

CITY COUNCIL
225 Market St.
Sunbury PA 17801
July 14, 2008
7:00 pm

A regularly scheduled meeting of the Council of the City of Sunbury was called to order with the Honorable Jesse C. Woodring, Mayor, presiding. There was a quorum with the following in attendance:

Jesse C. Woodring, Mayor
John K. Shipman, Director of Accounts and Finance
Mark W. Walberg, 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:

Mr. Michael Apfelbaum, City Solicitor
Beth Kremer, City Treasurer
John Bakowicz, City Engineer
Stephen Mazzeo, Chief of Police
Michael Rhoads, Property Maintenance Officer
Terry Specht, City Clerk

There were thirteen (13) visitors present.

An Executive Session was held at 5:45 pm prior to this meeting to discuss personnel issues.

MONTHLY LEGAL SEMINAR

Mr. Apfelbaum reported on the Oath of Office as Council Members, if the oath is not taken, they may not take the office they were elected to. If a council member is found to be guilty of violating their Oath of Office, they can be found guilty of a misdemeanor and upon conviction, must forfeit the office, and pay a fine not to exceed \$1000. and/or undergo imprisonment not to exceed 1 year. He stressed that teamwork is a must for council to get anything accomplished. Mr. Apfelbaum also stated that Section 35.910 adopted June 23, 1931, and reconsidered on June 28, 1951, says any member of council or other officer or employee, who solicits, demands or receives, directly or indirectly, benefit money for themselves due to their office, will be, upon conviction of guilt or bribery, be considered a felony with a sentence of a fine not to exceed \$10,000. and/or to undergo imprisonment for a period not to exceed 5 years. One other crime regarding political office, is that if someone attempts to bribe a council member or city officer, upon conviction, a fine of up to \$10,000. and/or imprisonment not to exceed 5 years.

Mr. Apfelbaum also stated that a correction from the prior meeting was that Sgt. Joseph Jones did not resign his position, but retired from the police department effective February 2, 2009.

MINUTES AND REPORTS

Reports of the Police Dept., City Treasurer, City Controller, City Engineer, Code Office, Redevelopment Authority, Health Dept., Public Works Dept., Parks and Public Buildings, Planning Commission and Fire Dept. were accepted on a motion by Woodring, Second-Eister – unanimous vote.

POLICE GRIEVANCE/HEALTH INSURANCE FOR PT OFFICERS

Mr. Apfelbaum explained that there was discussion at the prior council meeting regarding a second grievance with the police department. Councilman Eister moved to accept the Written Response to Grievance #2 as read by Mr. Apfelbaum (see attached) which denies the grievance at step 3. Councilman Troup seconded the motion and the vote was unanimous. The Mayor signed the Written Response and a copy was made available to the police department SPOA representative, Officer Brad Hare.

SHREDDER BIDS

Councilman Troup moved to accept the one bid as received from Concept Products Corp. in the amount of \$103,225. This bid is within the grant guidelines as provided by the Sunbury Municipal Authority. The grant is a reimbursable grant so the City must pay the grant and then be reimbursed in the amount of 90%. Second-Eister. Unanimous vote.

PROFESSIONAL LICENSE FEE

Councilman Shipman stated that the changes to the mercantile tax for Professional Fees was only who would be responsible for paying this fee: Attorneys, Certified Public Accountants, Physicians, Dentists, Psychologists, Physical Therapists, Insurance Agents, Surveyors, Architects, Optometrists, Veterinarians, Chiropractors, Investment Advisors and Stock Brokers. This will be effective January 1, 2009. The 2nd reading will be held at the next meeting of council on July 28th. The consultant is advising that this is payable by April 15th and fines will be imposed if paid late.

STROH ALLEY

Councilman Eister reported that Bill Seigel, John Bakowicz and he met and discussed the options for the Stroh Alley Project. The most cost-effective way to do this project is to do the work in-house, using City employees but paying over-time rates, renting equipment that would be needed and paying a rental fee for equipment already owned by the City. Several employees of the City are interested in working on this project. A decision will be made at the July 28th council meeting.

GASB45/POST RETIREMENT HEALTH BENEFITS

Councilman Shipman explained that by 2009 the City is required to account for post-retirement health benefits, much like a pension fund, and fund them in 2010. Councilman Shipman has spoken to 2 service providers, Conrad Seigel Inc., the actuary for the police pension fund, will do the study for about \$3,000. The study tells the City what the anticipated numbers will be for funding purposes. He also spoke to a company named Milliman & Co. at the PLCM Convention and they have a software package available that small municipalities can use for \$2,300. Councilman Shipman moved to ask Conrad Siegel to perform the actuarial study at a cost not to exceed \$3,000. Second-Eister. Vote unanimous.

2008 PAVING BIDS

Councilman Troup opened the following bids for street paving:

HRI, Inc.	\$224,765.50
Eastern Industries	\$226,660.00

The bids were higher than anticipated so, after general discussion, they were tabled until review by the City Solicitor. The rising cost of oil and the issue of paying prevailing wages for the paving project, made the bid higher than anticipated.

JULY EXPDITURES

Councilman Shipman moved to pay the July expenditures in the amount of \$147,974.69. Second-Troup. Unanimous Vote.

TAX EXONERATION

Councilman Shipman moved to accept the tax exoneration as provided by Statewide Tax Recovery. Second-Eister. Unanimous Vote.

AUDIENCE COMMENT

Ms. Pat Buchanan, 536 Line St., told council that at Community Night at the OPG a woman listed on Meghan's Law as a registered sex offender, was at the playground. The police were called and at the time, it was decided that it was the person's civil right to be at the playground. Ms. Buchanan said Sunbury's Sex Offender Ordinance states that sex offenders may not be within a certain distance of a playground. Ms. Buchanan found state legislation which provides a child safe zone of 2000' and a sex offender may not enter the area of a school, play yard, park or day care center. This would be a felony of the 3rd degree if found guilty. Chief Mazzeo answered that the officers that answered the call were part-time officers. Chief Mazzeo stated that they and he did not know the City had a sex offender law, as he is still learning the city codes. He is going to look at this law and follow-up as necessary. A lot of the law has to do with what the court order or probation restrictions are. The City detective is following up on this incident. Meghan's Law requires registering, however, if the probation period is over, they may come and go as they please. He explained that what Ms. Buchanan brought is a bill, which means it has not been passed by the senate and congress yet. Mr. Apfelbaum summarized the City's ordinance, stating that there is a restriction where people on one of the sexual offender lists can reside within the City. There was further discussion on this topic.

Mr. Roger Brezinski, 430 S. Front St., asked council about water meters that are proposed for installation by the Sunbury Municipal Authority. Mayor Woodring advised him that the Municipal Authority handles water matters and their meetings are also open to the public and Mr. Brezinski should address that question to them.

Councilman Walberg asked Chief Mazzeo how the transfer for \$50,000. was being handled by the police department in terms of having more than 1 officer on duty at a time. Chief Mazzeo replied that the FOP and he met and decided that 12-hour shifts might be more beneficial to the low manpower issue. This also allows 2 officers to work exclusively on the anti-drug, anti-gang task force which council feels is very important. The \$50,000. should be enough to carry them to the end of the year. Mayor Woodring explained that the \$50,000. is not all available to be used to the end of the year because there is now a deficit in part-time and over-time budget line items.

Mr. Brad Hare commented on Sunbury Celebration – the annual golf tournament raised a profit of \$6,000., the weather was good for the weekend and many people turned out for the fireworks. The Soap Box Derby co-sponsored by the police department and Paul Stine Chevrolet was a great time for the many children that participated. He thanked all the sponsors for their generosity. Councilman Eister said 2008 Sunbury Celebration was a huge success also. \$6000. was raised by the golf committee, proceeds to be used to offset the cost of the fireworks. There were many vendors, crafts and food. The fireworks, put on by Zambelli Internationale, were fantastic and the sound track recorded by Mr. Drew Kelly at 94KX was excellent. Mr. Bob Miller said he saw Harrisburg's fireworks and Sunbury's were much better!

Ms. Carol Mazzeo, new to the area since February, informed council that the fireworks were absolutely wonderful and she intends to host a family get-together to correspond with the fireworks in the years to come.

Mr. Rudy Frazier asked if bike patrols would be reinstated and Chief Mazzeo stated that there is only 1 officer trained for bike patrols. At this time, it is very labor intensive and is utilized at fairs and festivals only.

ANNOUNCEMENTS

Mayor Woodring announced that the Shining in Sunbury Clean-up was very successful – 297 residents disposed of 392 loads for a total of 54.26 tons of material. A spring clean-up is being planned.

Mayor Woodring also thanked Ms. Cindy Inkrote and her committee for the hugely successful Edison Celebration on July 5th. It brought a lot of people to Sunbury and there were many positive comments.

Councilman Shipman informed council members that SEDA-COG has an Energy Resource Center which has grants to complete a study help local governments to reduce green house emissions, reduce energy and lower operating expenses. Grants will be awarded in an amount up to \$20,000. Follow-up will be made with SEDA-COG to see what Sunbury would have to do to participate in the grant-making process. As part of deregulation, PPL is predicting a 40-60% increase in insurance rates. The City now pays approximately \$300,000. in electric bills.

Councilman Shipman also reported that 2010 will be the next federal census. A lot of government programs go by the census count and it is very important that an accurate count is made. Several meetings will be held to provide municipalities with information for an accurate count.

Mr. Bakowicz announced that he and Councilman Eister will be meeting Kristen McLaughlin of the Elm St. project, to coordinate the "Safe Routes to School" grant program and information needed for that grant.

There being no further business the meeting was adjourned at 7:48 pm.

Respectfully submitted,

Terry Specht
City Clerk