

A regular meeting of Bloomsburg Town Council was held Monday, October 11, 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; Recycling Administrator Charles Fritz; Chief of Police Leo Sokoloski; Fire Chief Bob Rupp; Solicitor Jack Mihalik and Office Assistant Amy Seamans. Absent was Downtown Manager Megan Hummel.

CITIZENS TO BE HEARD – MATT ZOPPETTI AND SANTE D’AMBROSIO

Matt Zoppetti and Sante D’Ambrosio addressed the denial of the sidewalk and curb waivers and plan for their Pine Avenue Luxury Housing project. Nicole Pagliaro asked if Mr. Zoppetti could give a brief overview of the project. Matt stated that they have HARB approval to demolish the old Mainside Repair building and construct a new building. They have been going through the planning process. He showed a copy of the plans to Council. He expressed that the Planning Commission, his engineer, the town engineer and public works all have safety concerns if sidewalks were along the Whiteman Avenue side of the building. A door on the Whiteman Avenue side of the building has since been removed from the plan. Currently Whiteman Avenue is a two-way roadway approximately 15.5 feet wide. A minimum sidewalk width is 4 feet bringing the roadway width down to 11.5 feet making it virtually impossible for two-way traffic to pass. He noted that the sidewalks on Main Street and a lot of other areas of town are in the public right-of-way. He also wanted to clarify that this project is on a separate parcel from the lot located at the corner of Third Street and sidewalks would not extend all the way to Third Street. He feels the sidewalk would lead to nowhere. If the town wants to assume the liability for the sidewalks then he would cut a check tomorrow. He estimated it would cost approximately \$2,000. C. Howell asked why he doesn’t move the building. Matt stated that if he were to incorporate the sidewalks on his property it would result in the loss of the 16 parking spaces under the building. Structurally he cannot make it work; he doesn’t even have an inch to give. Matt then stated that his last offer is to take the 16 parking spaces away and add a cantilever and sidewalks.

Steve Coladonato of 210 West Third Street read aloud from ordinance 22-502. He also expressed that he understood that student housing in the commercial district was allowed on the second floor and above with a permitted use on the first floor and that parking is not a permitted use in any district. Mayor Knorr asked E. Fegley if he could explain. In this instance, the parking lot is an accessory use to the building which is permitted. The parking lot is also the current use.

Nicole Pagliaro, Bloomsburg University student, suggested Council make Whiteman Avenue a one-way street.

M. Zoppetti agreed. Council should incorporate the Comprehensive Plan, Parking Study and the one-way suggestion by closing Whiteman Avenue to make a pedestrian walkway. Council could put the \$2,000 in escrow and then decide at a later date whether to construct sidewalks or close the street, etc.

Elsa Speller of Bloomsburg, asked Mr. Zoppetti how many students would be living in the building and he answered there would be 60. She then asked where they would all park if every student had a car since only 16 parking spaces are planned. M. Zoppetti stated that he is not required to provide parking but went on to say that they have found that students that live on Main Street generally do not have cars or they could park on the adjacent lot for a fee. Mayor Knorr stated they could purchase a red meter permit.

Ray Vought of 360 East Second Street served on the Planning Commission where he was and still is in favor of sidewalks. He would like to see a study done for changing Whiteman Avenue to a one-way and a beautification walkway project.

APPROVAL OF RESCINDING DENIAL OF WAIVERS AND LAND DEVELOPMENT PLAN – PINE AVENUE LUXURY HOUSING

On a motion by K. Shepperson, seconded by D. Levan and voted on Four (4) (K. Shepperson, D. Levan, D. Knorr and S. Costa voting “Yes”) to Three (3) (P. Kinney, C. Howell and B. Kreisher voting “No”), Council approved rescinding their September 13, 2010 denial of waivers for Pine Avenue Luxury Housing land development project from providing curbs along Whiteman Avenue [503] and sidewalks along Whiteman Avenue [504] and the denial of the land development plan.

APPROVAL OF WAIVERS AND LAND DEVELOPMENT PLAN – PINE AVENUE LUXURY HOUSING

On a motion by D. Levan, seconded by S. Costa and voted on Four (4) (D. Levan, S. Costa, D. Knorr and K. Shepperson voting “Yes”) to Three (3) (P. Kinney, C. Howell and B. Kreisher voting “No”), Council approved the waivers from providing curbs along Whiteman Avenue [503] and sidewalks along Whiteman Avenue [504] and the land development plan as presented at the September 13, 2010 Council meeting for Pine Avenue Luxury Housing with an agreement that the developers still provide the 16 parking spaces underneath the building and funds in an amount to be determined by John Barton to be deposited into an escrow fund. The agreement is in effect for two years from this date.

CITIZEN TO BE HEARD – ERIC BOWER

Eric Bower asked where the street vendor issue lies. Mayor Knorr stated that the Community and Economic Development Committee is developing an ordinance modeled after Reading, PA.

PROCLAMATION – NO PLACE FOR HATE WEEK

Mayor Knorr proclaimed the week of October 18-22 2010 as No Place for Hate week in the Town of Bloomsburg and presented the proclamation to Elsa Speller.

ADOPTION OF RESOLUTION NO. 10-11-10.01 – 2010 STATE PENSION FUND ALLOCATION

On a motion by D. Levan, seconded by P. Kinney and voted on unanimously, Council approved Resolution No. 10-11-10.01 allocating \$94,890.54 of the 2010 State Pension Fund to the Town Employees’ Retirement Fund and \$99,200.00 to the Police Pension Fund.

ADOPTION OF ORDINANCE NO. 930 – INCREASING THE INDEBTEDNESS OF THE TOWN OF BLOOMSBURG

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council adopted Ordinance No. 930 increasing the indebtedness of the Town of Bloomsburg, Columbia County, Pennsylvania, the issue of a General Obligation Note in the amount of \$1,248,654.00 for sundry purposes; fixing the form, number, date interest, and maturity thereof; making a covenant for the payment of the debt service on the note; providing for the filing of the required document; providing for the appointment of a sinking fund depository for the note; and authorizing execution, sale and delivery thereof.

ADOPTION OF ORDINANCE NO. 931 – AMENDING THE ZONING ORDINANCE AND ZONING MAP

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council adopted Ordinance No. 931 amending the Town of Bloomsburg Zoning Ordinance in order to establish a Business Campus Zoning District, set forth permitted uses, special exception uses, and conditional uses therein, and establish various regulations applicable thereto; and amending the official Zoning Map to include the boundaries of the Business Campus Zoning District with the addition of fitness centers and theatres to letter J. under permitted uses on page 3.

MAYOR'S UPDATE

Mayor Knorr reported that there is no Zoning Hearing Board this week and noted that the next two budget workshops will be held at 5:30pm on October 21 and November 4.

APPROVAL OF SEPTEMBER 13, 2010 COUNCIL MEETING MINUTES

On a motion by P. Kinney, seconded by K. Shepperson and voted on unanimously, Council approved the September 13, 2010 Council meeting minutes with no additions or corrections.

APPROVAL OF SEPTEMBER 20, 2010 COUNCIL MEETING MINUTES

On a motion by P. Kinney, seconded by K. Shepperson and voted on unanimously, Council approved the September 20, 2010 special Council meeting minutes with no additions or corrections.

APPROVAL OF PAYMENT OF MONTHLY BILLS AND SEPTEMBER PAYROLL AUTHORIZATION

On a motion by P. Kinney, seconded by C. Howell and voted on unanimously, Council approved payment of the following monthly bills and the September payroll authorization: General Fund, \$171,724.93; Recycling Fund, \$21,053.08; Street Lighting Fund, \$8,519.29; Norris E. Rock Memorial Pool, \$2,716.53; Capital Projects, \$79,133.91; FFY08 CDBG Entitlement Program, \$4,520.00; FFY09 CDBG Entitlement Program, \$10,000.00, Day Care Project, \$3,562.00; Airport Expansion Project, \$4,316.64; Liquid Fuels, \$3,483.76 and the September payroll authorization in the amount of \$204,054.35.

APPROVAL OF PAYMENT TO HAY GROUP, INC. FROM THE EMPLOYEES PENSION PLAN AND THE POLICE PENSION PLAN

On a motion by C. Howell, seconded by P. Kinney and voted on unanimously, Council approved payment to Hay Group, Inc. in the amount of \$550 from the Employees Pension Plan and \$475 from the Police Pension Plan for actuarial and consulting services for the period of April 1, 2010 through August 31, 2010.

APPROVAL OF ADDITION TO TOWN VENDOR LIST

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved the addition of Teamsters Local #764 to the town vendor list.

APPROVAL OF REIMBURSEMENT TO COLUMBIA CHILD DEVELOPMENT PROGRAM

On a motion by S. Costa, seconded D. Levan and voted on unanimously, Council approved reimbursing the Columbia Child Development Program \$6,184.83 for carpet and \$13,200 for a boiler from the Daycare Fund.

APPROVAL OF PRESS ENTERPRISE ADVERTISING CONTRACT RENEWAL

On a motion by C. Howell, seconded by P. Kinney and voted on unanimously, Council approved renewing the annual advertising contract with Press Enterprise at the \$10,000 level which affords a 10% preprint discount.

APPROVAL OF PROMOTION OF OFFICER CHARLES BALON TO SERGEANT

On a motion by D. Levan, seconded by K. Shepperson and voted on unanimously, Council approved the promotion of Officer Charles Balon to the position of Sergeant with an effective date of October 17, 2010 and a six-month probationary period.

APPROVAL OF EMPLOYEE DAY-OFF PROMOTION FOR CONTRIBUTION TO UNITED WAY OF COLUMBIA COUNTY

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved a day-off promotion to encourage employees to contribute to the United Way of Columbia County.

APPROVAL OF REPAYMENT TO STATE AUDITOR GENERAL FROM THE EMPLOYEES PENSION PLAN

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved repaying the State Auditor General from the Employees Pension Plan in the amount of \$9,520 plus interest and penalty. The state pension auditor determined that the position of tax collector was not eligible for state pension aid. The position was included in wage calculations sent to the state in 2007, 2008 and 2009.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS

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 Vince DeMelfi to replace signage and install two air handling units at 246 West Main 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 Vince DeMelfi to repair the stone wall, repair four pillars and re-point the chimney at 269 West First Street.

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, and on the recommendation of the Bloomsburg Historical Architectural Review Board, Council approved a certificate of appropriateness for Columbia County Redevelopment Authority for alterations to the rear side porch at 253 Iron Street.

APPROVAL OF MODIFICATION – IRONDALE LUXURY APARTMENTS – LAND DEVELOPMENT

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, and on the recommendation of the Planning Commission, Council approved a modification to allow for a twenty-two (22) foot parking lot aisle width instead of the required minimum of twenty-four (24) feet for two-way traffic and 90 degree parking stalls [607.3.D] for Irondale Luxury Apartments land development project.

APPROVAL OF WAIVER – IRONDALE LUXURY APARTMENTS – LAND DEVELOPMENT

On a motion by C. Howell, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following waiver for Irondale Luxury Apartments land development project: additional right-of-way and cartway widths shall be provided for Irondale Road [502.1.K and Table 1].

APPROVAL OF WAIVER – IRONDALE LUXURY APARTMENTS

On a motion by B. Kreisher, seconded by C. Howell and voted on Six (6) (B. Kreisher, C. Howell, D. Knorr, P. Kinney, K. Shepperson and S. Costa voting “Yes”) to One (1) (D. Levan voting “No”), and on the recommendation of the Planning Commission, Council approved the following waiver for Irondale Luxury Apartments land development project: the proposed access drive entrance/exit intersection with Irondale Road shall be defined by the use of curbing. A curb detail shall be provided on the plans [502.10.D.1 and 705].

DENIAL OF WAIVER – IRONDALE LUXURY APARTMENTS – LAND DEVELOPMENT PLAN

On a motion by D. Levan, seconded by K. Shepperson and voted on unanimously, and on the recommendation of the Planning Commission, Council denied the following waiver for Irondale Luxury Apartments land development project: the post-developed peak discharge rate from the site cannot be greater than the predeveloped rates for all stormwater. A Stormwater Management Plan is required [404.D.1.a.20.h and 806.2].

APPROVAL OF RENEWAL OF AGREEMENT WITH REMIT CORPORATION FOR BILLING AND COLLECTION OF 2011 RECYCLING FEE

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved renewing the agreement with Remit Corporation for the billing and collection of the 2011 recycling fee at a rate of \$5.95 per bill.

APPROVAL OF ADVERTISING FOR BIDS FOR SITE PREP WORK AT NEW COMPOST SITE LOCATION

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved advertising for bids for site prep work at the new compost site location.

APPROVAL OF AWARING PHASE I OF THE PHASE IV MAIN STREET LIGHTING PROJECT TO WOLYNYEC CONSTRUCTION, INC.

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved awarding Phase I (Main Street from Iron Street to East Street) of the Phase IV Main Street Lighting Project to Wolyniec Construction, Inc. in the bid amount of \$271,610.

APPROVAL OF FFY 2010 CDBG PROGRAM INCOME BUDGET MODIFICATION

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved transferring \$46,867.75 of FFY 2010 CDBG Program Income funds into the Phase IV Main Street Lighting Project.

APPROVAL OF TRANSFERRING UDAG REPAYMENT ACCOUNT AND ELDERLY HOUSING LOAN REPAYMENT ACCOUNT FUNDS INTO FFY 2010 CDBG PROGRAM INCOME

On a motion by K. Shepperson, seconded by S. Costa and voted on unanimously, Council approved transferring \$12,538.62 from the UDAG Repayment Account and \$38,698.76 from the Elderly Housing Loan Repayment Account into FFY 2010 CDBG Program Income.

APPROVAL OF PAYMENT TO SOKOL, INC. FOR 2010 STREET RESURFACING PROJECT

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved payment to Sokol, Inc. in the amount of \$76,456.21 for the 2010 Street Resurfacing Project with liquid fuels funds.

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

On a motion by C. Howell, seconded by P. Kinney and voted on unanimously, Council approved payment of change order No. 2 to Sokol, Inc. in the amount of \$5,900.08 for the Bloomsburg Town Park Tennis Court Construction Project.

APPROVAL OF FFY 2009 AND FFY 2010 CDBG PROGRAM BUDGET MODIFICATIONS

On a motion by K. Shepperson, seconded by S. Costa and voted on unanimously, Council approved re-budgeting \$3,524.34 of FFY 2009 CDBG Program funds and \$4,369.63 of FFY 2010 CDBG Program Income funds into the Bloomsburg Town Park Tennis Court Construction Project.

APPROVAL OF PAYMENT TO SOKOL, INC. FOR STREATER PARK SOCCER FIELD CONSTRUCTION PROJECT

On a motion by C. Howell, seconded P. Kinney and voted on unanimously, Council approved payment to Sokol, Inc. in the amount of \$2,225 for grading work for the Streater Park Soccer Field Construction Project with grant funds.

APPROVAL OF CONSTRUCTION OF A PAVILION AT TOWN POOL IN MEMORY OF BETH GERMAN WITH DONATED FUNDS

On a motion by S. Costa, seconded by C. Howell and voted on unanimously, Council approved the construction of a pavilion at the Town Pool in memory of Beth German with donated funds.

APPROVAL OF PURCHASE OF A 2 GUN LINE LAZER IV 3900 LINE STRIPER MACHINE FROM SHERWIN WILLIAMS

On a motion by P. Kinney, seconded by C. Howell and voted on unanimously, Council approved the purchase of a 2 gun Line Lazer IV 3900 line striper machine from Sherwin Williams in the amount of \$5,470 with liquid fuels funds. It was noted that this item was budgeted.

APPROVAL OF PAYMENT OF CHANGE ORDER NO. 1 TO LARSON DESIGN GROUP FOR ENGINEERING SERVICES FOR THE RELOCATION OF THE COMPOST SITE

On a motion by D. Levan, seconded by P. Kinney and voted on unanimously, Council approved the payment of change order No. 1 to Larson Design Group in the amount of \$2,000 for engineering services for the relocation of the compost site.

ACCEPTANCE OF PROPOSAL FROM LARSON DESIGN GROUP FOR A CURB AND SIDEWALK STUDY

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council accepted a proposal from Larson Design Group for a curb and sidewalk study in the amount of \$16,500.

APPROVAL OF FFY 2009 AND FFY 2010 CDBG PROGRAM BUDGET MODIFICATIONS

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council approved re-budgeting \$5,458 of FFY 2009 CDBG Program, Administrative/ Planning funds and \$11,042 of FFY 2010 CDBG Program, Administrative/ Planning funds for a Curb and Sidewalk Study.

APPROVAL OF REDUCING GLEN AVENUE LUXURY APARTMENTS BOND

On a motion by S. Costa, seconded by C. Howell and voted on unanimously, Council approved reducing the bond for Glen Avenue Luxury Apartments by \$239,512.90 leaving a balance of \$9,598.70.

With no further business, the meeting adjourned at 10:15 p.m.

CAROL L. MAS
Town Administrator & Secretary