

CITY COUNCIL  
Sunbury PA 17801  
October 14, 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:

Michael Apfelbaum, City Solicitor  
John Bakowicz, City Engineer  
Stephen Mazzeo, Chief of Police  
Michael Bordner, Workforce Supervisor  
Michael Rhoads, Zoning Officer and Fire Chief  
Terry Specht, City Clerk

There were thirty (30) visitors present.

### **MINUTES AND REPORTS**

Minutes of 9/9/13 and 9/23/13 and the available departmental reports of the Police Dept., Treasurer's Office, Controller, Health Dept. (quarterly), 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 (quarterly) are in the City Clerk's office for review. Motion to accept was made by Councilman Eister. Second – Snyder. Unanimous vote. Minutes will be posted at [cityofsunbury.com](http://cityofsunbury.com).

### **PUBLIC COMMENT/AGENDA ITEMS**

Mr. Gordon Lamb asked about receiving a copy of the voucher report prior to the council meeting. Mayor Persing said it is not printed because it is a lot of pages. Mr. Lamb said that way people would know what is being voted on. Mayor Persing said anyone can ask for a copy at the city clerk's office. Councilman Snyder said they are available for viewing at any time and to stop by the city clerk's office any day and ask for the year to date budget or what bills are being paid. They are available in electronic format or paper copy.

### **SRI UPDATE**

Ms. Meghan Beck announced SRI has officially moved into their new office at 249 Market St. An open house is scheduled for Tuesday October 29<sup>th</sup> from 4:30 to 7:00 pm with refreshments. The Wine and Brew Festival was a huge success and netted \$11,000 to further revitalization efforts. The Keystone Communities designation application has been submitted. The SPARC committee applied for money in regard to the Albright Church location under the NBB tax program and it has been tentatively approved under a different program and they should know in the next few weeks if it has been approved. SPARC is also laying the ground-work for Shikellamy Futures Foundation to help support education. The Hometown Veteran banners will be returned the week of November 18<sup>th</sup> and they will be accepting new applications in January 2014. The Business & Economic Development committee has presented a proposal for marketing infrastructure technology in the City. The New Year's Eve committee is preparing for their big event at the end of the year. The Hill Neighborhood and East Ends Hose Co. will be hosting an open house Wednesday October 16<sup>th</sup> from 6:00-8:00 pm providing fire safety tips to families. A haunted house will be held at the East End Hose Co. on October 31<sup>st</sup>. Late Night Shoppers will be held the first Thursday of December. Councilman Troup said he spoke to Chief Mazzeo and Mayor Persing regarding parking on metered streets for street sweeping and he has decided to change the street sweeping times to 3:00 am to 7:00 am on all metered streets to help the businesses in that area.

### **REDEVELOPMENT AUTHORITY**

Ms. Jamie Shrawder explained the Redevelopment Authority has been tasked by the City to carry-out the CDBG funded demolition program. It is a city-owned program and the Redevelopment Authority is a conduit through which acquisition and demolition are carried out. She further explained a Request for Proposals for legal services was put out to bid and received 1 proposal from Apfelbaum Law Office.

Their proposal for legal services for acquisition was that \$3,300 each for properties and additional services at \$150.00/hour which is the same as in the past. Ms. Shrawder recommends that city council members approve the agreement with Apfelbaum, Apfelbaum, Apfelbaum for legal services related to acquisition, demolition and disposal of CDBG funded demolition properties. Councilman Eister made that motion. Second – Troup. No – Bartello. Yes – Troup, Eister, Persing, Snyder. Motion carried.

Mr. Michael Apfelbaum asked council to pass a Resolution to put properties in the hopper, working as the Board of Health, where the properties are in blighted condition for the following addresses: 237 Pine St, 152 Bainbridge St, 416 S. 4<sup>th</sup> St, 416 N. 2<sup>nd</sup> St, 245 Chestnut St, 1036-1038 Line St, 613 Catawissa Ave, 217-219 N. 12<sup>th</sup> St, 420 Chestnut St, 422 Chestnut St. Mr. Apfelbaum said after the Resolution is passed to declare the properties a public nuisance, the code officer will post the property with notices. The owner has 10 days to do something about it. After 10 days the RDA is tasked with taking the properties to the next step where the RDA takes ownership of the properties and a decision is made as to what to do with the properties. Councilman Bartello asked how many properties are currently in the process. Mr. Apfelbaum said he was unsure of the number but as of today they have successfully acquired title to 25 properties. He does not know how many are current because some have sold since they were declared public nuisance. Councilman Bartello said these particular ones are put in the hopper by who and who said they were blighted. Mr. Apfelbaum said the RDA with recommendations from the code office. Mr. Apfelbaum said if Councilman Bartello ever wants to go for a ride and give suggestions to the RDA he can. Councilman Bartello said he wanted to be sure it was someone that was competent. Mr. Apfelbaum said Gary Wolfe is an architect on the RDA, Jeff Balestrini and Adam Purdy to name a few on the board. Mayor Persing moved to act as the Board of Health and pass the Resolution declaring the properties listed above a public nuisance. Second – Eister. Yes – Troup, Eister, Persing, Snyder. No – Bartello. Motion carried. Ms. Julie Broschious asked what the criteria for nuisance is. Mayor Persing said these properties are abandoned and have been empty for years. They have huge debt and that's why the RDA has to go through the legal system to get the properties. She asked what the criteria for nuisance for homes owned by people. Mr. Apfelbaum said that is up to the code officer if there are code problems but that is not typical of the list of 10 properties. The usual situation is people leave the property and they become a nuisance to the neighbors. Ms. Broschious said she is experiencing a problem with a currently owned property. Mr. Apfelbaum said she should give the complaint to the code office and she said she has. She said there is vermin around the property and the people who live there are known to take out contractor size garbage bags 5 at a time, at least. There are no receptacles outside. Mayor Persing said if she is not getting satisfaction from the code office give the address to Councilman Troup and he will follow-up on it. She said the address is 844 Edison Ave. Mr. Rhoads said the code office has been at that address multiple times and they have gone on complaints made by Ms. Broschious but every time they went there were no justifiable results on her complaints. Ms. Broschious said the night they had the burn issue which was a Wednesday evening she spoke to Mr. Swope and that Saturday they took out 5 contractor size bags of garbage. She said what happened Wednesday to Saturday. Councilman Troup asked Mr. Rhoads to check this property again. She brought a bag with a rodent in it to show council members. She said it was a nuisance and health issue. Mr. Rhoads said you can't say it is coming from one house the entire neighborhood will have to be checked. Mr. Apfelbaum went on to say the following properties have had titles acquired, an auction process is held so the property is sold, a closing is held and council must approve a motion for the funds to go from the City of Sunbury to the Redevelopment Authority to keep the process going: 121 Julia St, 1031 N. River Ave, 1126-1128 Wolverton St, 160 Linden St, 143 Walnut St. 3 of the 5 are still waiting for closing but with the Resolution passed the funds can flow through to the RDA from the City. Ms. Jamie Shrawder mentioned that the CDBG funded demolitions must be put in CDBG income to spend on another activity but only 30% can be used for demolition and the rest can be used for other activities. Councilman Snyder said for next year's budget that consideration should be made to look at the City's fixed costs in advance of sale and understand that cost in relation to the sale price so before funds are moved from City to RDA, the profits are being moved and not just money. Ideally, it should be funded for profit. Councilman Eister moved to pass the Resolution as described above. Second – Snyder. Yes – Eister, Persing, Snyder, Troup. No – Bartello. Motion carried.

### **PROPOSAL FOR CDBG FUNDED CODE ENFORCEMENT ACTIVITY**

Ms. Jamie Shrawder explained a targeted code enforcement activity has been discussed using CDBG funds. It is an eligible activity but the targeted area must be defined. There must be documentation showing how the deteriorated area was defined. A map of the City that takes a lot of factors into consideration would have to be created, overlaid with LMI data that would qualify. The items needed are the number of code violations, police calls, tax delinquent properties, sewer/water delinquencies, vacant and rental properties. Ms. Shrawder asked council to look at the proposal she passed out and let her know if council members think it will work. It will be discussed at another public meeting to finalize. It can be paid for using CDBG planning funds. This information will also help the RDA. Ms. Shrawder suggested a temporary employee be hired to just work on this project paying for the labor with CDBG funds. City staff could also be reimbursed. The Municipal Authority has a GIS program and they are willing to participate to do the mapping. This will be on the agenda on October 28<sup>th</sup>. Councilman Bartello asked what the Municipal Authority uses their GIS system for and Ms. Shrawder

said they have maps of all pipes, manholes, etc dealing with the water/sewer departments. They have many layers including delinquent payments.

### **CHESTNUT ST. CDBG PROJECT**

Ms. Shrawder said if council approves, some items will be added to the scope of work for this project which will include curbs, sidewalks, curb-cuts and removal of street trees so the project is complete. It will add significant costs to the project. Liquid fuels funds could be used for this project as well as CDBG and debt service. Councilman Troup said he checked some items at Chestnut St including curbing where water is coming back into homes that have to be repaired. It is an extension of the Front St. and Wolverton St projects. Some sidewalks may not need to be replaced. Councilman Troup said some of the curbing is still old slate curbs. Mayor Persing asked if it would be done in stages and Ms. Shrawder said no the whole project would be done. First, an engineer would need to be hired to design it (using RFP process), the ER will have to be modified (at no cost) to include sidewalks. An engineer will design it to see how far the project can go and it will go with alternate bids. There is \$50,000 in a CDBG project for sidewalks now and at the next meeting if council is agreeable they will have a public hearing at the next meeting to put those funds into the Chestnut St project. Councilman Troup announced the Municipal Authority is on board with this project and will install all new catch basins. Councilman Eister said again this ties into the Riverfront project, especially with the parking lots in that area. Councilman Troup moved to move forward with the Chestnut St project and include sidewalks, curbing and street trees. Second – Eister. Unanimous vote.

### **APPROVAL TO PAY INVOICES**

Councilman Snyder moved to pay the invoices reported on the voucher's payable report in the amount of \$154,490.27 from the General Fund and \$18,002.93 from Liquid Fuels fund. Councilman Bartello asked if the \$9,000 for camera installation came out of a grant or the general. Councilman Snyder answered it is coming out of the general fund. Councilman Bartello asked if that is all and if it was put out to bid. Councilman Troup answered it is under \$10,000 so it did not have to be bid. Councilman Bartello asked if it goes over \$10,000 would someone else be hired and Councilman Troup said the project will not go over \$10,000. Councilman Snyder said the camera installer is covering expenses for time and cost to be here. Councilman Bartello asked how many were installed and Councilman Snyder answered there are 3 left to install out of 50 cameras. Mr. Nigro said he is waiting for an item on order before the rest can be installed. Second – Eister. Unanimous vote.

### **TAX EXONERATION**

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

### **HIRE CONCESSION STAND EMPLOYEES**

Councilman Eister moved to hire employees at the ice rink concession stand and admissions counter. Second – Troup. Unanimous vote.

### **STREET SWEEPER SCHEDULE**

Councilman Troup said street sweeping was cancelled as of last Monday. The sweeper has not been repaired so vehicles do not have to be moved on street sweeping nights. Councilman Bartello said Councilman Troup said before it is not a street sweeper ordinance being enforced it is a parking ordinance, so he asked if the parking ordinance is not being enforced. Councilman Troup said yes because the street sweeper issue is not going to be resolved. It has been announced on the radio and in the newspaper.

### **2014 BUDGET**

Councilman Snyder explained that the city clerk notified council members that budget planning meetings would be held Monday nights over the next few months at 6 pm. Everyone has been given budget planning worksheets. Councilman Snyder has year to date figures through 9/31/13 for council members. He said the City is on target for the year – there are highs and lows in the various departments but on a whole not in a bad financial position. It should be a simple process this year with good, historical data. It may be a tumultuous process since it is an election year but he hopes everyone gets along and gets it done.

### **AUDIENCE COMMENT**

Mr. Gordon Lamb said he thought there were 200 cameras to be installed. Councilman Snyder said the system is capable of supporting in excess of 200 cameras but with the grant the City could only purchase 50 cameras.

Mr. Scott Schwartz said he is attending on behalf of his daughter regarding feral cats in her neighborhood. He said many municipalities are now doing something about feral cats, most recently Northumberland Borough. He said he doesn't feel his daughter should live like that when she doesn't have any pets herself. Her child is immuno-compromised. Disease chances are high and there are fleas in her house. He feels an ordinance is the right thing to do. Mayor Persing said this has been looked at in the past and there is always an enforcement issue. He just received a copy of Northumberland's ordinance but has not read it yet and he wants to talk to Mayor Zboray about it. He agrees with Mr. Schwartz and many people call him about this issue. Council will get copies and discuss it. There may be parts of the ordinance that could be implemented easily. Mr. Schwartz said there are things that can be done so colonies are not established, like not allowing people to feed feral cats. Ms. Cora Campbell said they have a problem in their neighborhood also. Mayor Persing said it is a problem city-wide.

Councilman Eister asked Ms. Campbell whether Edison Ave flooded during the heavy rains last week. She said they still get water. Councilman Eister said he drove past during the rain and could not see it going over the curb. Mr. Whipple said it was not over the curb but close. Councilman Eister said Mr. Kerstetter from the Municipal Authority was also there checking it. The Municipal Authority made a change in that area and they wanted to see what impact it had. Ms. Campbell said she couldn't remember if it was over the curb. Councilman Eister said if it is running in the street it is an improvement. Mr. David Whipple said sometimes you can hear the catch basin bubbling and nothing goes down. Councilman Eister asked them to check it during any heavy rains that may be coming. Ms. Julie Broschious said she spoke to Mr. Kerstetter because he thought what was done in that area would lessen her issue but she did have residual water in her yard. Councilman Eister said when he was there during the heavy rain it was coming out of the Rescues parking lot and running to the catch basin behind Ms. Broschious' house because it isn't paved. She said you can see the rutting come off the Wil-Hold property. The rocks put in to avoid the ruts are bringing silt into the street. Councilman Eister said Mr. Kerstetter did look at that also.

Ms. Becky Newberry asked how much of Chestnut St. is involved in the project. It is everyone's understanding that it will be from Front St. to 10<sup>th</sup> St. She asked if additional drains would be put in at 5<sup>th</sup> St and Chestnut St. Councilman Troup said he did not know about additional drains. Ms. Newberry said it was very bad in that area after the rain. Councilman Troup said they are replacing them and he did see the flooding in that area and said a problem is also the leaves that have not been picked up yet. Councilman Eister said there would be public meetings to discuss the project so she should be sure to bring that up. Mr. Bakowicz said the Municipal Authority is in charge of storm drainage and it should be reported to them. Ms. Shrawder said the Municipal Authority is on board with the Chestnut St. project. Mr. Bakowicz said there may not be enough money to do everything but it would be better to do a few blocks at a time until complete. Ms. Newberry said she asked Councilman Troup a question about the contractor that replaced the gas lines on 4<sup>th</sup> St. between Chestnut St and Penn St. She said they took care of it from Chestnut St to Raspberry Ave. but did not continue to Penn St. Councilman Troup said he spoke to them on Monday and he made it very clear that they must repair the streets properly after their repairs. Councilman Troup said he would call UGI again.

Mr. Drake Saxton said he has 3 issues. One of them is ASA softball and its relationship with the City. He said it appears the ASA softball tournament teams are charged between \$325 and \$450 to enter a tournament. ASA generates a considerable amount of income from its tournament – the income from 2012 is estimated to be \$57,000. He said it was in The Daily Item that one of the tournaments raised \$8,000 for the Hall of Fame and 76 teams participated at \$300 per team it would be \$22,800. His question is where did the rest of the money go for this tournament and others and why is ASA not paying the City for the use of the ball fields when the fields are used to make income. He further said the City pays the electricity, maintenance and improvements and city equipment and personnel for maintenance. The ASA profits from the taxpayer expenditures. Mayor Persing answered he is wrong in his figures. The umpire bill is usually 50% or more of the income because they receive \$75/game and there are usually 200 games. The ASA Hall of Fame tournament pays field rentals throughout the Susquehanna Valley and there is advertising and other expenses. The \$8,000 cleared was donated to ASA Hall of Fame. The ASA turns a budget in every year to the Recreation Board just like Sunbury Youth Baseball and that is public information. Anyone is invited to attend the Recreation Board meetings on the first Wednesday of every month. Mr. Saxton asked if the ASA contributes to field expenses. Mayor Persing answered yes, they buy bases and put other money back into the complex. Councilman Eister said since that is his department he wanted to say the only thing the City does is cut and maintain the grass on a weekly basis as well as weeds and trimming. The orange clay on the infield is purchased by ASA. Most of the games are day games. Mr. Drake's second issue is flood protection. He said the council has approved moving ahead with the Red-Rock project and he said it is disappointing since they could have spent \$30,000 to repair. The FEMA grant has provisions to recover any cost over-run. Mr. Saxton said Councilman Eister thought moving ahead with a newer wall would be more productive than having to repair the wall every 10 years or so. Mr. Saxton said \$270,000 is the project cost – Councilman Eister said that is an estimate from the engineer, the project did not go out for bid yet. Mr. Saxton said he is bringing it up now in hopes that they review their thinking – to spend \$270,000 and penalize taxpayers with money the City doesn't presently have with

interest when it can be repaired with \$30,000 grant and a provision for cost over run recovery beyond that amount. Buchart-Horn stated the repairs could be done for the \$30,000. Assuming a repair would be required every 10 years it would take 100 years to spend that much. With a new wall there is no guarantee. The old wall was damaged with pipe blow-outs and the engineering report talks about having to blow those pipes. According to the figures he has seen it would be the most cost-effective and wise thing to do. Councilman Eister said about the pipes referred to in the report, they were not taken into consideration by the feds. Some of that area was repaired around 1997. The Municipal Authority feels so strongly they have put \$100,000 toward the project so the area is protected for the future, not repairing every 10 years. FEMA has increased their contribution to the project to about \$55,000. The rest of the cost the City has to incur. Councilman Eister said he is hopeful the bid will come in lower than expected. What they have now is an estimate and he asks for estimates to be on the high side. Mr. Saxton's last issue is with the Celotex site – that site is generating further problems for the people in the Caketown area with dust generated in the summer. He has done reviews at DEP and one is disturbing and he read an excerpt from a report that discussed items he said are in the dirt that are in the report. At one point in the summer a neighbor told him it looked like it was on fire because there was so much dust from a shipment of wood. Some neighbors told him there was heavy dust on their banisters and in their homes and through their air conditioners. His point is that is what the people in that neighborhood have been breathing with that sort of activity going on. He said it underscores what he has told council many times and they need to enforce the code. Mr. Saxton said there is code against the dust and against the residents breathing that and he hopes they will begin to enforce it.

### **ANNOUNCEMENTS**

Councilman Troup thanked Connie and Mike Beegle for all they do for the City, especially on National Night Out. He announced that the alley behind their house is an un-named alley located behind 12<sup>th</sup> St running from Race St to Line St and that alley will now be named “Beegle Drive.”

There being no further business the meeting was adjourned at 7:07 pm.

Respectfully submitted,

Terry Specht  
City Clerk