

CITY COUNCIL
Sunbury PA 17801
September 13, 2010
7:00 pm

A regularly scheduled meeting of the Council of the City of Sunbury was called to order with the Honorable Todd E. Snyder, Vice-Mayor, presiding. There was a quorum with the following in attendance:

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:

Elizabeth R. Kremer, City Treasurer
Lisa J. Martina, City Controller
Michael Apfelbaum, City Solicitor
John Bakowicz, City Engineer
Stephen Mazzeo, Chief of Police
Michael Bordner, Public Works Supervisor
Michael Rhoads, Property Maintenance Officer
Joseph Swope, Code Officer
Linda Danley, Clerk/Code Office
Terry Specht, City Clerk

There were twenty-three (23) visitors present.

MINUTES AND REPORTS

The available departmental reports of the City Administrator, Police Dept., Treasurer's Office, Fire Dept., City Engineer, Code Office, Park and Recreation Department, Park & Recreation Board, Public Works Dept, and Planning Commission are in the City Clerk's office for review. On motion by Snyder, second by Eister, the available reports and minutes of 8/9/2010 and 8/23/2010 are approved as presented. Unanimous vote.

RIVERFRONT PROJECT

Councilman Eister moved to pay Kinsley Construction in the amount of \$138,471.37 for work on Phase I. Second – Troup. Unanimous vote.

Councilman Eister moved to reimburse the City for \$145,000 paid from the general fund and being reimbursed from 2010 CDBG for payment to Buchart Horn, Inc. Second – Troup. Unanimous vote.

Councilman Snyder asked council to consider keeping Mr. Bill Roll on the Riverfront Project as a financial advisor for 10 more hours in a 3 month period. Councilman Eister asked if a report was given to council by Mr. Roll. Councilman Snyder explained that up to 20 hours of his time was approved at a previous meeting. The funds to pay him are coming from the overage from the Benecon payment. Councilman Eister asked what the amount was that was received and the answer is \$175,000 was budgeted in 2010. He also asked what the amount was over \$175,000 that has been received and the answer is approximately \$30,000. Councilman Eister asked when was it decided what the overage would be used for and when would council know about it? Ms. Kremer said it was just received. Councilman Snyder said that historically the amounts over the budgeted amount from Benecon have been used for this type of expense from the general fund. Ms. Kremer explained that when a check is received from Benecon it is supposed to be deposited in the general fund. When it was received in 2010 there was a lot of money in the general fund so she put it in a special savings account until it was needed in the general fund to pay bills. Councilman Eister explained that he understands that but why wasn't council notified of the extra funds available? Councilman Snyder explained it is not a surplus until all expenses have been covered for the year. It is revenue helping to manage cash flow. Councilman Troup explained that one large medical claim would wipe the payment out and the City would not receive any amount. Councilman Snyder moved to hire Mr. Bill Roll for another 10 hours over a 3 month period at \$100 per hour. Second – Eister. Yes – Snyder, Bartello, Eister. No – Troup. Motion carried. Councilman Eister asked that a report be presented to council members on a regular basis. Councilman Snyder stated that during the last report Mr. Roll presented there were no discrepancies noted.

Councilman Eister stated that everything is going well with the Riverfront Project. Phase I should be finished by late October. The nurseries will not plant the new trees until they become dormant which

will be late October or early November. Councilman Bartello asked if Mr. McBryan was back as the inspector yet and the answer is yes.

SRI UPDATE

SRI Board member Mr. Robert Snyder announced that in the month of October SRI will be participating with other communities in the Spirits and Spooks Heritage Tour month and partnering with The Daily Item and other sponsors. The SRI office also has information on their website. The tour includes several locations for different events. It kicks-off on October 3rd at the Campus Theater in Lewisburg. The Spruce St. cemetery tour in Sunbury is October 16th. Individual tickets are \$5 per event for adults and \$3 per child per event but a family four-pass can be purchased for \$50 which will get 4 people into all events. Pre-sale tickets are the only way to gain entry to the events. A para-normal group from State College will be looking for spirits in the 3rd ward as part of the cemetery tour. The SRI phone number is 286-7768. Also, Mr. Snyder said SRI appreciates all the help they receive from City government in support of their events and programs.

HEPCO PAYMENT #3

Councilman Eister moved to pay HEPCO \$36,490.54 for work completed with the city hall renovations project. Second – Troup. Unanimous vote. Councilman Bartello said he thought the project was running short and new air conditioning would not be installed on the 1st floor. Ms. Specht answered that the project is under budget and there is enough money to replace the air conditioners that need to be replaced. At this time, the units that were ordered are not the correct voltage. A factory rep is coming in to check out what is needed to make them work. If they do not work they will be returned and the correct units will be ordered.

FALL FLEA MARKET

Councilman Troup explained that the mayor was sending a press release regarding free vendor space in Stroh Alley any Saturday in October from 7 am to 1 pm. If it is successful, it may continue and then there would be a fee for vendors.

STREET CLOSURE APPROVAL

Councilman Troup moved to approve the street closure request for the Sunbury Fire Police Halloween Parade on Thursday October 21st. Second – Eister. Unanimous vote.

Councilman Troup moved to approve the street closure request for the SRI/Litefest Holiday Parade to be held Friday November 26th. Second – Eister. Unanimous vote.

ADDITION TO HOME PROGRAM GUIDELINES

Councilman Eister explained that in the guidelines the applicant's taxes must be current or they must be on a payment plan. The question is how many years in arrears can the applicant be? Councilman Eister thinks that decision was made in previous years. Ms. Specht will check prior minutes and report at the next meeting.

BID OPENING/LANDSCAPING MATERIALS FOR WELCOME SIGN PROJECT

No bids were received for this project.

BID OPENING/DEMOLITION

Ms. Jamie Shrawder opened the following bids for the demolition project to tear down 4 condemned properties:

Robert Gusick, Shamokin	\$84,812
Northeast Industrial Services, Mt Carmel	\$84,440
Steinbacher Enterprises, Williamsport	\$77,465

Councilman Eister moved to award the bid to the apparent low bidder, Steinbacher Enterprises, after review by Mr. Apfelbaum and SEDA-COG. Second – Bartello. Unanimous vote. Ms. Shrawder said there is approximately \$61,735.50 in CDBG funds so she will check into other programs to see whether any funds could be moved around. 2011 CDBG funds could be used and the City would be reimbursed from that since the bill would have to be paid before they are available. There are several options available including using administrative funds for projects. A public hearing would have to be held to include a budget modification if CDBG funds are to be moved to help finance this project.

INTEGRITY POLICY

Ms. Shrawder stated that an Integrity Policy is required now for the 2010 CDBG contract as mandated by DCED. At this time, City of Sunbury does not have one. Mr. Bill Seigel sent a sample Integrity Policy that council should review, modify if needed and adopt, or whatever council deems appropriate, at the next meeting. Mr. Apfelbaum reviewed the sample policy and said it seemed to have everything needed and it is not any different than what is happening today without a policy. The policy will be brought before council at the next meeting.

APPROVAL TO PAY INVOICES/OPEN INVOICE REPORT

Councilman Snyder explained the Open Invoice Report for approval at the council meeting was sent to all council members on Friday which should have been enough time for council members to review. Councilman Snyder moved to pay open invoices in the amount of \$103,354.55. Second – Bartello. Unanimous vote.

TAX EXONERATION

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

AUDIENCE COMMENT

Ms. Carmen Campbell said the Historical Society will be refurbishing some pictures and murals and they would need an area large enough to do that. Ms. Campbell asked if it could be done at city hall. Councilman Eister said he talked to Mr. Jim Shaffer and they have a place to put them and they should be moved out soon.

Mr. Will Haupt said he had some suggestions to improve the curb market which include:

- Look for grants including Buy Fresh/Buy Local. Some grants will pay for advertising
- Banners across the street announcing the times of the farmer's curb market
- Change the time. The market is set up now for 6 am to 12 noon. Mr. Haupt said he thinks it would be better to change it to 7 or 8 am to 1 or 2 pm. He said there aren't many customers early in the morning but there are always people downtown at 12 noon when they are packing up to leave. Mr. Apfelbaum reviewed the City code and council decided it would be better to change the times.
- To get more vendors, more customers are needed. Advertising should help with that.
- Have a yard sale on a Saturday once a month. The Fall Flea Market should help bring more customers.
- Demonstration Day – have demonstrations once a month by local businesses either in Stroh Alley or in the Market House.

Councilman Snyder thanked Mr. Haupt for the effort he put into this project. Council will look into his suggestions. Mr. Apfelbaum said the Curb Market ordinance was passed in 1905 and he will write up a change to the times and days for the curb market. Councilman Eister moved to pass on a first reading to remove Sections 109-2 and 109-3 and the remaining sections of Chapter 109 will remain in full force and effect. Second – Troup. Unanimous vote. Mr. Bob Snyder stated that through SRI, he will be going to the Broad St. curb market in Harrisburg to see what they do to get some ideas for Sunbury's curb market. He said SRI has already discussed getting involved with growing the curb market. Councilman Eister said he has talked to Jamie Shrawder regarding 2011 grants for the curb market and Market House. Mr. Snyder asked, if the ordinance is going to be changed, why not allow additional merchandise/items to be sold at curb market? Mr. Apfelbaum answered there was no problem that he can foresee but that should be something council decides. The changes only pertain to curb market.

Mr. David Whipple asked what the status with Celotex was – Councilman Bartello answered that the stacks and the boiler building are down. They are stripping the inside of the other buildings to get ready for demolition of those structures. Mr. Whipple asked about the status of the fountain in Cameron Park and Councilman Eister answered he had a meeting with the electricians today and the work is progressing and they are getting closer to installation.

Mr. Norm Gessner asked Councilman Troup what the progress was on the lighting issues in the Elm St. area. Councilman Troup answered that Mr. Graybill was working on that before he left the employ of the City. He would check on it with the PPL contact. Mr. Gessner will contact Terry to get the PPL contact's name and contact information.

Councilman Eister said the code office has been beaten up pretty bad during the last several meetings. He asked Councilman Bartello whether any of the addresses of the photos of the properties discussed at a prior meeting were given to the code officers to follow up on. Councilman Bartello answered no,

he was following up on them himself. Councilman Eister asked for an update and Councilman Bartello said he was not prepared to give an update. Councilman Troup asked if that meant he cleaned up 1244 Highland Ave. The answer was no. Mr. Rhoads stated that on August 5th, before the council meeting that a citizen presented pictures to council regarding this property, he sent a certified letter to the property owner, to be cleaned up by August 23rd, the date of the meeting it was discussed. The property was not cleaned up and citations were issued. The property owners live in Arizona. Mr. Rhoads, Mr. Swope and the grass cutter that the code office uses to cut high grass personally cleaned up that property. Councilman Troup told Mr. Rhoads that if they ever need help from the public works crew to let him know. Mr. Swope stated that they borrowed a truck from public works. Councilman Troup wanted it on record that the code officers are doing a fantastic job. The paper stated that Mr. Bartello wanted to get rid of the officers due to their work ethic, Councilman Troup asked if they had ever been written up for anything and the answer from both was no. Mr. Rhoads went on record as saying he is not sure what is going on but it is causing a lot of stress in an already stressful job. They keep reading comments in the paper about what they are not doing but they have had no direction from anyone. In June 2009 they were 1,835 inspections behind and they took it upon themselves to get the inspections caught up and today they are 91 inspections in arrears. He does not think the citizens realize there are only 2 code officers and they are doing their best to control every problem they can. 2 officers deal with zoning ordinances, planning ordinances and City ordinances. At times they are called out in the middle of the night by the police dept. to aid them. A resident called Mr. Rhoads at 9 pm one night and asked if he could come check something out. Mr. Rhoads did and does not want praise but wants everyone to know he is proud to do the job he is doing, he cares about Sunbury and cares about his job. The comments in the newspaper are an embarrassment to him professionally and personally and an embarrassment to the City of Sunbury. Councilman Eister said the part-timers that were let go 6 months ago would have addressed a lot of issues regarding outdoor maintenance and junk vehicles. Nothing has been done to replace them which leaves the 2 code officers short. The newspaper has been beating them up and he said that council will take care of the issue if Councilman Bartello does not. Mr. Joe Swope said he never thought he would have to defend himself at a council meeting. He has worked for the City for 11 years and he and Mike work hard. They enter properties that most people would not. They do inspections and reinspections at 9:00, 10:00 and 11:00 and 1:00, 2:00 and 3:00 including on the ½ hour. In between those times they answer complaints, return phone calls and do paperwork, including preparing and issuing citations. They deal with many outside agencies. They have personally cleaned up a lot of properties using a public works truck. He does not like being run down in the newspaper. He has never been told that he was inefficient, or keeps bad records. They do the best they can for 2 people in a City with a high percentage of rental preproperties as Sunbury has. The statements in the paper are not true and they are defamation of character on a personal and professional level and will not be tolerated.

Mr. Larry Welfer who serves on the Planning Commission deals with the code officers on a regular basis. He finds they are thorough and Linda, Mike and Joe do a good job. He wants council to know that he also gets upset with the stories in the newspaper that twists information. He said Mr. Bartello was elected to council and appointed to the code office. He has spoken to Councilman Bartello twice since January 1st. On the 2nd occasion he asked Councilman Bartello to provide the employees with administrative management, oversight and review. It is one of the most important offices in Sunbury. If Councilman Bartello is displeased with the prioritizing of the work they are doing, that has to be communicated to them. He knows that Councilman Bartello is not in the office very much. The last person that gave oversight to the office was Mr. Bob Snyder when he was on council. Mr. Welfer said he holds Councilman Bartello accountable and he needs to get a handle on what is happening in the office. He also stated that the 2 part-timers that were let go were not treated fairly and were made to look like they were incompetent when in fact they were not.

Ms. Pam Hollenbach said the first time this was brought up she was the one that brought it up and she did not do so to attack the code officers. She said in her opinion the code office is grossly understaffed. There needs to be more done to back the code office employees. She was angry when she left the council meeting where she spoke because the news reporter did not comply with her request to keep her name private and twisted everything she said which caused problems with her and her other neighbor. Ms. Hollenbach said she wrote a letter to the editor of the newspaper stating everything from the article that was incorrect and no corrections were printed.

Mr. Bob Miller thanked Mr. Rhoads; he was the individual that contacted Mike on a Friday night about 9 pm. Mr. Rhoads was out until about 11 pm Friday night and 11 pm Saturday looking for the problem which Mr. Rhoads finally solved. Mr. Miller asked Councilman Bartello what the procedure is when a complaint is made (referring to the pictures given to Councilman Bartello at a previous council meeting). Councilman Bartello said he was researching the property owners and calling them personally to try to get them to clean up the properties immediately. That is how he got 120 N. 12th St. cleaned up. Mr. Miller asked if all of the properties Mr. Swanger complained about were taken care of and Councilman Bartello answered no. Mr. Miller asked what the next step was and how long were they given to clean up. Councilman Bartello said the ones he talked to were compliant and were given no time. Mr. Miller asked about the others and Councilman Bartello said he has only had them for 2 weeks and he had the Celotex demolition and works 40 hours a week plus he has been trying to contact

the property owners. Mr. Miller asked why he did not give them to the code officers, that's their job. Councilman Bartello answered they have other things to do and they are very busy. The office closes at 4:00 – he is there in the early morning and only sees Linda, the clerk. Councilman Troup said when he was in charge of the code office he worked a 60 hour week and was still in touch with the office every day, at least by phone.

Mr. Dale Henry, President of the Sunbury Fire Dept., said for years the fire dept. has worked with the employees in the code office and they require the code officers to come to fires in different circumstances, any time of the day or night. The fire dept. appreciates their efforts. Mr. Henry told Councilman Bartello that if he is that busy he should just let the code officers do their job.

Mr. Bob Snyder said he thinks the important factor to look at is working together to solve the problems. It is obvious to him that there is an “us” and “them” mentality which will always be a problem. As a former director of the public safety department, he said he knows first hand that the officers work any time and do a good job at what they do. Training was in place at that time but when the next administration came in, it was dropped. Knowledge is power and they should be continued to be trained. They do not even have the appropriate equipment needed to do their job. And now there is a lack of communication. The performance reviews for the officers were always glowing. The part-timers were perfect for the job because they not only work for the municipal authority and drive around and can see things that need to be corrected, but were firemen as well. Everyone should be finding a way to work together. If council needs to step in they should do it because the City does not need the negative publicity.

Mr. Ken Kipple said several people including Councilman Bartello have expressed their thoughts that the newspaper reporter misquoted them. He dealt with the same reporter at his job at the armory and they ended the interview and kicked her off the property. He stated that he has people he works with asking him about the code office in Sunbury since he lives here regarding what they are reading in the newspaper. He asked if there was anything that can be done to repair the code officer's damaged image.

Councilman Snyder thanked everyone for their comments and said that as he was listening to everyone he understands that progress needs to be made and everyone should be working together. Everyone should be held to a higher standard. Bickering does not help anyone. During the last 2 meetings it was discussed that a public meeting should be held to hear citizens concerns. He does not feel there has been enough resources in the budgets to fulfill the needs of the code office and since the new budget cycle will begin soon, now would be the time to take the opportunity to make some things happen and find the good in the conversations being held at council meetings. Mr. Apfelbaum is drafting a notice of public hearing and an agenda should be developed and proposed objectives and outcomes should be clear so something good comes from the public meeting. Mr. Apfelbaum read the notice “The City Council of the City of Sunbury gives notice of a public hearing to hear public comment concerning the code office of the City of Sunbury. The public hearing shall be held on _____ in the council chambers at _____pm. The purpose of the public hearing will be to receive comments on the ongoing priorities required in code enforcement in the City and any other general purpose properly raised at a public hearing.” Mr. Apfelbaum stated that if everyone works in a positive way at the meeting it should be a great forum for things to happen. Councilman Snyder said it sounded to him that the audience is holding all of council accountable to work together. The pettiness, bickering and fruitless conversation and debate after meetings must be stopped. The council members must work together to get it done right. Ms. Hollenbach asked if the District Magistrates could be invited to the public meeting because they are dealing with the problem as well. Councilman Snyder said all stake holders should be involved. Mr. Apfelbaum said they can be invited but they may have ethical concerns and may not be able to discuss the issues. Councilman Snyder asked council to work as a group to establish a date and location for the meeting with the city clerk. At the next meeting the information can be communicated to the public.

Mr. Bradley Hare asked for permission for the Americus Ambulance Service to use Sunbury's free channel frequency during special events and emergencies in the City so they have a talk-around channel. He will send a letter asking for formal permission.

ANNOUNCEMENTS

Councilman Eister said the noise ordinance should be looked at in regard to the proposed New Year's Eve party and the opening of the amphitheatre in 2011.

Councilman Eister thanked Mr. Mike Bordner for the good work the public works department is doing paving streets. He has heard a lot of good comments regarding their work.

Ms. Jamie Shrawder provided the 2011 CDBG application preparation schedule to city council.

Councilman Troup announced that the milling and paving will be started on September 19th and finished by the 22nd for the Rte 61 Corridor project on Market St. City paving will begin in late September.

The Sunbury Fire Police Halloween Parade will be Thursday October 21st at 7:00 pm.

Trick-or-treat in Sunbury will be Saturday October 30th from 6:00 pm to 9:00 pm.

There being no further business the meeting was adjourned at 8:05 pm.

Respectfully submitted,

Terry Specht
City Clerk