sent for a replacement of the 3<sup>rd</sup> party inspection service the City is using. Danville Borough was the low bidder because all the money received from inspections will be kept by the City. Danville Borough will be paid a rate of \$375 per week for 8 hours of work. NEIC will be doing electrical inspections and will also cover for Danville Borough if the code inspector is on vacation or unable to come to Sunbury. This is for commercial and new residential permits only. Mr. Dave Whipple asked if this is the company that held up the car wash project and Councilman Eister answered yes. Councilman Bartello said it wasn't the company it is the architect that held that project up so this company will probably be replaced soon when the architects still don't give the needed information. Councilman Eister said NEIC's policy is to review the prints and if necessary go to the architect and go through the plans one-on-one so the deficiencies can be addressed. Councilman Bartello also said BIU was here for 3 hours of office time and in Sunbury whenever called in and doesn't think that is a fair comparison. Councilman Snyder said the big difference is that right now a percentage of each job comes to the City; the new process has the City receiving the majority of the fee which will be a legitimate revenue source and not a flow-through account for the 3<sup>rd</sup> party inspector. The Danville Borough hourly rate is scaled down, if their code inspector is used for more hours, the scale goes down. Councilman Bartello asked what kind of experience Danville Borough has with this project and Councilman Snyder explained the code officer in Danville is a former BIU employee and is employed full-time by Danville. She already has experience with Sunbury and will fit in very well. Councilman Eister moved to hire Danville Borough as the primary 3<sup>rd</sup> party inspector and NEIC as the electrical inspector and back-up for Danville Borough inspector when they are unable to accommodate Sunbury. Second – Snyder. No – Bartello. Yes – Eister, Persing, Snyder. Motion carried. Mr. Apfelbaum said this is considered regionalization which is what the state is looking for with municipalities.

## **PCTI/WOLVERTON ST PROJECT**

Councilman Eister explained this project will be started in the fall. Ms. McLaughlin sent an RFP for proposals for a PA DOT inspector for the job. 9 proposals were received. The committee studied the proposals and went over them and ranked the top 3 companies: 1. Buchart-Horn 2. Bassett Engineering and 3. Stahl Shaffer. Councilman Eister moved to select Buchart-Horn as the inspector for the Wolverton St. Project. Second – Persing. Yes – Eister, Persing, Snyder. No – Bartello. Motion carried.

## **CHAPTER 53-AIR POLLUTION/SUNBURY MUNICIPAL AUTHORITY**

Mayor Persing explained that as part of the expansion of the transfer station the Municipal Authority is applying for a grant in the amount of \$249,241.50 from DEP. Chapter 53 shows that some burning is allowed in the City. If any burning is allowed, the SMA will not be eligible for the grant. Mayor Persing thought all burning was removed years ago however there are some exceptions. Mayor Persing moved to eliminate B.2 of Chapter 53 which will ban all burning in the City. Second – Eister. Unanimous vote.

## **VOUCHER'S PAYABLE REPORT**

Councilman Snyder moved to pay the invoices reported on the voucher's payable report in the amount of \$142,226.23 from the general fund and \$1,700 from Liquid Fuels as funds are available. Councilman Bartello asked if the fire alarm system showing under CareerLink expense is part of the contract with them and the Mayor answered yes the City had to upgrade the fire alarm system to accommodate ADA. Councilman Bartello also asked about the bill paid for cleaning the cameras in Cameron Park. Ms. Specht explained that was to put the wire in the conduit because the squirrels ate through the wires twice already. That is why descriptions should not be changed on purchase order requests. Second- Eister. Unanimous vote.

## **TAX EXONERATION**

Councilman Snyder moved to pass the tax exoneration list as requested by Statewide Tax Recovery. Second – Eister. Unanimous vote.

## **VERIZON WIRELESS PRESENTATION**

Councilman Snyder said technology at the police department and city hall has been updated in the past year. He has been working with Verizon Wireless to help to reduce costs for telephone usage. Last year during the flood situation city hall had to be vacated so there was no telephone service to city officials. He further explained that whether someone is at city hall or not, city business can still go on. He said a savings of \$16,000 could be realized by getting portable phones in all departments. The handset phones would be phased-out. Virtual PBX would be used to allow phones to route to the appropriate departments. Ms. Wendy Weaver from Verizon Wireless explained that there are 18 telephones that would be impacted. Ms. Weaver said if an emergency event would happen employees could still conduct city business. Councilman Snyder said he wanted to get the numbers to council to consider and show the benefits to the department heads. Everyone would have a hands-free headset. Councilman Eister asked if the old style phones would be on the desks and the answer is no it would be a cell phone. Chief Mazzeo asked if a docking station would be an option. Ms. Weaver said depending on the handset they would be available at an additional cost. Councilman Snyder said the phones the City would be getting that are free do not have a docking station. Ms. Weaver said with government plans during an emergency situation the municipalities with Verizon would have priority on the network and go to the top of the line on the tower. Councilman Snyder said it would also eliminate personal use of phones because if someone is subpoenaed at court, all calls ever made would become public. Councilman Snyder said he is trying to find every way possible to save money for the upcoming budget. He also said negotiations would have to be made with Verizon to get the home-connect phone desk. Ms. Weaver said it is free for government entities. Mr. Rick Reichner said the savings is good but there are 18 phones to be used and the phone usage is based on 200 shared minutes per phone. He figured that to be 10 minutes per day of usage per phone. Councilman Snyder said there is unlimited talking within the Verizon network. There is a pulling of minutes but if one person only uses 100 minutes, someone else can use the balance. Councilman Snyder said real-time council members will be able to see how many minutes are being used and they cannot do it with the landlines.

Mr. Dale Henry said in September when the county EOC Center was activated, every person with a cell phone was shut down. No one, no matter what company they use, could get out on a cell line. He understands what Ms. Weaver said about municipalities having priority status, but he does not understand how Verizon can say priority is given to government entities. Councilman Snyder said by going wireless landlines will be eliminated completely. The fax lines will still be land-based.

## **AUDIENCE COMMENT**

Chief Mazzeo announced that the Salvation Army is having a spaghetti dinner and bake sale on Tuesday June 12<sup>th</sup> between 4 and 7 pm.

Mr. Bob \_\_\_\_\_ said the old Celotex has the gate open all the time. He asked why they are still operating if permits haven't been received yet. Mayor Persing explained they are not doing anything they haven't been doing since the site opened. The permit was for Clean Harbors and they have not started their operation yet because they have not been granted the permit by DEP. Councilman Bartello said the permit was for something that would be done in the future and it does not affect the current operations.

Ms. Charlene Good said there was an article in the paper that said the landlord/tenant ordinance would be discussed at this meeting. There are a lot of landlords at the meeting and she asked if it could be discussed at this meeting. Mayor Persing said no one even has a copy of it to discuss. Only 2 people showed up at the public meeting held prior to this meeting when council members were discussing this issue. The main changes include not being able to rent to anyone that has been convicted twice of dealing drugs, the responsibilities of the tenants and the landlords is more defined. It is also

recommended that leases have the new ordinance included with it and property owners that are not using a lease should use one. There will be a property manager within 15 miles if the landlord is out of town/state. An example would be if the code office is trying to work with the tenant to get rid of rubbish and they never do, the landlord will be responsible to have it cleaned up, or pay the bill if the code office has it removed.

Ms. Julie Brosius said the neighbor's leave junk lay around their house and the wind blows it onto her property. She dumped several items on the council table that she cleaned up from her yard. She has talked to the landlord who refused to do anything about the problem. She also said the toddler children are hanging out of windows that have broken screens and throwing items out of the house. Mayor Persing said the code office will check on this issue Tuesday. Councilman Snyder explained that if there is an accumulation of trash the owner will be held accountable. If the City sends a crew to clean it up the landlord will be responsible for that bill.

Councilman Eister explained to Ms. Good that the changes put the responsibility on the property owner that put the tenant in the house. Too often landlords said it was the tenant's responsibility and did not work with the code office to get things cleaned up. Mr. Richard Good asked if there would be a list so they will know who they can and can't rent to. Mayor Persing answered there are a lot of places they can get background checks done and it will be the property owner's responsibility to do that.

Mr. Louis Ramirez said the mayor made the statement that he was upset because of the 104 people that were rounded up in the last drug raid – many of which are repeat offenders. Mr. Ramirez said he owns property, pays taxes and lives in the City. He takes care of his properties and tries to get good tenants in. He said he knows people that have had felony convictions against them and they are now moving forward with their life. He feels their rights would be violated by the changes to this ordinance. Mayor Persing said he did not say felonies, but convictions of selling drugs twice. Mr. Ramirez said the City has more resources to do background checks and doesn't feel he should have to pay for them. Mayor Persing explained that rentals are a business and this is a business expense. Chief Mazzeo explained this is a strategy to stem the flow of drug dealers in the City. It has been used in other areas successfully. Other places charge an application fee for tenants to apply for housing. This fee could be used to offset the background check if the prospective tenant pays it up front. Within the last few years many ordinances have been looked at to see what can be done to help with this problem. Chief Mazzeo said this should benefit the landlords instead of penalizing them. There are a handful of landlords that create the issue and it is unfortunate everyone has to abide by other rules because of a few. There are many databases that the police cannot tap into but citizens can. This applies to family or friends the tenants bring in as well. Mr. Ramirez said he just hopes everyone looks at this and passes the right ordinance for the best reasons for Sunbury.

Mr. Preston Ross asked if the City was going to help landlords evict tenants since there are laws that state you must have 30-day notice, 60-day notice and 90-day notice to evict tenants. Mayor Persing explained that they cannot change the laws of the state so that eviction process will still have to be followed. Councilman Eister explained that the landlord put the tenant in the property and to evict them would be the landlord's responsibility per current eviction laws. Mr. Ross then asked if during the time period of the eviction would they lose their rental permit. Mayor Persing answered no. Mr. Apfelbaum said everyone is in this together and everyone has to work together to make this successful.

Mr. Robert Werline said the magistrate takes care of the eviction process.

Mr. David Kipple said it took him 30 days to have a tenant evicted and cost him \$150. He gave the tenant 10 days, the magistrate gave 10 days and the constable gave 10 days and then the tenant is out. He said that process worked for him. He also said if someone is looking to move into a new rental unit, the landlord should go look at where they are leaving and if it's a mess the new place will be a mess. If you are a deadbeat landlord and not around, you should get someone in to take care of the property.

Ms. Frankie Jones said she is a real estate broker and feels this could be clarified if all the terms are put in a lease. The lease is a binding contract. The landlord can say only a certain amount of people can live in the house. The lease takes care of all the problems like who cuts the grass, etc. and the notice to evict can be put in a lease also. She said the surrounding towns will not allow things like trash, grass between the sidewalk and curb, broken down furniture, high weeds, etc. Sunbury has a reputation for that sort of thing and she said it can be taken care of if landlords would be more vigilant. It is good for everyone, and needs to begin with landlords. The tenant also feels more secure.

Mr. Jerry Troup said he is wondering where the man-power would come from to enforce the changes to the ordinance. Mayor Persing answered the code office would do it. He asked about every tenant coming to the code office to register. Mayor Persing said that is one of the things that would change. The landlord will have to submit the names of people living in the rental unit. Mr. Troup said he supports the idea but doesn't think some of the items make sense. Mayor Persing invited Mr. Troup to attend the next 2 council meetings and the public meeting that will be held to discuss this issue before the final reading.

Mr. Preston Ross said he is in favor of cleaning Sunbury up and he agrees with Ms. Jones – Sunbury has a good base of decent, good, hard working people. He is definitely in support of some of the changes being made.

Mr. John Reader asked where the landlord stands to evict tenants after 60 days – can they call the police department? Mayor Persing said that is up to the magistrate and council has no authority to change the PA laws.

Mr. Dale Breed asked if the form will be changed for the rental permit application so landlords can verify that background checks are done. Mayor Persing said there is no where in the ordinance that says they have to do a background check, it is a suggestion to get better tenants.

Ms. Jan Dockey asked how she would get a curb in front of her home. When resurfacing Susquehanna Ave, the contractors built the street up so high the curb is gone. When it rains, the water sits in the street and becomes a mess in front of her house. Councilman Eister said perhaps hot patch could be put in the low spot. He gave the information to Mr. Bordner to see if he thinks that will help the problem.

Mr. Dave Whipple said there are snakes in his neighborhood since they have been ripping up Celotex and what should they do about this problem. Mayor Persing said he doesn't know. Ms. Dockey said if they are not poisonous she would leave them because they eat the rodents.

Mr. Drake Saxton read a letter to council (see attached). Mayor Persing replied that nothing has changed at that site that has not been going on since it opened. Mayor Persing asked Mr. Saxton to clarify if this is addressed at Moran or Clean Harbors. Mr. Saxton said Clean Harbors. Mayor Persing further explained that Clean Harbors is the largest haz-mat company in the eastern hemisphere. They applied to DEP to haul various items to the site. The application has been withdrawn and is now on hold. Clean Harbors is not bringing anything into the site at this time. There are Clean Harbors trucks sitting there but they are there for repairs, it is nothing more than a garage. When Clean Harbors is issued a permit by DEP, council can then talk about it. No one on council will allow hazardous materials to be hauled into the site. He further stated that if Mr. Saxton wants answers to the requests on the form, he should submit a Right-to-Know request to the city clerk's office.

Mr. Louis Ramirez said he has seen a lot of scooters on the streets and he is afraid someone will get hurt. He asked if there would be a way to create a path for them to get them off the streets. All curbs in the downtown area are handicap accessible. Chief Mazzeo said when the police see them they tell them they should get off the street. It is a dangerous situation.

## **ANNOUNCEMENTS**

The Elks Flag Day Ceremony is at 4:00 pm in Cameron Park on June 16<sup>th</sup>.

Music in the Park begins on Tuesday 6-12 at 7:00 pm in Cameron Park with Smooth Country performing.

Councilman Eister announced that Meckley's received the paving contract for 2012 through the COG and will begin paving in August.

There being no further business the meeting was adjourned at 8:00 pm.

Respectfully submitted,

Terry Specht  
City Clerk