

A regular meeting of Bloomsburg Town Council was held Monday, August 9, 2010, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor Dan Knorr; Council Members Diane Levan, Paul Kinney, Kathy Shepperson, Sylvia Costa, W. Carey Howell and Bill Kreisher; Town Administrator Carol Mas; Finance Specialist Theresa Baylor; Code Enforcement and Zoning /Planning Officer Ed Fegley; Superintendent of Public Works John Barton; Chief of Police Leo Sokoloski; Fire Chief Bob Rupp; Downtown Manager Megan Hummel; Solicitor Jack Mihalik and Office Assistant Amy Seamans. Absent was Recycling Administrator Charles Fritz.

#### BLOOMSBURG POLICE DEPARTMENT ACCREDITATION PLAQUE PRESENTATION

Pennsylvania Accreditation Coordinator Dana Leonard presented Mayor Knorr with a plaque for the police department's recent recertification. Mayor Knorr then presented the plaque to Chief Sokoloski and thanked him and all of the officers for their efforts.

#### CITIZEN TO BE HEARD – SHARON COOMBE

Sharon Coombe of 639 E. Fifth Street was present concerning a safety concern she has regarding a large camper parked by her driveway obstructing her view. She has three directions to view when pulling from her driveway, from Park Street, from Spruce Street and from Locust Street. She has been told by Chief Sokoloski that the camper is parked legally. Mayor Knorr stated he has talked with Mrs. Coombe concerning the matter. He suggested mediation between the neighbors with Chief Sokoloski and himself but she and her husband were not willing. Mrs. Coombe stated she has asked the neighbors not to park near her driveway but to no avail. Mrs. Coombe went on to say that the neighbors once brought a backhoe up her driveway without asking and have slandered her and her husband and feels mediation would not work.

Attorney Patrick O'Connell representing Rosalie Brown and Ron Schutt were all present. Attorney O'Connell presented Council with a photo of Mrs. Coombe's driveway showing an alternative driveway available to her. Mrs. Coombe stated she doesn't use the one because her car bottoms out. Attorney O'Connell stated his client's camper is parked in front of their residence or across Fifth Street for a total of 24 to 48 hours once or twice a month from May through October. Mr. Schutt stated they pay to have the camper stored at a facility on the Danville highway. When they get the camper out of storage they only park it in front of their home to either pack it to leave or unpack when they return and they always park it across the street when they return. Mr. Schutt did say that when he is hooking and unhooking his pickup truck to the camper he does block their driveway but he always looks to see if they are home and if they are he will ask if they are going to be leaving and if so, he will wait until they do. Attorney O'Connell stated that his clients were willing to meet to discuss the matter.

Mrs. Coombe reiterated that the only reason she is here is out of concern for her son's safety and is just asking for help. This is not a neighborly dispute. She has documented everything and has put her insurance company on notice in the event something should happen. She feels like she's being made to look like the bad guy.

P. Kinney suggests Mrs. Coombe sit down with the neighbors, Chief, and Mayor first and then come back to Council if it doesn't work.

Mrs. Coombe asked Chief Sokoloski if she could post "no trespassing" and/or "do not block driveway" signage. He said she could as long as it's not within the town right-of-way and that she should check with the code enforcement office also.

## CITIZEN TO BE HEARD – DON AND KAY CAMPLESE

Don Campese, owner of the “North Hill” or “Jimmy Dean” property located at the top of Franklin Street has been trying to develop the 5.6 acre property for the past sixteen years as it’s currently zoned - Residential Suburban (R-S). A few years ago he purchased an additional 11.7 acres from Yoder. He would like to rezone the entire area to High Density (H-D) so he can build student housing. He feels this will help the community and the town. He buys all his building materials locally; he hires locally and when the project is complete he would have brought in \$6-\$10 million dollars. His project would be taxable and feels the economic impact will be substantial. The location of the project is a perfect place.

Mayor Knorr stated that Mr. Campese has filed an application to rezone the area and has attended one planning commission meeting with the next meeting being on August 26, 2010. D. Levan suggests Mr. Campese go back to the planning commission and be prepared to answer and verify some of the questions they had at the last meeting. Mrs. Campese stated that they had their attorney with them at the last meeting and she and her husband didn’t feel right interjecting when questions were being asked. She expressed that this is a learning process for both of them and wanted to make it clear that they are not trying to side step the process and are prepared to attend the next planning commission meeting. Mr. Campese would like the planning commission and council members to visit the property. D. Knorr concurred. G. Wirth expressed that the commission has a workshop a week before the regular meeting. He asked Mr. and Mrs. Campese if they could submit any documentation they may have pertaining to water and sewer, etc. to the code enforcement office by the end of the week so it may be distributed to the members. Mrs. Campese stated she would do her best to get the information turned in by this Thursday or Friday at the latest. Council took no action at this time.

## MAYOR’S UPDATE

Mayor Knorr announced that police officers Tom Pfeiffer and Matt Golla will be receiving the 2010 Spirit of Courage Award from the Burn Prevention Foundation on September 28<sup>th</sup> in Allentown for their efforts during the West Main Street fires.

Mayor Knorr thanked the police and fire departments for having the National Night Out event at the town pool last week; John Barton and the public works employees for doing an excellent job on the steps of Town Hall and the Town Park Improvement Association for the ice cream and cake festival. He noted that the university students working on the tree assessment project will make a presentation at next month’s meeting and also reviewed some upcoming meetings and events.

## APPROVAL OF JULY 12, 2010 COUNCIL MEETING MINUTES

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved the July 12, 2010 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 K. Shepperson and voted on unanimously, Council approved payment of the following monthly bills and the July payroll authorization: General Fund, \$130,380.37; Recycling Fund, \$19,891.49; Library Fund, \$25,000.00; Street Lighting Fund, \$10,240.42; Norris E. Rock Memorial Pool, \$7,950.47; Capital Projects, \$75,302.33; FFY09 CDBG Entitlement Program, \$19,677.30, Day Care Project, \$3,562.00; Airport Expansion Project, \$24,257.02; Liquid Fuels, \$16,187.28 and the July payroll authorization in the amount of \$219,717.92.

APPROVAL OF ADDITION TO TOWN VENDOR LIST

On a motion by C. Howell, seconded P. Kinney and voted on unanimously, Council approved the addition of Don’s Truck, Trailer and Auto, LLC to the town vendor list.

APPROVAL OF BUDGET ADJUSTMENTS

On a motion by C. Howell, seconded by C. Levan and voted on unanimously, Council approved the following budget adjustments:

	<u>Account #</u>	<u>DR</u>	<u>CR</u>
Auditing Services	01.400.00.5311		5,500.00
Legal Services	01.400.00.5314	8,000.00	
Refund of Prior Year Revenues	01.491.00.5100		2,500.00

APPROVAL OF CONSOLIDATING THREE LOANS WITH FIRST COLUMBIA BANK AND TRUST COMPANY

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved the consolidation of three loans with First Columbia Bank and Trust Company at a rate of 4.09% with a term of eight (8) years and a \$7,500 cost to prepare the legal paperwork.

APPROVAL OF ADVERTISING ORDINANCE AMENDMENT TO THE POLICE PENSION PLAN

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved advertising an ordinance amending the police pension plan ordinance as per the side agreement with Teamsters, deleting references to killed in service coverage which is now provided through the state.

APPROVAL OF ESTIMATE FROM MIB FOR PREPARATION OF A SEGREGATED COST ANALYSIS (VALUATION) OF TOWN-OWNED BUILDINGS

On a motion by D. Levan, seconded S. Costa and voted on unanimously, Council approved an estimate from MIB (Mutual Inspection Bureau) in the amount of \$2,350 for preparation of a segregated cost analysis (valuation) of 14 town-owned buildings. It was noted that this was a budgeted expense.

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 Bloomsburg Historical Architectural Review Board, Council approved a certificate of appropriateness for Rosemary Hummel to install vinyl siding, install replacement windows and demolish the rear garage at 112-116 East Third Street.

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, and on the recommendation of the Bloomsburg Historical Architectural Review Board, Council approved a certificate of appropriateness for Dane Hahn to replace the wooden fence located at 153 East Fifth Street with a six foot vinyl privacy fence.

On a motion by K. Shepperson, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Bloomsburg Historical Architectural Review Board, Council approved a certificate of appropriateness for Joe and Mary McCarthy to install vinyl replacement windows at 102 West Street.

On a motion by K. Shepperson, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Bloomsburg Historical Architectural Review Board, Council approved a certificate of appropriateness for B-3 Properties to reconstruct the front porch at 439 East Street.

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, and on the recommendation of the Bloomsburg Historical Architectural Review Board, Council approved a certificate of appropriateness for Matt Zoppetti to change the awning style at 2 West Main Street.

#### APPROVAL OF WAIVERS – PRESBYTERIAN HOMES, INC. – BLOOMSBURG SENIOR LIVING – PHASE I

On a motion by D. Levan, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following waivers for Presbyterian Homes, Inc. Bloomsburg Senior Living – Phase I Project: Section 706.E & F, to allow for a ¼ inch expansion joint instead of the required ½ inch and Section 502.3 and Table 1 of the Subdivision and Land Development Ordinance, to dedicate a bike/cart path within the 32 foot curb to curb roadway instead of the required 30 foot width.

#### APPROVAL OF WAIVERS – BLOOMSBURG UNIVERSITY – PEDESTRIAN BRIDGE PROJECT, LIGHTSTREET ROAD

On a motion by D. Levan, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following waivers for Bloomsburg University pedestrian bridge project: Section 702, markers and monuments shall be set and to allow bituminous paving instead of the required concrete on the access path to the tower.

#### APPROVAL OF BLOOMSBURG UNIVERSITY PEDESTRIAN BRIDGE PROJECT REVISED PLAN

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, and on the recommendation of the Planning Commission, Council approved Bloomsburg University pedestrian bridge project revised plan contingent upon the following conditional items being completed: Subdivision and Land Development Ordinance: all owners certification must be signed and notarized. [404.D.1.a.5], the surveyor's certification on plan sheet CO.1 shall be signed and sealed. [403.1.A.2.o], a copy of the Highway Occupancy Permit (HOP) from PennDOT shall be provided for the proposed improvements within the Lightstreet Road/S.R. 487, right-of-way. [403.1.A.2.z and 502.1.M] and any found survey monuments in the vicinity of the project shall be shown and described on the plan. A note on plan sheet CO.1 requests a waiver from this requirement. The request is denied. [403.1.A.2.h]. Zoning Ordinance Requirements: a copy of the executed legal instrument (easement) that gives the University the right to develop the properties on the north side of Lightstreet Road/S.R. 487, as per the contingency of the Zoning Hearing Board variance hearing held on January 14, 2010 must be provided. [505.C.1 & 2, 511.3.C, 512.2, 3, 4, & 5.A, B and C].

#### APPROVAL OF WAIVERS AND MODIFICATIONS – PINE AVENUE LUXURY HOUSING – LAND DEVELOPMENT

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following waivers for Pine Avenue Luxury Housing land development: the western driveway/access drive to the ground floor parking lot is closer than forty (40) feet to the intersection of the Whiteman Avenue and Pine Avenue right-of-way lines [502.10.G] and monuments and markers shall be set [702].

On a motion by B. Kreisher, seconded by S. Costa and voted on Six (6) (B. Kreisher, S. Costa, D. Knorr, D. Levan, P. Kinney and K. Shepperson voting "Yes") to One (1) (C. Howell voting "No"), and on the recommendation of the Planning Commission, Council approved the following waivers for Pine Avenue Luxury Housing land development: curbs shall be provided along Pine Avenue [503] and sidewalks shall be provided along Pine Avenue [504].

Mayor Knorr asked Andy Keister of Larson Design Group, who was present for a different application, if he could answer a few questions concerning the Pine Avenue Luxury Housing land development plan.

A. Keister expressed that according to the town's zoning ordinance, a building in the commercial district can be built up to the property line and this is what the applicant Matt Zoppetti proposes to do. Also, when curbs and sidewalks are a requirement, they are placed in the right-of-way.

Mary Chamuris of 163 West Third Street asked where the building exits were located. According to the plan, A. Keister pointed out that there is one exit on the West Pine Avenue side and one on Whiteman Avenue. He noted that there is a landing at the exit on Whiteman Avenue before stepping onto the street. Ms. Chamuris expressed that Whiteman Avenue is 17 feet wide and if curbs and sidewalks are installed and are approximately 4 to 5 feet wide, this would leave only 12 feet for two-way vehicular traffic.

Katelyn Winters of 435 West First Street walks along Whiteman Avenue almost every day. She feels that curbs and sidewalks would make this intersection hazardous.

Steve Coladonato of 210 West Third Street presented a proposed drawing of a cantilever concept for the Whiteman Avenue side of the building. Mayor Knorr thanked Mr. Coladonato, explained that Council does not dictate the design of the building and agreed to forward this concept to the developer. A. Keister took a copy and will forward to Mr. Zoppetti.

Downtown Manager Megan Hummel asked, if the developer agreed to incorporate the curbs and sidewalks on his property instead of in the right-of-way, how many ground floor parking spaces would be eliminated? E. Fegley stated that ten (10) parking spaces would be eliminated. M. Hummel did not feel that with parking at a premium in the downtown they would want to suggest this as an option. She also noted that parking is not a requirement in the commercial district.

Council took no action on the waiver from providing curbs and sidewalks on Whiteman Avenue. E. Fegley suggests obtaining a recommendation from town engineer, Carbon Engineering.

#### APPROVAL OF WAIVER – RIETER AUTOMOTIVE – LAND DEVELOPMENT – STORAGE ENCLOSURE

On a motion by P. Kinney, seconded by S. Costa and voted unanimously, and on the recommendation of the Planning Commission, Council approved the following waiver for Rieter Automotive land development storage enclosure project: existing contours shall be shown on the plan. A note on the cover sheet requests a waiver from this requirement. [403.1.A.2.g].

#### APPROVAL OF RIETER AUTOMOTIVE LAND DEVELOPMENT STORAGE ENCLOSURE PLAN

On a motion by D. Levan, seconded by K. Shepperson and voted on unanimously, and on the recommendation of the Planning Commission, Council approved Rieter Automotive storage enclosure land development plan contingent upon the following conditional items being completed: Subdivision and Land Development Requirements: the plan shall be labeled as a Preliminary/Final Land Development Plan. [403.1.A.2], the applicant's name and phone number shall be provided on the plan. If the applicant is a corporation, then the president shall sign the owner's statement. [403.1.A.2.n and 403.1.A.2.s], a date shall be provided on the cover sheet. [403.1.A.2.p], and all requirements of the Floodplain Management Ordinance (Chapter 8) must be addressed. [403.1.A.2.y, 511, 602.1.E and 603.1.A.3]. General: the cover sheet shall be labeled as plan sheet 1 of 3. The current sheets 1 and 2 shall become sheets 2 and 3 of 3, respectively and "Source" is misspelled on the current plan sheet 1.

APPROVAL OF RELEASING REMAINING FINANCIAL SECURITY FOR 401-403 LIGHTSTREET ROAD PROJECT

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved releasing the remaining financial security for 401-401 Lightstreet Road Project.

APPROVAL OF KEVIN KESTER REMOVING A TREE LOCATED AT 236 WEST THIRD STREET

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council approved Kevin Kester to remove a tree located at 236 West Third Street. It was noted that Mr. Kester will not be required to plant a replacement as the tree lawn is not large enough to accommodate a tree.

APPROVAL OF PAYMENT TO PETERS CONSULTANTS, INC FOR ENGINEERING SERVICES FOR THE PHASE IV MAIN STREET LIGHTING PROJECT

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved payment to Peters Consultants, Inc. in the amounts of \$2,085.00 for the Phase IV Main Street Lighting Project using CDBG program funds.

APPROVAL OF PAYMENT TO PETERS CONSULTANTS, INC FOR ENGINEERING SERVICES FOR THE PHASE IV MAIN STREET LIGHTING PROJECT

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved payment to Peters Consultants, Inc. in the amounts of \$3,677.65 for the Phase IV Main Street Lighting Project using CDBG program funds.

APPROVAL OF PAYMENT NO. 3 TO DON E. BOWER, INC. FOR PHASE IV OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved payment No. 3 to Don E. Bower, Inc. in the amount of \$305,392.26 for Phase IV of the Bloomsburg Municipal Airport Extension and Realignment Project.

APPROVAL OF PAYMENT NO. 2 TO SOKOL, INC FOR TOWN PARK TENNIS COURT CONSTRUCTION PROJECT

On a motion by D. Levan, seconded by P. Kinney and voted on unanimously, Council approved payment No. 2 to Sokol, Inc. in the amount of \$144,578.85 for the Town Park Tennis Court Construction Project.

ACCEPTANCE OF ALCOA FOUNDATION GRANT FOR DEVELOPMENT OF SOCCER FIELDS AT STREATER PROPERTY

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council accepted a grant from the Alcoa Foundation in the amount of \$15,000 for the development of soccer fields at the Streater Property.

APPROVAL OF VACATING UNNAMED ALLEY BETWEEN COLUMBIA COUNTY COURTHOUSE AND COURTHOUSE ANNEX EXTENDING BETWEEN WEST MAIN STREET AND RIDGE AVENUE

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved vacating the unnamed alley between the Columbia County Courthouse and Courthouse Annex extending between West Main Street and Ridge Avenue contingent upon all costs being incurred by Columbia County.

#### APPROVAL OF ENFORCING RESIDENTIAL PERMIT PARKING YEAR ROUND IN AREA #14

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 "Yes") to One (1) (B. Kreisher voting "No"), Council approved enforcing residential permit parking year round in Area #14.

#### APPROVAL OF PURCHASE OF NEW PARKING LOT SIGNAGE

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, and on the recommendation of the Parking Study Execution Task Force, Council approved the purchase of new parking lot signage in the amount of \$742.50.

#### AIRPORT ADVISORY COMMITTEE

Shirley Brobst reported that the annual Community Day Fly-In at the airport will be held on Saturday, September 11, 2010 with a rain date of Sunday, September 12, 2010.

L. Sokoloski and P. Kinney reported that there are several geese at the end of the runway where a small pond has formed causing a possible hazard to aircraft. P. Kinney stated some rifle shots will be set off to try and scare the geese away. He suggested if this didn't work that the town could look into purchasing faux fox decoys to place in the area to scare the geese.

#### DOWNTOWN BLOOMSBURG

Megan Hummel informed everyone that the Gridlock sponsored by the Bloomsburg Hospital Custom Cruise-In is this Saturday, August 14<sup>th</sup> from 11:30am to 1:00pm on Main Street from West Street to East Street. Artfest is on Saturday, August 21<sup>st</sup> from 11:00am to 7:00pm and Sunday, August 22<sup>nd</sup> from 11:00am to 4:00pm. Center Street will be closed from Third Street to Main Street for the event. Free Movie Night is also on Saturday, August 21<sup>st</sup> beginning with kids activities at 7:00pm and Disney's *Princess and the Frog* starting at dusk.

#### SIGN ORDINANCE REVIEW

Council members began their ordinance review with Section 805 of Chapter 27 relating to signs. Questions were raised regarding the detail in the ordinance. B. Kreisher noted that the ordinance needs to be detailed in order to address the size and types of signs permitted in the different zones throughout town. He particularly would like to see that permits are properly issued for signs. Mayor Knorr asked if rental/for sale signs were much of an issue. E Fegley explained the problems that have arisen over the years due to those signs. Council directed the code office to prepare a memo with their thoughts on the sign ordinance and present it at the next meeting.

With no further business, the meeting adjourned at 10:12 p.m.

CAROL L. MAS  
Town Administrator & Secretary