

A regular meeting of Bloomsburg Town Council was held Monday, July 9, 2007, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor Claude Renninger; Council Members Don Pursel, Paul Kinney, Terry Lemon, Bill Brobst, Dan Knorr and Paul Houseknecht; Town Administrator Carol Mas; Finance Specialist Heather Jacoby; Code Enforcement/ Zoning/ Planning Officer Ed Fegley; Fire Chief Bob Rupp; Attorney Barry Lewis and Office Assistant Amy Seamans. Absent were Superintendent of Public Works John Barton; Recycling Administrator Charles Fritz; Chief of Police Leo Sokoloski and Solicitor Jack Mihalik.

#### PUBLIC HEARING – ZEISLOFT CERTIFICATE OF APPROPRIATENESS DENIAL APPEAL

A Public Hearing was held at 6:00 p.m. prior to the regular meeting of Town Council. Attorney Barry Lewis attended on behalf of Solicitor Mihalik. Attorney Lewis stated the hearing was being held to receive testimony on a certificate of appropriateness denial for the installation of vinyl replacement windows and replacement doors at 327 East Second Street owned by Todd Zeisloft. The stenographer swore in Jarrett Zeisloft. Mr. Zeisloft's attorney Elwood Harding questioned Mr. Zeisloft as to his relationship to Todd Zeisloft and he stated that Todd Zeisloft is his father. Jarrett Zeisloft also stated that he is the manager of his family's student housing business and resides at 337 East Second Street which is next to the property in question. Mr. Zeisloft explained that the house is used as a student rental. There are two units, one on first floor and another on second floor. They are in the process of remodeling the interior. Two new heating services have been installed already and now they would like to replace the windows to make the units more energy efficient. There are no exterior renovations planned. There are a total of 29 windows in the structure and 18 of them have stained glass portions in the top of half of window. 14 of the 18 windows with stained glass have some kind of damage. Attorney Harding showed a total of 23 photos to Mr. Zeisloft and asked him to inform Council where the window is located and what type of damage was depicted. Mr. Zeisloft also stated that all of the windows would need to be removed, scraped, painted and caulked.

D. Knorr asked what the status of framing the stained glass portions and installing it above a replacement window was which was discussed at the HARB meeting. Mr. Zeisloft stated the framing would not allow the window to open properly and according to the building codes to obtain their regulated rental unit license all of the windows need to be operational. D. Knorr then asked if they now plan on keeping any of the stained glass and Mr. Zeisloft stated no.

P. Houseknecht pointed out that Mr. Zeisloft only brought photos of windows that did not have stained glass to the Historic Architectural Review Board meeting.

Mr. Zeisloft stated that most people would not be able to see the stained glass portions from the street. Council members expressed that they would be visible at night when there are lights on inside of the residence and D. Pursel stood up and looked out a window in the Council Chambers and stated he could see them right now.

B. Brobst expressed that Mr. Zeisloft owns a building in the historic district but doesn't want to maintain the historic integrity of it. B. Brobst asked Mr. Zeisloft if he investigated interior storm windows and Mr. Zeisloft stated that he has not but would look into it.

Hearing no further testimony, the Public Hearing concluded at 6:43pm.

#### DENIAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by P. Houseknecht, seconded by T. Lemon and voted on unanimously, Council denied a certificate of appropriateness without prejudice for Todd Zeisloft to install vinyl replacement windows and replacement doors at **327 East Second Street**.

## CITIZEN TO BE HEARD – DOROTHY AND KEN WILSON

Dorothy and Ken Wilson of 429 Catherine Street were present to thank Town Council for remedying the situation of the air conditioning unit noise that has emitted from the Columbia Child Development Program building over the years. Mayor Renninger expressed that the Columbia Child Development Program Board are really the ones that need to be thanked but welcomed their praise.

## APPROVAL OF JUNE 11, 2007 COUNCIL MEETING MINUTES

On a motion by T. Lemon, seconded by P. Houseknecht and voted on unanimously, Council approved the June 11, 2007 Council meeting minutes with no additions or corrections.

## APPROVAL OF PAYMENT OF MONTHLY BILLS AND JUNE PAYROLL AUTHORIZATION

On a motion by T. Lemon, seconded by P. Kinney and voted on unanimously, Council approved payment of the following monthly bills and the June payroll authorization: General Fund, \$153,663.66; Recycling Fund, \$20,242.33; Street Lighting Fund, \$18,700.00; Norris E. Rock Memorial Pool, \$4,619.67; Fire Fund, \$248.79; FFY 05 CDBG Entitlement Program, \$30,190.06; FFY 06 CDBG Entitlement Program, \$53,239.97; Day Care Project, \$3,562.00; Airport Expansion Project, \$333.69; Liquid Fuels, \$6,092.69 and the June payroll authorization in the amount of \$154,838.28.

## APPROVAL OF PAYMENT OF BILL TO HAY GROUP, INC. FROM THE EMPLOYEES PENSION PLAN

On a motion by P. Kinney, seconded by D. Pursel and voted on unanimously, Council approved the payment of an invoice from Hay Group, Inc. from the Employees Pension Plan in the amount of \$4,336.02.

## APPROVAL OF PAYMENT OF BILL TO HAY GROUP, INC. FROM THE POLICE PENSION PLAN

On a motion by P. Kinney, seconded by D. Pursel and voted on unanimously, Council approved the payment of an invoice from Hay Group, Inc. from the Police Pension Plan in the amount of \$4,000.00.

## APPOINTMENT OF ALEX DUBIL, JR. TO BLOOMSBURG PLANNING COMMISSION

On a motion by T. Lemon, seconded by P. Houseknecht and voted on unanimously, Council appointed Alex Dubil, Jr. to the Bloomsburg Planning Commission with a term expiring on December 31, 2008.

## APPROVAL OF WAGE INCREASE FOR RONALD RUSSELL, JR.

On a motion by P. Houseknecht, seconded by P. Kinney and voted on unanimously, Council approved increasing Recycling Center employee Ronald Russell, Jr.'s wage to \$14.90 per hour retroactive to June 25, 2007 for obtaining his CDL.

## APPROVAL OF SALARY INCREASE FOR RALPH MAGILL

On a motion by D. Pursel, seconded by P. Houseknecht and voted on unanimously, Council approved a \$1,200.00 salary increase for Ralph Magill retroactive to July 1, 2007 for additional zoning duties and work related to student housing inspections.

## APPROVAL OF PAYMENT OF INVOICE TO SPIKE GILLESPIE SIGNS

On motion by T. Lemon, seconded by P. Kinney and voted on unanimously, Council approved payment of an invoice in the amount of \$2,361.38 to Spike Gillespie Signs for the removal and re-lettering of an ambulance that was donated to the Bloomsburg Police Department. The invoice will be paid with DUI Center funds.

## APPROVAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by D. Pursel, seconded by T. Lemon and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Scott Gleber to install vinyl replacement windows at **163 West Third Street**.

On a motion by P. Houseknecht, seconded by T. Lemon and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Joe Gushen to do façade improvements at **34 East Main Street** and construct a dumpster enclosure at the rear of **34 East Main Street**.

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Chris Sausser to install a wooden fence at **442-448 East Street**.

On a motion by D. Pursel, seconded by P. Houseknecht and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Husky Housing to repoint the brick and close in a rear window at **300 East Second Street**.

On a motion by P. Houseknecht, seconded by T. Lemon and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Leroy Yocum to construct a residential structure at **318 West Street**.

On a motion by P. Houseknecht, seconded by T. Lemon and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Rick Dabulis to relocate the front porch entrance railing at **418 East Street**.

## DENIAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by T. Lemon, seconded by P. Houseknecht and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved denying a Certificate of Appropriateness without prejudice for Jonathon Jones to install a corrugated metal roof at **240 East Fifth Street** due to the impact of the proposed material on the historic integrity of the structure. Mr. Jones and his contractor William Hanna were present. Mr. Hanna showed Council photos of the type of material he would like to use. Mr. Jones expressed that the home next to his burned down and when the fire company put a barrier on his home to keep it from catching fire it wore off the asphalt texturing. Mr. Jones has metal roofing on his garage and on the lower roofs of his home so he would like to replace the asphalt shingles with metal to make it more cohesive. He did research his style of home and agreed with the Historic Architectural Review Board when they stated his style of home would not have had a metal roof. Mr. Jones expressed that in his neighborhood there are at least ten other homes with metal roofs that are not the same style as his but do have similar characteristics. B. Brobst suggests if Mr. Jones submits another application to the Historic Architectural Review Board, that he bring actual material samples with him so the board can make a more informed decision.

On a motion by T. Lemon, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved denying a Certificate of Appropriateness for Susquehanna Rentals to install vinyl siding at **269 West First Street** due to the historic integrity of the building.

## APPROVAL OF NINETY-DAY TIME EXTENSION – BLOOMSBURG UNIVERSITY UPPER CAMPUS HOUSING PROJECT – LAND DEVELOPMENT

On a motion by T. Lemon, seconded by P. Houseknecht and voted on unanimously, and on the recommendation of the Planning Commission, Council approved a ninety (90) day time extension for Bloomsburg University's upper campus housing project land development plan.

APPROVAL OF FINAL NINETY-DAY TIME EXTENSION – MICHAEL MORUCCI/THIRD STREET APARTMENTS – LOT INCORPORATION/LAND DEVELOPMENT

On a motion by T. Lemon, seconded by P. Houseknecht and voted on unanimously, and on the recommendation of the Planning Commission, Council approved a final ninety (90) day time extension for Michael Morucci's Third Street Apartments lot incorporation/land development.

APPROVAL OF WAIVERS – KAWNEER – FLOOD PROTECTION PROJECT – LAND DEVELOPMENT

On a motion by D. Pursel, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Planning Commission, Council approved waivers from Section 22-501.10.D.(1), Section 22-504 and Section 22-706 for curbing to be installed on the emergency access road. From Section 22-504, Section 22-604 and Section 22-706 for sidewalks to be installed along East Ninth Street and the emergency access drive. From Section 22-802.3.A for a maintenance easement for the Town for Kinney Run and from Section 22-503 for the installation of required curbing on East Ninth Street.

APPROVAL OF KAWNEER – FLOOD PROTECTION PROJECT – LAND DEVELOPMENT

On a motion by T. Lemon, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the final plan for Kawneer's flood protection project land development plan conditioned upon the following items: the certification of ownership must be signed and notarized (404.B.1.a.7 & 8), the storm water management plan must be approved by the Town engineer (404.B.2.f), the E & S plan must be approved by the Columbia County Conservation District (404.B.2.f), an NPDES Permit for Discharges Associated with Construction Activities must be obtained (404.B.2.f and 404.D.1.a.17), a detail for the actual 'Closure Structure' to be used must be included on the final plan and meet all DEP requirements (404.B.2.j), a "Water Obstruction and Encroachment Permit" must be obtained from DEP for the proposed box culvert at Kinney Run (404.D.1.a.20.g.ii and 804), shoulders must be included on the final plan for the Ninth Street reconstruction (503.3.A and Table 1), the proposed emergency access driveway crosses land owned by the Town of Bloomsburg. The plan shows this area as an eighty-five (85) foot wide easement. An access easement must be developed between the applicant and the Town (507.2.A), detail must be provided on the final plan for the proposed Pump Station #1, including a description of the drainage/flood control system and the terms of required maintenance. The pump station, description and required maintenance must meet all DEP requirements (803.2.D), a description of the proposed drainage/flood control system and the terms of its required maintenance must be recorded with the deed to the property and basic operation, inspection and maintenance notes must be included on the final plan per DEP requirements (805.C), proof of pertinent use and maintenance and easement agreements must be provided for the proposed emergency access road (404.D.1.a.20.j) and additional flood related information from the Army Corp of Engineers concerning the displacement of water in the area of the project must be submitted to the Town engineer for his review and approval.

AMENDMENT TO SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

The Planning Commission will put their request in writing concerning an amendment to the subdivision and land development ordinance to change the submission deadline process.

APPROVAL OF ADVERTISING AMENDMENT TO REGULATED RENTAL UNIT OCCUPANCY ORDINANCE

On a motion by T. Lemon, seconded by P. Houseknecht and voted on unanimously, and on the recommendation of the Planning Commission, Council approved advertising an amendment to Section 11-104 of Ordinance no. 766 known as the regulated rental unit occupancy ordinance.

APPROVAL OF REQUESTING PROPOSALS FOR PROFESSIONAL  
ENGINEERING SERVICES FOR PHASE III OF MAIN STREET LIGHTING  
PROJECT

On a motion by T. Lemon, seconded by P. Kinney and voted on unanimously, Council approved requesting proposals for professional engineering services for Phase III of the Main Street Lighting Project from Main to West Streets.

APPROVAL OF PAYMENT NO. 7 TO TRA ELECTRIC, INC. FOR MAIN STREET  
LIGHTING PROJECT

On a motion by P. Kinney, seconded by T. Lemon and voted on unanimously, Council approved payment No. 7 to Tra Electric, Inc. in the amount of \$16,211.63 for the Main Street Lighting Project. The invoice total was reduced by \$37.19 to agree with the total contracted amount.

AIRPORT HANGAR AGREEMENT

C. Mas informed Council that a group of people would like to construct six (6) hangars at the Bloomsburg Municipal Airport. The constructors would like to enter into a fifty (50) year lease agreement with the town. C. Mas expressed that Council would need to establish a monthly land lease fee as a stipulation of the Pennsylvania Department of Transportation Bureau of Aviation. T. Lemon suggests a monthly fee of \$2.00 per unit with the fee being negotiated every five years. D. Pursel suggested a monthly fee of \$25.00 per unit. B. Brobst suggests consulting with the town solicitor as to the ramifications of going with a fifty (50) year lease instead of a twenty-five (25) year lease, establishing a practical land lease fee, inserting provisions for the removal of the structures should they become deplorable or their functionality becomes obsolete and having detailed maintenance requirements inserted as well. C. Mas will have the town solicitor insert the suggestions and have the constructor review the draft.

APPROVAL OF PLACEMENT OF THREE (3) OUTDOOR TABLES AT 34 EAST  
MAIN STREET

On a motion by D. Pursel, seconded by T. Lemon and voted on unanimously, Council approved the placement of two (2) approximately 28” to 32” round tables and one (1) 28” square handicapped accessible table in front of 34 East Main Street.

APPROVAL OF RETAINING GANNETT FLEMING ENVIRONMENTAL  
ENGINEERS, INC. TO UPDATE COMPREHENSIVE PLAN

On a motion by T. Lemon, seconded by P. Kinney and voted on unanimously, Council approved retaining the services of Gannett Fleming Environmental Services, Inc. to update the town comprehensive plan in the amount of \$64,720.00. C. Mas noted that half of the cost will be covered by grant funds.

With no further business, the meeting adjourned at 8:15pm.

CAROL L. MAS  
Town Administrator & Secretary