

A regular meeting of Bloomsburg Town Council was held Monday, September 8, 2008, beginning at 7:00 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; Solicitor Jack Mihalik and Office Assistant Amy Seamans. Absent were Recycling Administrator Charles Fritz and Fire Chief Hugh Gross.

CITIZEN TO BE HEARD – VERNON SLUSSER, CATAWISSA GUARD

Vernon Slusser asked Council for permission to camp overnight in Town Park on Friday, November 7, 2008. Mr. Slusser is a part of a Civil War organization called the Catawissa Guard. The group will be in Bloomsburg's Veterans Day Parade on Saturday, November 8, 2008 and thought it would be nice to have an encampment the night before at the Town Park. Mr. Slusser expressed when he talked to Town Hall he was informed of the Town's open burning ordinance. He asked if they could make a fire pit which they normally use to make their coffee. Mayor Knorr stated they would not be allowed to have an open fire pit. Mr. Slusser thought they could make it work by camouflaging a Coleman cook stove. Mayor Knorr also informed Mr. Slusser that the restrooms at Town Park will be winterized and closed for the season. D. Levan suggested they have a port-a-potty on site and expressed that they want to consider using the pavilion nearest the lagoon because it has a fire place in it. On a motion by P. Kinney, seconded by C. Howell and voted on unanimously, Council approved the Catawissa Guard to camp overnight in Town Park from 5:00pm, Friday, November 7, 2008 to 8:00pm, Saturday, November 8, 2008 with Mr. Slusser finalizing the details with Chief Sokoloski.

CITIZEN TO BE HEARD – JIM HOLLISTER – BLOOMSBURG UNIVERSITY

Mr. Hollister introduced Bloomsburg University's new Director of Communication Rosalee Rush.

CITIZEN TO BE HEARD – KIM AND CHRIS SHETLER – 806 COUNTRY CLUB DRIVE

Mrs. Shetler has been dealing with an ongoing street light issue in front of her home at 806 Country Club Drive since June. An existing light was moved across the street and left unenergized for over a week. In working with John Barton and Amy Seamans the Town's contracted street light maintenance company, Municipal Energy Managers, moved the light back. Even now, there is still not a sufficient amount of light on the street. The street is used heavily by vehicles and students walking to upper campus. She can sit in her living room and hear people outside but cannot see them. This is a serious safety issue and she feels the addition of another light would also help deter vandalism which they experience often. J. Barton had measured the distance between the street lights and noted a light could be added two poles down from the Shetler's home. Municipal Energy Managers has stated that this existing pole would meet PPL's specifications. On a motion by P. Houseknecht, seconded by D. Levan and voted on unanimously, and on the recommendation of the Public Works Committee, Council approved Municipal Energy Managers to install an additional light on Country Club Drive in the estimated amount of \$800 for labor and materials.

CITIZEN TO BE HEARD – GARRY SINNOTT – 235 WEST FOURTH STREET

Mr. Sinnott lives on West Fourth Street at the corner of Oyer Avenue which runs from Main Street to Fifth Street. His home has been hit by tractor trailer trucks four times already this year and he is asking Council what can be done. Trucks turn onto Oyer Avenue from Main Street where the roadway narrows significantly the further you travel. The trucks get stuck and then have to back up. Chief Sokoloski stated that a "No Truck" traffic sign located at West Pine Avenue and Oyer Avenue was moved from the

left side of the intersection to the right side to help with visibility. Chief Sokoloski noted that the tractor truck drivers delivering to Rieter Automotive, Windsor Foods and Alumax are stating that when they miss the turn at Railroad Street their GPS systems are telling them to turn onto Oyer Avenue. Council asked L. Sokoloski and J. Barton to work on a solution.

#### CITIZENS TO BE HEARD – MATT ZOPPETTI, ANN BEAVER AND JEFF MCGREEVY

Mr. Zoppetti appeared before Council because he heard that the temporary elimination of parking on the north side of East First Street between East First and Pine Streets was going to be reinstated. Mr. Zoppetti originally had asked Council to eliminate the on-street parking because of the increase in vehicular traffic he assumed was going to happen this fall when he opened his new student apartment building. He showed recent photos of the area to Council and pointed out his safety concerns.

Mayor Knorr informed Council that in checking with the fire department, the ladder truck cannot set up properly with cars parked along the street.

Ann Beaver of 2 Pine Street expressed that without cars parked on East First Street visibility at Pine Street is much better. Before, there was always a bottleneck at this intersection which made it very dangerous.

Jeff McGreevy of 150 East First Street agrees with the elimination of the on-street parking because he now can see to back out of his driveway.

L. Sokoloski suggests LTAP conduct a study of the area. Council agreed and asked that the results be brought back to the Public Safety Committee for their review.

On a motion by K. Shepperson, seconded by C. Howell and voted on unanimously, Council denied the recommendation to eliminate the temporary no parking on the north side of East First Street between Iron and Pine Streets.

#### MAYOR'S UPDATE

Mayor Knorr read aloud the following letter:

Members of the Veterans Memorial of Columbia County Committee,

As Mayor, I and the Members of Town Council of Bloomsburg would like to thank you for taking the time at your August 19, 2008 meeting to listen to Councilmember Diane Levan regarding the steps that need to be taken to make a Veterans Memorial in the Town Park of Bloomsburg a reality. As we have stated in the past, we are supportive of the idea of a Veterans Memorial in the park, but we have become increasingly concerned and distressed at the tone of the dialogue both within the general public and between our respective groups on this project.

To that end, we are writing to reiterate the advice Councilmember Levan gave to you at your last meeting, and also that you might know that we all have the utmost respect for the service you have given your community and your country. We understand that the past few years leading up to today have been filled with challenges and delays. The Town Park Master Plan, Mayor Coffman's death, and debate over placement of the Memorial have all played their part. Today, we have disagreements over aspects of the design of the Memorial.

For our part, we are confident that we will overcome this challenge as we have others. We only ask two things: that, as a group, you are open to compromise and work with Town Council and secondly that you do not take constructive criticism of design aspects personally. Members of Council having questions, concerns, or constructive criticism of

your desired design for the memorial does not mean we are calling into question your integrity, service, or honor as Veterans. Quite the opposite. We have the greatest respect for all of you and only ask that you respect our opinions too.

As Councilmember Levan stated, the next steps in the process will be to complete architect-stamped and approved blueprints to be brought before our Planning Commission and to complete a site survey of the proposed area of construction. While composing the blueprints with your architect, please keep in mind that currently you only have approval from Council for the design that had been compromised between members of your Committee and members of the Park Board earlier this year. Deviation from that compromise will require further review by Council. If you need specifics on what that compromised design entailed, we have them in our minutes for your review.

Again, we understand that this process has been longer than expected, and there is still work to be done. However, we believe that with compromise, mutual respect, and dialogue, we can give the future generations of this county something to cherish and enjoy.

Thank you for your work and your commitment.

Sincerely,

Dan Knorr, Mayor

P. Kinney suggested Mayor Knorr personally deliver and read the letter at the next Veterans Memorial Committee meeting. Mayor Knorr stated he feels that he and all of Council have extended their hand several times and doesn't feel that personally presenting the letter is necessary. D. Levan volunteered to hand deliver the letter if Council so chose. P. Houseknecht stated he doesn't feel anyone should go. On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved getting the letter to a representative of the Veterans Memorial Committee before their next meeting.

Mayor Knorr reviewed a letter he received from Republican Caucus Administrator Merle H. Phillips with regards to the proposed tolling of Interstate 80. Mayor Knorr informed Council that he will get the date that elected officials along with the Alliance against the tolling of I-80 will be going to Washington DC.

With regards to a recent front page article about the condition of a house on Iron Street owned by Service Electric Cablevision, Mayor Knorr expressed that Carol Mas and Ed Fegley had met in early June with Dwight Walter of Service Electric Cablevision and advised him that he could resubmit the request to HARB or appeal the original HARB denial to Council.

Mayor Knorr reported that he will be meeting with Jim Hollister concerning making the Social Gathering Task Force a more permanent group before homecoming weekend.

#### ADOPTION OF RESOLUTION NO. 09-08-08.01 – SETTING VARIOUS FEES AMENDMENT

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council adopted Resolution No. 09-08-08.01 setting various fees. The resolution adds a floodplain variance appeal fee in the amount of \$300.00 and changes the mileage reimbursement to \$.585 per mile.

#### APPROVAL OF AUGUST 11, 2008 COUNCIL MEETING MINUTES

On a motion by P. Kinney, seconded by C. Howell and voted on unanimously, Council approved the August 11, 2008 Council meeting minutes with no additions or corrections.

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

On a motion by D. Levan, seconded by P. Kinney and voted on unanimously, Council approved payment of the following monthly bills and the August payroll authorization: General Fund, \$158,109.17; Recycling Fund, \$28,446.72; Street Lighting Fund, \$7,052.83; Norris E. Rock Memorial Pool, \$4,074.48; Fire Fund, \$148.34; Day Care Project, \$3,562.00; Airport Expansion Project, \$244.06; Liquid Fuels, \$27,991.73 and the August payroll authorization in the amount of \$163,590.05.

#### APPROVAL OF RELEASING CONTRIBUTION BALANCE TO BLOOMSBURG AREA JOINT FLOOD CONTROL AUTHORITY

On a motion by P. Houseknecht, seconded by D. Levan and voted on unanimously, Council approved releasing the balance of the contribution to the Bloomsburg Area Joint Flood Control Authority in the amount of \$2,500.00.

#### APPROVAL OF CERTIFICATE OF APPROPRIATENESS

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 Elizabeth Brodeur to replace windows at **238 Iron Street**.

On a motion by D. Levan, 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 the Diocese of Harrisburg to construct a deck and walkway at **353 East Second 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 Gary Sinnott to install a vinyl fence at **235 West 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 Tom Wagner to install ten (10) solar panels at **165 West Fifth 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 Darrin Kass to install replacement windows at **61 West First Street**.

On a motion by S. Costa, seconded by P. Houseknecht and voted on Six (6) (S. Costa, P. Houseknecht, D. Knorr, P. Kinney, D. Levan and K. Shepperson voting "Yes") to One (1) Abstention (C. Howell abstaining), and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Tina Howell to install vinyl replacement windows at **134-136 West Main Street**.

APPROVAL OF WAIVERS FOR COLUMBIA ALLIANCE FOR ECONOMIC GROWTH, INC. – LOT INCORPORATION/ LAND DEVELOPMENT PLAN – PARKING LOT CONSTRUCTION – 128-130 MURRAY AVENUE

On a motion by D. Levan, seconded by P. Houseknecht and voted on unanimously, and on the recommendation of the Planning Commission, Council approved a waiver from Sections 503 and 705 for the requirement to provide curbing at the rear of the lot and adjacent to the residential neighborhood and from Section 607.3 to allow vehicles to back out into Murray Avenue for the Columbia Alliance for Economic Growth, Inc. lot incorporation/land development plan.

APPROVAL OF NINTEY (90) DAY TIME EXTENSION – COLUMBIA ALLIANCE FOR ECONOMIC GROWTH, INC. – LOT INCORPORATION/ LAND DEVELOPMENT PLAN – PARKING LOT CONSTRUCTION – 128-130 MURRAY AVENUE

On a motion by D. Levan, 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 the Columbia Alliance for Economic Growth, Inc. lot incorporation/land development plan.

SUPPORT OF COLUMBIA ALLIANCE FOR ECONOMIC GROWTH, INC. VARIANCE REQUEST

On a motion by P. Houseknecht, seconded by P. Kinney and voted on unanimously, Council supports the variance request of the Columbia Alliance for Economic Growth, Inc. for the construction of a parking lot at 128-130 Murray Avenue. The request will be heard at the October 9, 2008 Zoning Hearing Board meeting.

APPROVAL OF KAWNEER FLOOD CONTROL PROJECT LAND DEVELOPMENT PLAN

On a motion by D. Levan, seconded by P. Houseknecht and voted on unanimously, and on the recommendation of the Planning Commission, Council approved Kawneer's flood control project land development plan contingent upon the following conditions: The certification of ownership must be signed and notarized before final plan approval. (404.B.1.a.7 & 8); the E&S plan must be approved by the Columbia County Conservation District before final plan approval. (404.B.2.f); an NPDES Permit for Discharges Associated with Construction Activities must be obtained before final plan approval. (404.B.2.f and 404.D.1.a.17); a 'Water Obstruction and Encroachment Permit' must be obtained before final plan approval from the DEP for the proposed box culvert at Kinney's 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 before final plan approval. (507.2.A); a note should be placed on the plan indicating the final detail will be provided on the as-built 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 note should be placed on the plan indicating that the description for the proposed drainage/flood control system and the terms of its required maintenance will be recorded with the deed to the property and basic operation, inspection and maintenance notes will be included on the as-built plan per DEP requirements. (805.C); proof of pertinent use and maintenance and easement agreements must be provided for the proposed emergency access road before final plan approval. (404.D.1.a.20.j); right-of-way widths, cart-way widths and names and numbers for existing and/or proposed streets, alleys and easements must be provided. Specifically pertaining to the encroachment of the earthen dike onto the airport property. The information shall also include pertinent use and/or maintenance agreements for the dike. (404.B.1.a.14) and a note shall also be

placed on the plan stating that an as-built plan will be required for review and approval before final recording of the submission.

#### APPROVAL OF TRE-MOM PROPERTIES, LLC LOT INCORPORATION PLAN – 336-338 EAST EIGHTH STREET

On a motion by D. Levan, seconded by S. Costa, and on the recommendation of the Planning Commission, Council approved TRE-MOM Properties, LLC lot incorporation plan at 336-338 East Eighth Street contingent upon the following conditions: The Location Map shall be at a minimum scale of 1 inch = 1,000 feet, a proposed deed of incorporation must be submitted for review and approval and receipt of favorable Columbia County Planning Commission comments or the expiration of the thirty (30) day review period, whichever comes first.

#### RESIGNATION ACCEPTANCE OF ROGER WILLIAMS FROM BLOOMSBURG HISTORIC ARCHITECTURAL REVIEW BOARD

On a motion by P. Kinney, seconded by C. Howell and voted on Six (6) (P. Kinney, C. Howell, D. Knorr, D. Levan, K. Shepperson and S. Costa voting “Yes”) to One (1) (P. Houseknecht voting “No”), Council accepted the resignation of Roger Williams from the Bloomsburg Historic and Architectural Review Board with deep regret.

#### HARB DISCUSSION

Mayor Knorr noted that with the resignation of Roger Williams, this leaves the HARB without a quorum. Until the positions are filled, all applications for certificates of appropriateness will go directly to Council for determination. E. Fegley expressed that losing Roger is a huge loss and urged Council to educate themselves in any way they can. P. Houseknecht asked J. Mihalik if a Council Member could also be a member of HARB. J. Mihalik replied that the statute does not say that they could not.

#### APPROVAL OF THREE-YEAR CABLE MODEM INTERNET SERVICE AGREEMENT WITH PENTELEDATA FOR RECYCLING CENTER

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council approved a three-year cable modem internet service agreement with PenTeleData in the amount of \$59.95/month for the recycling center.

#### APPROVAL OF PURCHASE AND INSTALLATION OF FIREWALL AND NETWORK CAPABILITIES FOR RECYCLING CENTER

On a motion by P. Kinney, seconded by C. Howell and voted on unanimously, Council approved the purchase and installation of a firewall and network capabilities for the recycling center in the amount of \$790.00.

#### APPROVAL OF QUOTE TO DEMOLISH TOWN-OWNED BUILDING AT ATHLETIC PARK

On a motion by P. Kinney, seconded by P. Houseknecht and voted on unanimously, Council approved the quote from Sokol, Inc. to demolish the town-owned building at Athletic Park located on the corner of East Eighth and Center Streets in the amount of \$4,965.00.

#### APPROVAL OF THREE-YEAR CABLE MODEM INTERNET SERVICE AGREEMENT WITH PENTELEDATA FOR PUBLIC WORKS DEPARTMENT

On a motion by D. Levan, seconded by P. Houseknecht and voted on unanimously, Council approved a three-year cable modem internet service agreement with PenTeleData in the amount of \$59.95/month for the public works department.

APPROVAL OF PURCHASE AND INSTALLATION OF FIREWALL FOR PUBLIC WORKS DEPARTMENT

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved the purchase and installation of a firewall for the public works department in the amount of \$730.00.

APPROVAL OF PROPOSAL FROM TED L. OMAN AND ASSOCIATES, INC. FOR SURVEYING AND MAPING SERVICES OF FORMER STREATER PROEPRTY

On a motion by P. Houseknecht, seconded by P. Kinney and voted on unanimously, Council approved a proposal from Ted L. Oman and Associates, Inc. in the amount of \$4,955.50 for surveying and mapping services of the former Streater property as required by and funded by a DCNR grant.

APPOVAL OF SALE OF 1994 FORD L700 TYMCO STREET SWEEPER TO SOKOL, INC.

On a motion by C. Howell, seconded by P. Houseknecht and voted on unanimously, Council approved the sale of a 1994 Ford L700 Tymco street sweeper to Sokol, Inc. in the bid amount of \$12,238.00.

ACCEPTANCE OF ALCOA FOUNDATION GRANT

On a motion by S. Costa, seconded by P. Kinney and voted on unanimously, Council approved accepting a grant from the Alcoa Foundation in the amount of \$3,000.00 for the police department.

APPROVAL OF PURCHASE OF SIMUNITIONS EQUIPMENT WITH GRANT FUNDS

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved the purchase of simunitions equipment in the amount of \$1,919.00 with Alcoa Foundation grant funds.

APPROVAL OF PURCHASE AND INSTALLATION OF A FIREWALL FOR POLICE DEPARTMENT

On a motion by C. Howell, seconded by K. Shepperson and voted on unanimously, Council approved the purchase and installation of a firewall for the police department in the amount of \$1,427.38 with Alcoa Foundation grant funds, 2007 Wal-Mart grant funds and police department regional records center funds.

APPROVAL OF PURCHASE OF EMERGENCY LIGHTING FOR POLICE INTERCEPTOR

On a motion by S. Costa, seconded by P. Kinney and voted on unanimously, Council approved the purchase of emergency lighting for a new police interceptor in the amount of \$655.00.

DESIGNATION OF TRICK-OR-TREAT NIGHT

L. Sokoloski designated Friday, October 31, 2008 as trick-or-treat night in the Town of Bloomsburg from 6:00pm to 9:00pm.

APPROVAL OF USE OF FORMER STREATER PROPERTY BY COLUMBIA COUNTY SWAT TEAM

On a motion by P. Kinney, seconded by K. Shepperson and voted on unanimously, Council approved the Columbia County SWAT Team to utilize the former Streater property to conduct entry and room clearing drills.

#### APPROVAL OF FIRE DEPARTMENT TO HOLD ANNUAL BOOT DRIVE DURING FAIR WEEK

On a motion by K. Shepperson, seconded by P. Houseknecht and voted on unanimously, Council approved the Bloomsburg Fire Department personnel to hold their annual boot drive during the Bloomsburg Fair from September 20, 2008 through September 27, 2008 at the intersection of West Fifth and Market Streets.

#### SOLICITOR'S REPORT

J. Mihalik reported that Judge Naus sent the Morucci appeal back to the Bloomsburg Zoning Hearing Board and upheld the distinction of non-student and grad student for the Zoppetti curative amendment. Mr. Zoppetti could appeal to the Commonwealth Court.

With no further business, the meeting adjourned into Executive Session at 9:04 p.m. to discuss a police personnel issue and did not reconvene.

CAROL L. MAS  
Town Administrator & Secretary