

CITY COUNCIL
Sunbury PA 17801
March 24, 2014
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
John K. Shipman, Director of Accounts & Finance
Richard L. Reichner, Director of Public Safety
Dale L. Henry, Director of Public Works
James R. Eister, Director of Parks, Recreation and Public Buildings

Other City officials in attendance:

Kevin Troup, City Treasurer
Lisa Martina, City Controller
Brianna Apfelbaum Kula, City Solicitor
Stephen Mazzeo, Chief of Police
Michael Rhoads, Zoning Officer and Fire Chief
Ken Long, Public Works Assistant Supervisor
Ken Kipple, Fire Chief
Terry Specht, City Clerk

There were thirty-two (32) visitors present.

AUDIENCE COMMENT ON AGENDA ITEMS

Mayor Persing asked for audience comment on agenda items and there were no comments.

PROCLAMATION/FOSTER GRANDPARENTS

Councilman Reichner moved to pass a Resolution (see attached) to proclaim April 1, 2014 as National Service Recognition Day. Second – Eister. Unanimous vote.

PA DOT CLOSURE/ROTARY CAR CRUISE-IN

Councilman Henry moved to approve the road closure around Cameron Park for the Sunbury Rotary Club to have a car cruise-in on June 21, 2014. Second – Eister. Unanimous vote.

APPROVAL TO PAY INVOICES

Councilman Shipman moved to pay the invoices on the vouchers payable report totaling \$188,152.93 from the general fund. Second – Eister. Unanimous vote.

SRI/PRESENTATION

Ms. Aimee Buehner said she is presenting on behalf of the Business and Economic Development Committee (BED) of SRI. She said they have been working on a marketing plan for about a year. They developed a survey targeting individuals from outside the area to determine desirable business-friendly aspects to draw people to Sunbury. Using that information the marketing campaign will focus on technological capabilities, recreational opportunities and low business costs. They have been working with Sire Advertising to develop a plan and utilize email, social media, a local university publications, including alumni publications and professional trade publications to reach the demographics they have been targeting. The initial intent was to go to North'd County IDA and request \$20,000 in funds to help fund the marketing strategy both short and long term. They estimated \$5,000 of volunteer hours through the SRI office and they are requesting \$5,000 from the City to match the SRI funds and to supplement the funds requested from IDA. They are hoping to utilize the funds to develop and begin the marketing strategy. Mayor Persing asked when the funds would be needed and Ms. Buehner answered they are talking to North'd County in April. Councilman Shipman said it would be a great opportunity to leverage city funds. He wants them to work with the treasurer as there is some economic development funding in the budget. The survey has been distributed and the information has been received by the BED committee. Ms. Buehner said she would work with SRI to get the timeline together.

AUDIENCE COMMENT

Mr. Drake Saxton asked why the purchase of 4 LED street lights fitted with high resolution surveillance and wireless network for the intersection at 4th St & Market St for \$9,745 from 10/15/2013 from Global Security Tactics was made and if it is related to the security cameras. Councilman Eister said they were purchased for efficiency and they are not related to the camera project. Mr. Saxton also asked in regard to the minutes of 10-22-2012 where the award for the bid for the cameras went to Global Surveillance System and ultimately they were purchased from Genesis Security Integration at a higher cost even though the bid was awarded to Global. He said Genesis Security changed their name to Global Security Tactics and he is asking how the bid changed and why. Mayor Persing said he would have to check with Mr. Todd Snyder to find out. Ms. Specht said one of the bidders withdrew their bid but was unsure of the name of the company. His RTK request on 1-31-14 showed the city of Sunbury specified camera bids for day and night vision. He said the invoice indicates the cameras are not capable of night vision because only M12SEC cameras are listed. The correct model would have been M12SECDNight which comes complete with night sensors. As additional proof the Mobotix M12 camera manual can be consulted and he has that information. He said the M12SEC cameras the city has have microphones that can be turned off/on or be permanently disabled. He said it would be illegal to record anyone without their approval and this camera feature could be declared illegal or cause the city great expense if the city attempted to use illegally procured recordings from the cameras. Mr. Saxton said he is curious whether the camera microphones have been permanently disabled. Mayor Persing said the microphones are not used. Mr. Saxton also said Mr. Aaron Nigro has been paid at least \$12,500 for professional services. He said these services were for installation of security cameras in Sunbury and the \$12,500 figure goes beyond the bid threshold. He said it appears the camera installation should have been placed for bid. Failing to do a background check on Mr. Nigro, the integrity and security of the city's camera system is in question since he has legal difficulties. According to the Mobotix M12 camera manual the camera system can be accessed remotely and this would include Mr. Nigro and any of his associates he would care to give access to. Mr. Saxton said he is curious as to who is authorized to tap into the system. Mayor Persing said he has already told him the police department is authorized. There is specific private money put into the project and that could be the difference in the \$12,500. Also, Ft. Discovery and the Eagles bought into the system. Mr. Saxton said it wasn't bid with the cameras but it should have been a separate bid for the installation. Mayor Persing said if you take the money the Eagles put up and the money the Ft. Discovery foundation put up, it would be over. Councilman Reichner said you do not have to bid for professional services. Mr. Saxton said that would be questionable whether that would be an appropriate term for what was done. He has not gone over all the ramifications of it but he will look at it further. Councilman Henry said the threshold for bidding went up but was unsure when that happened. Mr. Saxton went on to say his RTK request for minutes of the council meeting of 12-23-13 awarded the 2014 tax anticipation loan to Swineford National Bank. Mr. Saxton asked whether it is Swineford National Bank that will supply the loan to the city. Mayor Persing answered that Mr. Saxton just said it went to Swineford Bank and that is who got it. Mr. Saxton said he is questioning it because the counter bid did not go – (unable to hear the recording). Councilman Eister said the same question was asked at the last council meeting. Mr. Saxton said it was answered whoever got the lowest bid and not what bank. He just asked what bank. Mr. Troup explained the bid was lower by less than \$200 and the bid went to Swineford Bank. Councilman Eister asked Mr. Saxton what the purpose of his questioning of Mr. Nigro was or was he implying something. Mr. Saxton said he is not implying anything just asking a question because it was his understanding that former Councilman Snyder said the threshold on installation was \$10,000 as approved by council. Councilman Eister said there were other installations discussed, like Ft. Discovery and the Eagles. Mr. Saxton said the bills he was given are all to the City of Sunbury and was Councilman Eister saying the City of Sunbury paid and were reimbursed after they paid for the installation. Councilman Eister said exactly. Councilman Reichner said the Eagles paid \$5,000. Mr. Saxton went on to say the minutes of the Sunbury city council are deficient. He said they often omit significant or important facts both from the audience and other contributors at a meeting. These omissions constitute violation of PA Sunshine Act. There is currently a case being heard Citizens for PA Future v. Allegheny Health Dept. and he would encourage the city to correct these violations so unpleasanties judicially do not occur. Councilman Eister asked Mr. Saxton if he is saying they are purposely omitting things from the minutes. Mr. Saxton said he doesn't know whether it is purposely being done but that is what's happening. He does not know what the motivation is. Councilman Eister said he is implying that. If the microphones don't pick things up they can't be typed. Councilman Shipman said there is a difference between minutes and a transcript. A transcript is a word by word document and minutes are just a summary of the meeting so that his summary could be different than everyone else sitting in the room and just because what he believes should be the summary, his opinion is only his. The minutes are only a summary, not a transcript. Mr. Saxton said that is correct there is no transcriptionist present. The summary should contain all important points or items mentioned, not word for word. Councilman Shipman said the minutes presented are the opinion of those who made them up, a summary of the meeting. They are reviewed by council. If Mr. Saxton is not happy with that he should talk to council and Mr. Saxton said he is right now.

Ms. Regina Russell, community activist, said on February 12, 2014 she put in a Right to Know request for copies of all her complaints since Councilman Reichner said her complaints are frivolous. She said she did not get a complete report because it did not include any findings, any investigative report, any conclusions at

all that should have been done by the code officers, had they gone and investigated her complaints. She finds it to be a mystery that Councilman Reichner would accuse her of filing false reports and threaten to have her arrested for filing false reports – how can he do that if he doesn't have that type of evidence. She said she didn't see how she could have 7 pages from 2010 thru 2014 and not have 1 investigative report in compliance with that complaint.

Mr. Donald Heilig said he is having issues with a police officer. He takes care of mentally handicapped gentlemen and they had an incident at his home on June 12, 2013. He asked that this officer not to be allowed on his premises. He deals with Joe Labowski from MH/MR. He said he was a single father and his kids are grown and these gentlemen are like his kids. They go to H2 church. He said his uncle is a police detective and he did internet detective work and retired. He told Mr. Heilig to pray about the situation. Mr. Heilig said they are being barraged with ridiculous fines. They occasionally get upset or loud and he helps them to calm down. He described one of his tenants who had a payee. He asked his payee to buy him a shovel and saw because the code office gave him fines. Mr. Heilig said they were negligent buying him the saw and he got a \$300 fine. There is no MH/MR advocate in the area. Traffic citations were issued to another one for the same thing – open hand contact. It is a ticket that they cannot get a free attorney where they could get in front of a judge and plead their case so they are railroaded into paying the fines. Another one was told to shut up by an officer on July 4th when a child got hit by a fire work who was running around in the middle of the road at 10 pm. There were no photos of the incident. Mayor Persing said city council can't do anything with the court system. If he is here to talk about the police department he should do that. Mr. Heilig asked if the retaliation could come to him instead of his tenants. They are on limited incomes and can't pay the fines. 4 of them created a little disturbance and each one got a \$200 fine. Mayor Persing asked where this occurred and Mr. Heilig answered they were visiting a resident at Scott Tower, who is also mentally handicapped. A bottle rocket hit a little girl and that was \$800. Mr. Heilig said Penn Legal said they cannot help them. Mr. Heilig said they could have gotten a warning first and then if the police had to go back, he could see them getting a fine. Mayor Persing said the police department didn't drive to Scott Towers looking for someone to fine. They had to have a call to be there. Mr. Heilig said there are a lot of disturbances in Sunbury but those people get warnings. He feels warnings should be issued first. They cannot afford to pay the fines.

ANNOUNCEMENTS

Spring clean-up dates for city residents only will be April 22, 24, 29 and May 1.

Street sweeping begins on March 31st. Warning announcements have been posted for 2 weeks, Tickets will be issued.

Councilman Reichner asked for an executive session immediately following this meeting.

There being no further business to discuss the meeting was adjourned at 7:00 pm.

Respectfully submitted,

Terry Specht
City Clerk