

A regular meeting of Bloomsburg Town Council was held Monday, August 11, 2008, beginning at 8:35 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor Dan Knorr; Council Members Paul Kinney, Paul Houseknecht, Kathy Shepperson, Diane Levan, Sylvia Costa and W. Carey Howell; Town Administrator Carol Mas; Finance Specialist Heather Jacoby; Code Enforcement/Zoning/ Planning Officer Ed Fegley; Chief of Police Leo Sokoloski; Superintendent of Public Works John Barton; Recycling Administrator Charles Fritz; Solicitor Jack Mihalik and Office Assistant Amy Seamans.

PUBLIC HEARING 6 SUSQUEHANNA RENTALS, INC./VINCE DEMELFI 6
APPEAL OF DENIAL OF APPLICATION FOR A CERTIFICATE OF
APPROPRIATENESS 6 269 WEST FIRST STREET 6 CRAG MANSION 6
INSTALLATION OF VINYL SIDING ON WEST AND REAR SIDES OF
STRUCTURE

A Public Hearing was held at 6:00pm to hear the appeal of Susquehanna Rentals, Inc./Vince DeMelfi denial of a certificate of appropriateness for the installation of vinyl siding on the rear and westerly portions of the Crag Mansion located at 269 West First Street.

On a motion by P. Kinney, seconded by C. Howell and voted on unanimously, Council appointed Solicitor Jack Mihalik as the hearing officer for the following proceeding. A stenographer was present to record the proceeding.

Hearing Officer Mihalik swore in Vince DeMelfi, Assistant Code Enforcement and Zoning Officer Ralph Magill and Historic Architectural Review Board Member and certified architect Roger Williams.

Attorney Patrick O'Connell, representing Susquehanna Rentals, Inc., distributed a booklet of exhibits to Council and proceeded to question his witness Vince DeMelfi.

Mr. DeMelfi testified that he has been a licensed broker since 1992 and is the owner of Susquehanna Realty. He purchased the Crag Mansion in September of 1999 at a bankruptcy sale and closed on the property in October of 1999.

A fraternity had occupied the house for 26 years. Former Town of Bloomsburg Code Enforcement and Zoning Officer Dean VonBlohn had condemned the property prior to the sale. The same day of the sale Mr. DeMelfi visited the code office to ask Mr. VonBlohn what he needed to do to start repairing the house. He and Mr. VonBlohn went over an extensive list of needed repairs and an emergency permit was issued.

Mr. DeMelfi recalls that there were 14 truckloads of garbage removed from the house. 67 windows were replaced, the flat roofs were replaced because they leaked inside, the entry doors were replaced with steel doors and there were numerous holes patched. The first floor had the most damage, the second floor in better condition. Within three (3) months Mr. DeMelfi had the third floor rented as that floor did not require extensive repairs. In September of 2000 the first and second floors were rented. Mr. DeMelfi stated he spent at least \$250,000.00 in repairs.

The vinyl siding in question was installed in 2006. Assistant Code Officer Ralph Magill had conducted a Regulated Rental Unit inspection. He noted the wooden siding that needed to be repaired. Mr. DeMelfi's contractor told him the framing was rotted and the back side would need rebuilding. The contractor suggested triple 3 inch vinyl siding.

It was argued by Attorney O'Connell that the siding had been on the house for some time; it cannot be seen from the street; it matches the color and size of the wooden siding; and 22 structures had been approved for vinyl siding in the past two years.

When questioned, Mr. DeMelfi acknowledged he was aware Bloomsburg had a HARB ordinance.

Code Officer Ed Fegley questioned HARB member and architect Roger Williams regarding his recollection of the reason for the denial of the Certificate of Appropriateness. He noted the age and style of the structure. He also reviewed the process the HARB board uses to make a determination.

Hearing no further testimony, the Public Hearing closed at 8:10pm.

CITIZENS TO BE HEARD 6 VETERANS MEMORIAL COMMITTEE

VFW Post 273 Commander and Veterans Memorial Committee Chair Charles Joline passed out a written letter to Council. Mayor Knorr read the letter aloud. The committee wanted a yes or no answer this evening on their design. Before Mayor Knorr could finish his first statement, the committee members stormed out of the room stating it was the same old thing.

Mayor Knorr clarified that Council has already given them permission to use the land in Town Park, a design concept had been agreed upon and that the next step was for them to submit signed and sealed plans to the planning commission. Council asked the Mayor to put those steps in writing to the committee.

Jean Coffman expressed that she was shocked to see the committee storm out. She, her son and son-in-law remained to ask Council what the next step would be to get the memorial built. Mayor Knorr explained that plans need to be drawn up and submitted to the planning commission. Her son, Mark Conner, stated he would get involved to see this project to completion.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS FOR 269 WEST FIRST STREET

On a motion by C. Howell, seconded by P. Kinney and voted on Four (4) (S. Costa, P. Kinney, P. Houseknecht and C. Howell voting "Yes") to Three (3) (D. Knorr, D. Levan and K. Shepperson voting "No"), Council approved a Certificate of Appropriateness for Susquehanna Rentals, Inc./Vince Demelfi for the building located at 269 West First Street, more commonly know as the Crag Mansion. The certificate covered triple 30 vinyl siding on the rear and west walls only.

MAYOR'S UPDATE

Mayor Knorr reported that the Community Movie Night will be held this Thursday evening on Main Street; the Bloomsburg University Council of Trustees will be presenting a fifth and final check in the amount of \$25,000.00 to the Town for the ladder truck purchase; expressed his appreciation to everyone involved in the annual Ice Cream and Cake Festival at Town Park and for the Rod and Custom Cruise-In Gridlock and noted that university students begin classes on Monday, August 25, 2008.

ADOPTION OF ORDINANCE NO. 913 6 FLOODPLAIN

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council adopted Ordinance No. 913 requiring all persons, partnerships, businesses, and corporations to obtain a building permit for any construction or development; providing for the issuance of such building permits; setting forth certain minimum requirements for new construction and development within areas of the Town of Bloomsburg which are subject to flooding; and establishing penalties for any persons who fail or refuse to comply with the requirements or provisions of this ordinance.

ADOPTION OF FEMA FLOOD INSURANCE RATE MAP

On a motion by D. Levan, seconded by P. Houseknecht and voted on unanimously, Council adopted the Federal Emergency Management Agencies latest revision of the Flood Insurance Rate Map, effective August 19, 2008.

APPROVAL OF RESOLUTION NO. 08-11-08.01 ó OPPOSING THE STATE'S INITIATIVE TO TOLL INTERSTATE 80

On a motion by P. Kinney, seconded by P. Houseknecht and voted on unanimously, Council approved Resolution No. 08-11-08.01 opposing the state's initiative to toll Interstate 80.

APPROVAL OF RESOLUTION NO. 08-11-08.02 ó AUTHORIZATION OF LEASE AGREEMENT FOR PURCHASE OF 2008 FORD CROWN VICTORIA POLICE INTERCEPTOR

On a motion by S. Costa, seconded by D. Levan and voted on Six (6) (S. Costa, D. Levan, D. Knorr, P. Kinney, K. Shepperson and C. Howell voting öYesö) to One (1) (P. Houseknecht voting öNoö), Council approved Resolution No. 08-11-08.02 authorizing the lease agreement for the purchase of a 2008 Ford Crown Victoria Police Interceptor.

APPROVAL OF JULY 14, 2008 COUNCIL MEETING MINUTES

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council approved the July 14, 2008 Council meeting minutes with no additions or corrections.

APPROVAL OF JULY 28, 2008 SPECIAL COUNCIL MEETING MINUTES

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council approved the July 28, 2008 Special 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 Six (6) (P. Kinney, P. Houseknecht, D. Knorr, D. Levan, S. Costa and C. Howell voting öYes) to One (1) Abstention (K. Shepperson öAbstainingö), Council approved payment of the following monthly bills and the July payroll authorization: General Fund, \$191,240.76; Recycling Fund, \$21,575.57; Street Lighting Fund, \$35,570.46; Norris E. Rock Memorial Pool, \$3,998.36; Day Care Project, \$3,562.00; Liquid Fuels, \$27,570.36 and the July payroll authorization in the amount of \$221,036.11.

APPROVAL OF QUOTE FROM HARRELL AUTOMATIC SPRINKLER CO., INC.

On a motion by P. Kinney, seconded by P. Houseknecht and voted on unanimously, Council approved a quote from Harrell Automatic Sprinkler Co., Inc. in the amount of 44,198.00 for the replacement of an existing öö dry pipe valve at the Bloomsburg Municipal Airport.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by P. Kinney, seconded by C. Howell and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Willard Kile to replace the front windows at **149 East Fifth Street**.

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Willard Kile to construct roofs over the existing stairways at **100 Penn Street**.

On a motion by P. Houseknecht, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Peter Klemick to replace thirteen (13) windows at **55 East Fourth 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 David and Amanda Strzempek to replace eighteen (18) windows at **149 East Fifth Street**.

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Joe Finn to rehabilitate the windows at **1 East Main Street** as part of a Façade Grant application.

RESCINDMENT OF BLOOMSBURG FLIERS ó CONSTRUCTION OF T-HANGARS ó BLOOMSBURG MUNICIPAL AIRPORT ó LAND DEVELOPMENT PLAN

On a motion by K. Shepperson, seconded by D. Levan and voted on unanimously, and on the recommendation of the Planning Commission, Council rescinded the July 14, 2008 conditional approval of Bloomsburg Fliers land development plan to construct t-hangars at the Bloomsburg Municipal Airport.

APPROVAL OF BLOOMSBURG FLIERS ó CONSTRUCTION OF T-HANGARS ó BLOOMSBURG MUNICIPAL AIRPORT ó LAND DEVELOPMENT PLAN

On a motion by K. Shepperson, seconded by C. Howell and voted on unanimously, and on the recommendation of the Planning Commission, Council approved Bloomsburg Fliers land development plan to construct t-hangars at the Bloomsburg Municipal Airport contingent upon the following: a note shall be placed on the plan requesting a 40% bond reduction for completion of Phase 1. The note shall also state that Phase 2 will not begin until a construction estimate has been reviewed and approved by the Town Engineer and the appropriate security has been posted. The lease agreement for the area of Phase 2 must be verified and submitted. According to the applicant the bank requires inclusion in case of default. If this requirement prohibits the applicant from completing Phase 2 a revised plan must be submitted deleting the Phase 2 portion of the plan, execution of a financial improvements agreement and construction cost estimate should be provided (404.C.1 through 16) and the engineer's (Peters Consulting, Inc.) letter of adequate footer design dated June 2, 2008 must be sealed.

DENIAL OF REQUEST TO REMOVE FIELDSTONE DRIVE FROM FIELDS IN BLOOM LAND DEVELOPMENT PLAN

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, and on the recommendation of the Planning Commission, Council denied the request of Robert Welby to remove Fieldstone Drive from the Fields in Bloom approved land development plan.

APPROVAL OF ADVERTISING FOR BIDS FOR OBSTRUCTION REMOVAL AT THE BLOOMSBURG MUNICIPAL AIRPORT

On a motion by P. Kinney, seconded by P. Houseknecht and voted on unanimously, Council approved advertising for bids for obstruction removal at the Bloomsburg Municipal Airport for the runway expansion and realignment project.

APPROVAL OF ADVERTISING FOR BIDS FOR SITE PREP WORK AT THE BLOOMSBURG MUNICIPAL AIRPORT

On a motion by S. Costa, seconded by P. Kinney and voted on unanimously, Council approved advertising for bids for site prep work at the Bloomsburg Municipal Airport for the runway expansion and realignment project.

APPROVAL OF PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT PERFORMING A MANAGEMENT STUDY OF THE BLOOMSBURG POLICE DEPARTMENT

On a motion by S. Costa, seconded by K. Shepperson and voted on unanimously, Council approved the Pennsylvania Department of Community and Economic Development performing a management study of the Bloomsburg Police Department.

APPROVAL OF PURCHASE OF TWO (2) BULLET PROOF VESTS

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved the purchase of two (2) bullet proof vests for the Columbia County SWAT Team members in the amount of \$4,593.00. 50% of the expense will be reimbursed with grant funds from the U.S. Department of Justice.

With no further business, the meeting adjourned at 10:15pm into Executive Session to discuss a police personnel issue and did not reconvene.

CAROL L. MAS
Town Administrator & Secretary