

A regular meeting of Bloomsburg Town Council was held Monday, August 13, 2007, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Vice-President Don Pursel; Council Members Paul Kinney, Bill Brobst, Dan Knorr and Paul Houseknecht; Town Administrator Carol Mas; Finance Specialist Heather Jacoby; Superintendent of Public Works John Barton; Recycling Administrator Charles Fritz; Chief of Police Leo Sokoloski; Code Enforcement/ Zoning/ Planning Officer Ed Fegley; Assistant Code Enforcement Officer Ralph Magill, Fire Chief Bob Rupp; Solicitor Jack Mihalik and Office Assistant Amy Seamans. Absent were Mayor Claude Renninger and Council Member Terry Lemon.

CITIZEN TO BE HEARD – JOHN BROWN – NORTHEAST TREE SERVICE

John Brown of Northeast Tree Service was present to dispute Code Enforcement Officer Ralph Magill issuance of a citation for beginning to remove a tree located at 340 East Second Street. To date, Mr. Brown stated he has not received anything in the mail from Mr. Magill. On July 31, 2007 Mr. Brown began removing the tree because the homeowner, Cary Rhodomoyer, advised him that he had a permit to do so when in fact he was approved for trimming but not removal. While Mr. Brown was in the tree trimming the dead wood Mr. Magill arrived at the site and instructed him to stop work immediately because he did not have a permit. When Mr. Magill returned ten minutes later Mr. Brown was still trimming. Mr. Brown expressed that the tree was twisting and very unstable and he felt it was hazardous to anyone around it so he was finishing what he had started. Mr. Magill stated he was going to cite Mr. Brown for not complying with a stop work order.

Mr. Rhodomoyer applied to have the tree removed on July 17, 2007. Shade Tree Commission members Bonnie Girton and Sylvia Costa both looked at the tree and denied the permit because the tree did not look to be in bad shape but they did approve the removal of the dead branches. On July 30, 2007 Mr. Rhodomoyer came to town hall with a large piece of bark that he removed from the tree and asked how he could move past the Shade Tree Commission to have the tree removed because he feels the tree is dying and a hazard. A. Seamans advised Mr. Rhodomoyer that she would contact both commission members to ask them to look at the tree again and that she would get back to him. Mr. Rhodomoyer stated he felt the permit to remove the tree would be a slam dunk because several years ago the tree next to this one was looking and doing the same thing and was approved for removal.

Mr. Magill expressed to Council that he would meet with them in private to review other evidence and details. Mr. Magill also advised Council that he has thirty (30) days from the day of the incident to file a citation at the local district magistrate. Council directed Mr. Brown to proceed with the code appeal process. Mr. Brown agreed to waive the thirty (30) day filing requirement.

CITIZEN TO BE HEARD – JOHN WEISS

John Weiss of 410 West Ninth Street was present to ask why there is no supervision at the skate park. Mr. Weiss' nephew fell off his bike at the skate park this past Friday and wanted to know why there is no adult supervision. Town Park Improvement Association President Chuck Wagner was present and advised that there are two paid supervisors at the skate park and other volunteers as well. Mr. Wagner was aware of the incident and noted that Mr. Weiss' nephew was wearing a helmet which is required and did return to ride at the skate park the next day.

CITIZEN TO BE HEARD – DARLA BRESSLER

Darla Bressler of 714 East Fifth Street and Dorothy Girton of 724 East Fifth Street were present concerning an ongoing water problem after heavy rain storms at the rear of their properties. Ms. Bressler stated she never had a problem when she moved there in 2001 but ever since Weis Markets repositioned their building in September of 2004 water ponds in the alley behind her home and then runs into her garage/basement causing property damage. She felt the problem was coming from the new parking lot so she contacted Weis Markets and their contractor advised that the problem is the drain in the

alley and she needed to contact the town. J. Barton stated the drainage system was partially blocked and was cleaned out. He believes the water is coming from Fifth Street Hollow Road and then onto Park Street and then runs down the alley instead of emptying into the storm drain further down Park Street. J. Barton had his department build up the level of the pavement at the alley entrance to direct the water down Park Street and feels this will alleviate the problem. Ms. Bressler was advised to contact him if the problem continues.

CITIZEN TO BE HEARD – RALPH DILLON

Ralph Dillon expressed that years ago he sat on a committee of the former Bloomsburg Area Chamber of Commerce consisting of business owners and council members to develop a mercantile tax to temporarily help the town financially. The gross receipts tax was levied on all businesses within the town limits and after a few years council was to assess the situation and do away with it which has never happened. Mr. Dillon feels this is a deterrent to new business coming into town. D. Pursel expressed that the issue would be considered at budget preparation time.

ADOPTION OF ORDINANCE NO. 905 – AMENDING SECTION 11-104 OF ORDINANCE NO. 766 KNOWN AS THE REGULATED RENTAL UNIT OCCUPANCY ORDINANCE

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council adopted Ordinance No. 905 amending section 11-104 of Ordinance No. 766 known as the regulated rental unit occupancy ordinance adding the following subparagraph under 1. License Requirement: K. No license shall be issued to an owner unless the rental unit is in compliance with all applicable codes and ordinance of the Town of Bloomsburg.

APPROVAL OF RESOLUTION NO. 08-13-07.01 – SIGNS AND BANNERS ACROSS STATE HIGHWAYS

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council approved Resolution No. 08-13-07.01 for the erection of banners across state highways located within the Town of Bloomsburg. Four (4), 2 x 6 foot banners stating “Welcome Hot Rod Custom Cruisers, Power Tour Downtown Bloomsburg, August 11th, 1:00pm to 3:00pm” will be attached to Bloomsburg University’s catwalk located on SR 487, Lightstreet Road, from August 9, 2007 to August 13, 2007 for the Bloomsburg Hospital’s 4th Annual Rod and Custom Cruise-in.

APPROVAL OF JULY 9, 2007 COUNCIL MEETING MINUTES

On a motion by D. Knorr, seconded by P. Kinney and voted on unanimously, Council approved the July 9, 2007 Council meeting minutes with no additions or corrections.

APPROVAL OF PAYMENT OF MONTHLY BILLS AND JULY PAYROLL AUTHORIZATION

On a motion by P. Kinney, seconded by P. Houseknecht and voted on unanimously, Council approved payment of the following monthly bills and the July payroll authorization: General Fund, \$118,857.49; Recycling Fund, \$16,132.37; Street Lighting Fund, \$6,590.55; Norris E. Rock Memorial Pool, \$4,867.66; Fire Fund, \$248.79; FFY 06 CDBG Entitlement Program, \$28,959.23; Day Care Project, \$3,562.00; Airport Expansion Project, \$4,497.65; Liquid Fuels, \$2,534.90 and the July payroll authorization in the amount of \$167,963.24.

APPROVAL OF PAYMENT OF BILL TO FIRST COLUMBIA BANK AND TRUST CO. FROM THE EMPLOYEES PENSION PLAN

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council approved the payment of an invoice from First Columbia Bank and Trust Co. from the Employees Pension Plan in the amount of \$2,780.73.

APPROVAL OF PAYMENT OF BILL TO FIRST COLUMBIA BANK AND TRUST CO. FROM THE POLICE PENSION PLAN

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council approved the payment of an invoice from First Columbia Bank and Trust Co. from the Police Pension Plan in the amount of \$3,981.65.

APPROVAL OF PURCHASE OF GESTETNER DSM755 COPIER

On a motion by P. Houseknecht, seconded by P. Kinney and voted on unanimously, Council approved the purchase of a Gestetner DSm755 copier from TOPP Business Solutions in the amount of \$11,573.00. C. Mas noted that the Bloomsburg Municipal Authority will be paying half of the cost.

APPROVAL OF ESTIMATE FROM MANTZ COMPUTER CONSULTING

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council approved an estimate from Mantz Computer Consulting in the amount of \$1,594.76 for the repair of a server in the police department.

APPROVAL OF ENDING RONALD RUSSELL, JR. PROBATIONARY PERIOD

On a motion by P. Houseknecht, seconded by P. Kinney and voted on unanimously, Council approved ending the probationary period of recycling center employee Ronald Russell, Jr.

APPOINTMENT OF MICHAEL MERTZ TO BLOOMSBURG PLANNING COMMISSION

On a motion by P. Houseknecht, seconded by P. Kinney and voted on unanimously, Council appointed Michael Mertz to the Bloomsburg Planning Commission with a term expiring on December 31, 2008.

RESIGNATION ACCEPTANCE OF EMILY SAYLES FERLAND

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council accepted the resignation of Emily Sayles Ferland from the Bloomsburg Planning Commission with regret. It was noted that Ms. Sayles Ferland is moving out of state.

APPROVAL OF ADVERTISING ORDINANCE APPROVING AN INTERMUNICIPAL AGREEMENT WITH COLUMBIA COUNTY IN CONNECTION WITH A PROPOSED FLOOD CONTROL PROJECT

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council approved advertising an ordinance approving an Intermunicipal agreement with County of Columbia, Pennsylvania, in connection with a proposed flood control project; approving execution and delivery of said agreement; and authorizing and approving other related matters.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by P. Houseknecht, seconded by D. Knorr and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Todd Zeisloft to install vinyl replacement windows, remove all storm windows, repair all existing stained glass window panes, replace rear and side entry doors and refurbish the front entry door at **327 East Second Street**.

On a motion by P. Kinney, 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 John Jones to install a standing seam metal roof at **240 East Fifth 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 William Flick to install vinyl replacement windows and at **210-212 East Fifth Street**.

APPROVAL OF NINETY-DAY TIME EXTENSION – DON CAMPLESE –
LIGHTSTREET ROAD/COUNTRY CLUB ROAD HOUSING PROJECT – LAND
DEVELOPMENT

On a motion by P. Houseknecht, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Planning Commission, Council approved a ninety (90) day time extension for Don Camplese's housing project land development plan to be located at Lightstreet Road and Country Club Road.

B. Aungst expressed that the Planning Commission would like to meet at the site with Mr. Camplese, Council Members, Bloomsburg University officials and PennDOT representatives to discuss the project. Town Hall staff will arrange the meeting.

APPROVAL OF ADVERTISING AMENDMENT TO SUBDIVISION AND LAND
DEVELOPMENT ORDINANCE

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council approved advertising an amendment to the Subdivision and Land Development Ordinance to change the submission date deadline to twenty-one (21) prior to the meeting.

APPROVAL OF PAYMENT NO. 3 TO SOKOL, INC. FOR FIFTH STREET
RECONSTRUCTION PROJECT

On a motion by B. Brobst, seconded by P. Houseknecht and voted on unanimously, Council approved payment No. 3 to Sokol, Inc. in the amount of \$97,291.73 for the Fifth Street Reconstruction Project.

APPROVAL OF PAYMENT OF CHANGE ORDER NO. 1 TO SOKOL, INC. FOR
FIFTH STREET RECONSTRUCTION PROJECT

On a motion by P. Houseknecht, seconded by P. Kinney and voted on unanimously, Council approved payment of Change Order No. 1 to Sokol, Inc. in the amount of \$2,090.00 for the Fifth Street Reconstruction Project.

APPROVAL OF PROFESSIONAL ENGINEERING PROPOSAL FROM MCTISH,
KUNKEL AND ASSOCIATES FOR PHASE III OF MAIN STREET LIGHTING
PROJECT

On a motion by B. Brobst, seconded by P. Kinney and voted on unanimously, Council approved the professional engineering services proposal from McTish, Kunkel and Associates for Phase III of the Main Street Lighting Project from Main to West Streets.

APPROVAL OF ALTERNATE BID FROM KEYSTONE COMMUNICATIONS FOR
EARLY WARNING SIREN SYSTEM

On a motion by D. Knorr, seconded by P. Kinney and voted on unanimously, Council approved the alternate bid in the amount of \$45,277.00 from Keystone Communications for an early warning siren system with audio. It was noted that town officials are working on getting the two poles and the labor of erecting the poles donated which would lower the cost. Grant funds were received in the amount of \$40,000.00.

APPROVAL OF COMMONWEALTH LAW ENFORCEMENT ASSISTANCE NETWORK (CLEAN) AGREEMENT WITH PENNSYLVANIA STATE POLICE

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council approved a Commonwealth Law Enforcement Assistance Network (CLEAN) agreement with the Pennsylvania State Police.

APPROVAL OF PURCHASE OF SECURITY VIDEO SYSTEM AND DOOR ALARMS FROM NORTH EASTERN AUTOMATED TECHNOLOGIES AND PANIC ALARM SYSTEM FROM KEYSTONE COMMUNICATIONS

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council approved purchasing a new security video system and door alarms for the police department from North Eastern Technologies in the amount of \$4,410.00 and a panic alarm system from Keystone Communications in the amount of \$668.00 with budgeted DUI funds.

APPROVAL OF ADVERTISING ORDINANCE REQUIRING PERMITS FOR SOCIAL GATHERINGS WHERE ALCOHOLIC BEVERAGES ARE SERVED OR CONSUMED, REGULATING SUCH SOCIAL GATHERINGS AND PROVIDING PENALTIES FOR VIOLATIONS OF THE ORDINANCE

On a motion by D. Knorr, seconded by P. Kinney and voted on unanimously, Council approved advertising an ordinance requiring permits for social gatherings where alcoholic beverages are served or consumed, regulating such social gatherings and providing penalties for violations of the ordinance. D. Knorr questioned the liability insurance requirement. Solicitor Mihalik advised Council that they can still make changes to the draft ordinance.

APPROVAL OF PURCHASE OF CROWD CONTROL EQUIPMENT

On a motion by P. Houseknecht, seconded by P. Kinney and voted on unanimously, Council approved the purchase of crowd control equipment in the amount of \$3,290.47 with drug forfeiture funds.

APPROVAL OF HIRING THREE (3) PART-TIME POLICE OFFICERS

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council approved hiring three (3) part-time police officers contingent upon favorable background investigations.

DENIAL OF DAVE RUCKLE'S SIX-BAY STEEL AIRPORT HANGAR PLAN

On a motion by B. Brobst, seconded by D. Knorr and voted on Three (3) (B. Brobst, D. Knorr and D. Pursel voting "Yes") to Two (2) (P. Kinney and P. Houseknecht voting "No"), Council denied Dave Ruckle's six-bay steel t-hangar plan to be constructed at the Bloomsburg Municipal Airport. B. Brobst and Town Planner, B. Aungst both stated that this is clearly a land development plan and should proceed through the planning process. D. Pursel advised Mr. Ruckle to work with the planning commission.

APPROVAL OF DREAM MACHINE MOTOR CLUB HOLDING ANNUAL CAR SHOW AT BLOOMSBURG MUNICIPAL AIRPORT

On a motion by P. Kinney, seconded by P. Houseknecht and voted on unanimously, Council approved the Dream Machine Motor Club to hold their annual car show at the Bloomsburg Municipal Airport on Sunday, June 8, 2008.

With no further business, the meeting adjourned at 9:20pm.

CAROL L. MAS
Town Administrator & Secretary