

A regular meeting of Bloomsburg Town Council was held Monday, October 8, 2007, beginning at 7:09 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor Claude Renninger; Council Members Don Pursel, Terry Lemon, Paul Kinney, Bill Brobst, Dan Knorr and Paul Houseknecht; Town Administrator Carol Mas; Finance Specialist Heather Jacoby; Superintendent of Public Works John Barton; Environmental Services Coordinator Charles Fritz; Chief of Police Leo Sokoloski; Code Enforcement/ Zoning/ Planning Officer Ed Fegley; Town Planner Bob Aungst; Fire Chief Bob Rupp; Solicitor Jack Mihalik and Office Assistant Amy Seamans.

PUBLIC HEARING ó GDM ASSOCIATES ó REGULATED RENTAL UNIT
LICENSE NON-ISSUANCE APPEAL

Mayor Renninger appointed Solicitor Jack Mihalik as the hearing officer for the following proceeding.

A Public Hearing was held at 6:00pm to hear an appeal made by GDM Associates of a non-issuance of a regulated rental license for properties located at 128 East First Street, 373 East Third Street, 558-560 East Third Street, 224 West Street, 5 North Iron Street and 25 North Iron Street. Code Enforcement Officer Ed Fegley, Assistant Code Enforcement Officer Ralph Magill and property owner Guy Henrie were sworn in by the stenographer. J. Mihalik explained that Ordinance No. 905 of August 13, 2007 states that no license shall be issued to an owner unless the rental unit is in compliance with all applicable codes and ordinances of the Town.

E. Fegley gave testimony on how the Regulated Rental Unit Occupancy permit (RRU) process occurs in the Code Enforcement Office. E. Fegley stated that RRU packets are mailed in April of each year to all regulated rental unit landlords with their inspection date and time. A copy of the RRU packet was distributed to Council and marked as Exhibit #1.

E. Fegley expressed that this hearing is not for the purpose of disputing the violations that were found but for GDM Associates not making the necessary repairs in a timely manner. A copy of inspection reports for each property were distributed to Council and marked as the following: Exhibit #2 (128 East First Street), Exhibit #3 (5 North Iron Street), Exhibit #4 (373 East Third Street), Exhibit #5 (224 West Street), Exhibit #6 (558-560 East Third Street) and Exhibit #7 (25 North Iron Street).

Inspection reports are sent within 3-5 business days from the date of the initial inspection and if violations are found, a follow-up inspection date and time is sent along with the report. The landlord is given sixty (60) days to make all of the repairs. If there are life threatening concerns found, landlords are given forty-eight (48) hours to make the repairs and seven (7) days for safety concerns. The landlord is to notify the code enforcement office if they cannot meet the sixty (60) day deadline. Extensions are granted on a case by case basis with a decision being made by the code enforcement officer or the assistant code enforcement officer.

E. Fegley testified that GDM Associates failed to show up for their follow-up inspection and no contact was made with the Code Enforcement Office.

B. Brobst asked Mr. Henrie why there were so many routine maintenance violations found. Mr. Henrie stated that items that have passed inspection in prior years now do not meet code. For example, all of the electrical outlets had to be changed because of the number of prongs.

E. Fegley gave the following timeline showing that GDM Associates had a sufficient amount of time to make the necessary repairs to their properties:

April 25, 2007 ó RRU packets were mailed to all landlords.

May 8, 2007 ó GDM Associates called to reschedule their inspection date.

June 12, 2007 ó inspections were completed.

June 13, 2007 ó inspection reports were mailed.

August 8, 2007 ó re-inspection date ó no one from GDM Associates showed up.
August 9, 2007 ó letter advising GDM Associates that their license would not be renewed was sent by regular and certified mail. It was noted that the certified mail was never signed for and was returned to the Code Office. Exhibit #8
September 12, 2007 ó applicant requested follow-up inspections for 5 North Iron Street and 25 North Iron Street.
September 17, 2007 ó follow-up inspection was conducted at 5 North Iron Street and 25 North Iron Street and both were found to be compliant.
October 2, 2007 ó applicant asked for follow-up inspections for the remaining four properties.

A copy of the Regulated Rental Unit Occupancy Ordinance was distributed and marked as Exhibit #9.

J. Mihalik asked Mr. Henrie what he was looking to get out of this hearing and Mr. Henrie stated he would like an extension to make the repairs until the end of October.

J. Mihalik reminded everyone that GDM Associates will be cited by the Code Enforcement Office for having the properties occupied by students without having a license to do so.

On a motion by D. Knorr, seconded by P. Houseknecht and voted on unanimously, Council denied the appeal of GDM Associates.

PUBLIC HEARING ó ISABEL TARR ó VARIANCE FROM FLOODPLAIN ORDINANCE

A Public Hearing was held at 7:00 p.m. regarding a request from Isabel Tarr of 246 East Ninth Street for a variance from the floodplain ordinance. Ms. Tarr was sworn in by the stenographer. J. Mihalik asked Ms. Tarr why she needs a variance. Ms. Tarr stated that she would like to erect a carport at the rear of her property. There is an abundance of cars that park on East Ninth Street and there is only parking allowed on one side of the street. Ms. Tarr expressed that the entrance to her driveway is continually blocked by a vehicle. J. Mihalik asked what her hardship would be. Ms. Tarr stated that she would have to continue to argue with her neighbors about getting into her driveway.

On a motion by P. Houseknecht, seconded by B. Brobst and voted on unanimously, Council granted the variance.

The Public Hearing concluded at 7:04. After a brief recess, the regular meeting of Bloomsburg Town Council was called to order by Mayor Renninger.

PROCLAMATION ó BUSINESS AND PROFESSIONAL WOMENS WEEK ó OCTOBER 14-20, 2007

Mayor Renninger proclaimed October 14-20, 2007 as Business and Professional Womens Week in the Town of Bloomsburg. The proclamation was presented to Delores Stout and Bonnie Burke of the Bloomsburg Business and Professionals Womens Club.

PROCLAMATION ó BLOOMSBURG RECYCLING CENTER 30TH ANNIVERSARY

Mayor Renninger proclaimed the month of October, 2007 as Recycling Month in recognition of thirty years of recycling in the Town of Bloomsburg. The proclamation was presented to Environmental Services Coordinator Charles Fritz.

APPROVAL OF RESOLUTION NO. 10-08-07.01 ó 2007 STATE PENSION FUND ALLOCATION

On a motion by T. Lemon, seconded by P. Houseknecht and voted on unanimously, Council approved Resolution No. 10-08-07.01 allocating \$99,475.07 of the 2007 State Pension Fund to the Town Employees Retirement Fund and \$89,702.00 to the Police Pension Fund.

APPROVAL OF SEPTEMBER 10, 2007 COUNCIL MEETING MINUTES

On a motion by T. Lemon, seconded by P. Kinney and voted on unanimously, Council approved the September 10, 2007 Council meeting minutes with no additions or corrections.

APPROVAL OF SEPTEMBER 17, 2007 COUNCIL MEETING MINUTES

On a motion by T. Lemon, seconded by P. Kinney and voted on unanimously, Council approved the September 17, 2007 Council meeting minutes with no additions or corrections.

APPROVAL OF SEPTEMBER 24, 2007 COUNCIL MEETING MINUTES

On a motion by T. Lemon, seconded by P. Kinney and voted on unanimously, Council approved the September 24, 2007 Council meeting minutes with the following correction: Architect Ted Oman changed to Surveyor Ted Oman.

APPROVAL OF PAYMENT OF MONTHLY BILLS AND SEPTEMBER 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 September payroll authorization: General Fund, \$397,603.78; Recycling Fund, \$127,452.06; Street Lighting Fund, \$9,323.98; Norris E. Rock Memorial Pool Fund, \$2,695.80; Fire Fund, \$22,854.66; FFY 05 CDBG Entitlement Program, \$1,610.00; FFY 07 CDBG Entitlement Program \$25,772.76; Day Care Project, \$3,562.00; Airport Expansion Project, \$1,790.05; Liquid Fuels, \$150,586.56 and the September payroll authorization in the amount of \$153,650.88.

APPROVAL OF PAYMENT OF BILL TO RENCO ACE HARDWARE

On a motion by P. Kinney, seconded by T. Lemon and voted on Six (6) (P. Kinney, T. Lemon, D. Pursel, B. Brobst, P. Houseknecht and D. Knorr voting "Yes") to One (1) abstention (C. Renninger "Abstaining"), Council approved the payment of a bill from Renco Ace Hardware in the amount of \$10.79.

APPROVAL OF PAYMENT TO HAY GROUP FROM THE POLICE PENSION PLAN

On a motion by D. Knorr, seconded by T. Lemon and voted on unanimously, Council approved the payment of two (2) invoices from Hay Group from the Police Pension Plan in the amount of \$995.65 and \$270.00.

APPROVAL OF PAYMENT TO HAY GROUP FROM THE EMPLOYEES PENSION PLAN

On a motion by D. Knorr, seconded by T. Lemon and voted on unanimously, Council approved the payment of an invoice from Hay Group from the Employees Pension Plan in the amount of \$270.00.

APPROVAL OF PAYMENT TO HAY GROUP FROM THE GENERAL FUND

On a motion by D. Knorr, seconded by T. Lemon and voted on unanimously, Council approved the payment of an invoice from Hay Group from the General Fund in the amount of \$2,050.00.

APPROVAL OF FNB BANK, N.A. LOAN ADJUSTMENTS

On a motion by D. Knorr, seconded by T. Lemon and voted on unanimously, Council approved increasing the principal payment, retaining the maturity date of 05/22/17 and accepting the interest rate of 4.23% for a loan with FNB Bank, N.A. effective 11/05/07. The original loan was for the construction of the Public Works facility and renovations to the first floor of Town Hall.

APPROVAL OF FNB BANK, N.A. LOAN RATE ADJUSTMENT

On a motion by D. Knorr, seconded by T. Lemon and voted on unanimously, Council approved accepting the fixed interest rate of 4.27% for the street lighting loan with FNB Bank, N.A. effective 12/30/07.

APPROVAL OF CROSSING GUARD HOURLY RATE INCREASE

On a motion by P. Kinney, seconded by D. Knorr and voted on unanimously, Council approved increasing the crossing guard hourly rate to \$7.50 contingent upon approval by the Bloomsburg Area School Board.

DENIAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by T. Lemon, seconded by P. Houseknecht and voted on unanimously, Council denied a Certificate of Appropriateness for Gizmo Enterprises to install signage at **149 East Main Street**. Council determined that they did not have enough information to make a decision. There was no representative present and no photos or examples of the signage were available.

APPROVAL OF NINETY (90) DAY TIME EXTENSION ó BLOOMSBURG UNIVERSITY ó REDMAN STADIUM ó LAND DEVELOPMENT

On a motion by D. Knorr, 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 Redman Stadium land development plan.

APPROVAL OF RENEWING AGREEMENT WITH REMIT CORPORATION FOR BILLING AND COLLECTION OF 2008 RECYCLING FEE

On a motion by B. Brobst, seconded by P. Houseknecht and voted on unanimously, Council approved renewing the agreement with Remit Corporation for the billing and collection of the 2008 recycling fee at a rate of \$5.75 per customer.

APPROVAL OF PURCHASE OF FORD F350 DUMP TRUCK

On a motion by B. Brobst, seconded by P. Houseknecht and voted on unanimously, Council approved the purchase of a Ford F350 dump truck in the amount of \$34,976.99 from Day Fleet Sales through the Central Westmoreland Council of Governments cooperative purchasing program.

APPROVAL OF ALLOWING FOOD VENDORS ON LIGHTSTREET ROAD ON OCTOBER 20, 2007

On a motion by P. Houseknecht, seconded by B. Brobst and voted on Six (6) (P. Houseknecht, B. Brobst, C. Renninger, T. Lemon, P. Kinney and D. Knorr voting öYesö) to One (1) (D. Pursel voting öNoö), Council approved food vendors to be set up along Lightstreet Road on Saturday, October 20, 2007 for Bloomsburg University Homecoming.

FIRE DEPARTMENT REPORT

B. Rupp expressed that Fire Prevention Week is this week and anyone needing a smoke detector should contact the fire department to receive one for free. The Annual Bloomsburg Fire Department Halloween Parade will be held on Sunday, October 28, 2007.

With no further business, the meeting adjourned in Executive Session for real estate negotiations at 7:46pm and did not reconvene.

CAROL L. MAS
Town Administrator & Secretary