

CITY COUNCIL
Sunbury PA 17801
April 12, 2010
7:00 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:

Elizabeth Kremer, City Treasurer
Stewart Graybill, City Administrator
John Bakowicz, City Engineer
Stephen Mazzeo, Chief of Police
Michael Bordner, Public Works Supervisor
Michael Rhoads, Property Maintenance Officer
Terry Specht, City Clerk

There were sixteen (16) visitors present.

MINUTES AND REPORTS

Mayor Persing announced that the 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 Mayor Persing, Second Councilman Eister, the reports are approved as presented.

RIVERFRONT PROJECT ENVIRONMENTAL REVIEW

Mr. Bill Lowthert from SEDA-COG explained the environmental review (ER) process for using CDBG funds for construction on the riverfront. The ER performed by the Army Corps of Engineers has been adopted and a finding of no significant impact was found and adopted by city council. The paperwork has been forwarded to DCED who has a 15 day comment period for local, state and federal agencies to comment on the project from an environmental standpoint, which will not be over until later in the week. His recommendation is that if council is considering awarding the Phase II construction contract, it should be conditioned upon completion of the ER. Intent to Award notification usually takes about a week so it should not hold-up the start of the project. Mr. John Bakowicz explained that if the contractor secures his performance/maintenance bond and cannot begin the work due to the ER, the City could be liable for reimbursing the contractor for the costs of bonding. He said the notice of award should also be awarded with another condition that the notice of intent to award goes out after the positive outcome of the ER. Councilman Snyder explained that council is trying to make sure all avenues are covered to explore funding options so that at the end of the project if there are overages in costs, they will be paid from CDBG funds.

MEMORANDUM OF UNDERSTANDING/EEL STUDY

Councilman Snyder explained that as part of the funding for the Riverfront Project Phase II, mitigation of some type had to be performed. The Fish and Wildlife Commission decided a study regarding river eels would satisfy the mitigation requirement. Councilman Snyder moved to pay \$80,678 from the Line of Credit for this project to be paid to The Fish and Wildlife Commission. Second – Eister. Unanimous vote.

RIVERFRONT PROJECT BID REVIEW//PHASE II

Solicitor Apfelbaum explained that HRI, Incorporated was the lowest qualifying bid for the Riverfront Project. The total bid is \$3,625,840. The bid bond in the amount of 10% is included with the bid documents. The vice-president and assistant secretary signed the bid documents and the corporate seal was used. The Power of Attorney, Non-Collusion Affidavit and Certification of Non-Segregated Facilities and Non-Employment of Illegal Alien Labor is also included and signed as required. The final document, the Certification of Bidder Regarding Equal Employment Opportunity is also executed and included. Councilman Eister stated there was a meeting with the engineers and they reviewed all the steps and alternates. There is enough money for all the alternates. One of the alternates must be

held until a grant from the Fish and Boat Commission is approved. Councilman Snyder said that is the only grant that approval has not been received in writing. This grant is for the development of the marina. By taking the marina development out of the bid approval there is a larger contingency in case any of the items have change orders. He also said the bid award should not be made until the ER process is completed by SEDA-COG. Mr. Bakowicz said he was not aware that the Fish and Boat Commission grant had not been approved yet. The 60 day award period started March 31st. He said the notice of intent to award will start the process for the contractor to get his bonds in order, but again if the contract was not awarded in its entirety, the City would be liable for payment of that bond, if the grant was denied and the alternate was awarded. There is another meeting this month and one in May, before the 60 day time period is up for the notice of intent to award to go out. Councilman Eister asked if it could be awarded without the alternate that concerns the marina. Mr. Bakowicz said there could be consequences either way. Mr. Apfelbaum explained that waiting 2 weeks or 30 days would not be a burden and it is a business decision council would have to make. If the bid specs did not mention that they can be awarded individually, it should not be. Councilman Snyder said that during the next 14-30 days a clarification regarding the ER will be complete and notice regarding the grant could be forthcoming in that amount of time. He thought pressure could be put on the Fish and Boat Commission to say whether the grant would be awarded and in what amount. It was decided that the notice of intent to award would not be sent to HRI, Inc. until after the next council meeting when some of the questions will be answered and the ER will be complete.

EMA RESOLUTION

Councilman Bartello moved to update the Emergency Management Plan (see attached) to include the names of the mayor and new council members. Mr. Dan Saxton, EMA Coordinator for the City, will be updating the EMA plan and will provide it to council by the May 10th meeting. Second – Eister. Unanimous vote.

AWARD BID/CITY HALL RENOVATIONS

The city hall roof bid was tabled until the next meeting. Mr. Graybill explained that an extension for one year has been requested for the 2 grants for city hall renovations. Councilman Eister moved to award the bid to HEPCO for carpeting, tile floors, electrical, windows and window covering, ceiling tile in some areas, restroom renovations and carpet in a portion of the council room along with a partition to separate the room into 2 rooms and new lighting. The total HEPCO bid is \$233,517. Five bids were received for this project. Second – Troup. Unanimous vote. Mr. Graybill explained that through-the-wall heaters will be installed at a later date. The lowest quote received is by Bi-Lo Plumbing and Heating for 10 Amana heaters with grill and wall cover for a total of \$8,354.20. Councilman Eister moved to purchase 10 heaters at the quoted amount. Second – Troup. Unanimous vote.

5TH ST. CURB CUTS

Councilman Troup moved to award the handicap curb cuts project to Lytle's Concrete for \$15,475. This project will be paid from the liquid fuel fund. Second – Snyder. Unanimous vote.

HIRE PART-TIME CODE OFFICER

Councilman Bartello moved to hire Michael Robel at \$16.00 per hour as a part-time temporary code officer for a 90 day period with no benefits. There was no second to the motion.

SR4012 SPEED LIMIT PA DOT

Councilman Troup explained that PA DOT did a survey on the Snydertown Rd where a constituent asked what could be done about the speed in that area at the request of city council. PA DOT said there are 2 signs that are missing and it is the City's responsibility to post them. They feel if the speed is reduced more accidents would likely occur. Councilman Eister said the bank in that area should be cleaned up because it is hard to see to pull out due to the brush that has grown and has not been cleared off. Councilman Troup will contact PA DOT about clearing the bank.

CAMERON PARK FOUNTAIN UPDATE

Councilman Eister stated that the fountain for Cameron Park is at Hinkle's Welding for repair. There is a piece that needs to be rebuilt and at this time they are not sure how that will be done, but it is possible. It will be installed in the park this summer. Mayor Persing asked if there was a budget for the repairs and Councilman Eister said not at this time, however, Councilman Snyder spoke to Mr. Hinkle who said he did not want to start the work until there was a contract in place with the specified budget. Mr. Hinkle did not mention that to Councilman Eister. Mayor Persing asked that they not spend more to repair this fountain than it would be to purchase a new one. Mr. Hinkle's concern is that a lot of money could be put into the fountain to repair it but he was concerned that it would be in a public

space without a barrier around it so no one would be able to crawl on it. The older fountains were not built like the new ones to withstand the weight on it and he was concerned about the liability if it would fall over. Councilman Eister said the fountain would not be a liability.

PA DOT ROAD CLOSURE

Councilman Troup moved to pass the PA DOT Road Closure request for the Confluence Connection to hold a concert in Cameron Park on Saturday May 29th. Second – Eister. Unanimous vote.

CIVIL SERVICE PROCEDURES

Mayor Persing wanted council members to know that hiring in the police department is different than hiring non-uniform employees. An eligibility list is created and is valid for 1 year. If no one on the list is hired in that amount of time, a new civil service eligibility list must be created by testing and ranking the candidates.

LONG TERM PROJECT/PURCHASE OF MUNICIPAL BUILDING & PARKING LOT

Mayor Persing announced that he received a letter signed by all the commissioners stating they are interested in purchasing city hall and the adjoining parking lot. Councilman Bartello asked where the city offices would go if the building was sold to the county and Mayor Persing answered that there would be an agreement that until the city had other arrangements made, a sale could not be finalized.

SHORT TERM PROJECT/LEASE PORTION OF CITY HALL TO COUNTY

Mayor Persing stated that he received a letter from the county stating they are interested in leasing a portion of the 3rd floor of city hall for family court litigation. A committee will be named to discuss this idea with the commissioners.

HISTORY LIBRARY

Mayor Persing would like to start a Sunbury History Library, which would not be in competition with the North'd County Historical Society. There have been talks in the past about starting something like this and it would be to consolidate items that the City owns, or others would lend to the City, to display in one place. The NCHS has limited space and the City has several large pieces, like the Edison generator and an old fire truck that is stored in the warehouse. There are many volunteer groups he thinks would help with a project like this. The county and school district would be good partners to have in this endeavor. A site would be needed that would be conducive to housing information as well as artifacts. He will update council with the progress of this project at meetings in the future.

CELOTEX/SEDA-COG PROPOSAL

Councilman Snyder has been in touch with Mr. Grbenick from SEDA-COG to put together a proposal for the use of the 28 acre area surrounding the Celotex building. It is an extremely large tract of land that is under utilized, will be vacant and open to redevelopment opportunities. Councilman Snyder moved to ask SEDA-COG to create a proposal for the City with their recommendations that the City should begin to do to take advantage of the opportunity for redevelopment purposes. It would just be a proposal of an estimate to do a plan and nothing else would be started at this time. This would include examining the zoning ordinance and other ordinances that may need to be updated. Councilman Snyder moved to ask SEDA-COG to prepare a proposal of what it would cost for them to help the City with that. Second – Eister. Unanimous vote. Mayor Persing said a salvage company owns the property right now, but there are 4 companies interested in purchasing the property from them. The salvage company would sell it after the buildings are removed. Removing the buildings would improve the process because no one wants them.

2010 CENSUS

Mayor Persing stressed the importance of residents completing their census forms. State and federal funds coming to the City are predicated on the population. PA Liquid Fuels funds are based on the population and miles of streets/roads in the City. He urged everyone to ask their friends and neighbors to mail their census forms back as soon as possible. Also, if the form is mailed no one from the Census will knock on your door to get the needed information.

“A CHILD IS MISSING”

There was a situation with a missing child in Sunbury recently and through that the police department learned from the Northumberland Police Dept. that there is a non-profit agency that that makes thousands of phone calls in the neighborhood as soon as the child is reported missing. Chief Mazzeo will be making contacts so the City of Sunbury can join this project.

UPPER AUGUSTA TOWNSHIP EASEMENT/RIVERFRONT PROJECT

Mr. Apfelbaum stated that he has the signed document from Upper Augusta Township for the easement for Phase II of the Riverfront Project. Councilman Eister moved to allow the Solicitor to sign the easement as well as record the deed of easement at the county court house. Upper Augusta Township asked if the City could help them by making a few signs in return for the easement. Second – Troup. Unanimous vote.

TAX EXONERATION

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

AUDIENCE COMMENT

Mr. David Whipple asked why the city hall building was being renovated if the county wants to lease or purchase it and why wouldn't they use their own building at 2nd and Chestnut St. Mayor Persing said he would have to ask the county that question. If the city hall building is renovated it can be sold for more than the original appraisal. The funds for the renovation are from a grant and if it isn't spent it will have to be sent back to the state. Councilman Snyder said he would recommend that Mr. Whipple attend a county commissioner's meeting to ask them his questions. Mr. Whipple also said Cameron Park looks great after the renovations.

Ms. Diane Petryk from The Daily Item asked if the City was going to replace the missing third tier from the fountain. Mayor Persing explained that Councilman Eister and Mr. Graybill were going to speak to the welder in the near future to see what has to be done to repair the fountain. Councilman Eister said the 3rd tier may have been missing for a long time so he doesn't know who would know where it is. Ms. Petryk also asked if the bids that were awarded for curb cuts and renovations to city hall were local companies and the answer is yes, Lytle's are in Sunbury and HEPCO is in Selinsgrove.

Ms. Cora Campbell said that Joseph St. is not paved and when windy it gets very dusty on her porch and the dust goes in the windows. Councilman Troup will look into it. Mr. Whipple thought millings would work in that area. Mr. Bordner said they have tried to do things in that area before but the employees in the plant have their vehicles parked there.

CITY YOUTH VOLUNTEER CORP.

Councilman Snyder said more volunteers are going to be needed due to the beautification projects the City has going on. There are some youth members on the Comprehensive/Strategic Plan Steering Committee so he would like to establish a volunteer corps made of youth in the City. Keeping the youth involved will give them pride and hopefully make them want to stay in the area.

NO ANIMALS ON POSTED CITY PROPERTY

Mayor Persing explained that signs have been posted at all the ball fields that fines will be levied if anyone is caught walking animals on the fields. Signs have been posted "No Animals Allowed" and the ordinance will be enforced by the police department.

CITYWIDE CLEAN-UP

Citywide clean-up at the transfer station is scheduled for April 20, 22, 27 and 29.

There being no further business the meeting was adjourned at 8:06 pm.

Respectfully submitted,

Terry Specht
City Clerk