

A regular meeting of Bloomsburg Town Council was held this Monday, February 27, 2006, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor, Claude Renninger; Council Members, Bill Brobst, Paul Kinney, Dan Knorr and Paul Houseknecht; Town Administrator, Carol Mas; Code Enforcement/Zoning/Planning Officer, Ed Fegley; Superintendent of Public Works, John Barton and Solicitor, Jack Mihalik. Absent was Council Member Terry Lemon.

#### APPOINTMENT OF TOWN COUNCIL MEMBER

On a motion by B. Brobst, seconded by P. Kinney and voted on unanimously, Council appointed Donald Pursel as a Town Council Member for a two-year term ending December 31, 2007.

#### CITIZEN TO BE HEARD – LYNDA JONES

Lynda Jones of 160 East First Street appeared before Council to protest the appointment of the new council member and two recent meetings that were not open to the public. She read a section from the Sunshine Act that deliberations for an elective office vacancy are not to take place at an executive session. She claimed the meeting held by Council the previous Friday was illegal and acted as a conduit to put Mr. Pursel into office. Ms. Jones also objected to a man being appointed over a woman.

Solicitor Mihalik responded to her allegations stating not all meetings need to be open to the public. Meetings held to gather information are not required to be open. The law does say that Council cannot go into an executive session to deliberate for a council replacement. Council did not hold an executive session. An executive session must be a part of an open meeting. If no deliberation takes place and no official action is taken, the meeting does not need to be open to the public. Mr. Mihalik commented that Council opens their committee meetings to the public even though a quorum of Council is not present.

Mayor Renninger assured Ms. Jones that it is not the intent of Council to meet in secrecy. The former emergency meeting situation was in error and was corrected. The meeting with the candidates had approval by the town's solicitor and was not in error.

D. Knorr took exception to Ms. Jones' comment regarding the good old boy network rubber-stamping the appointment of Mr. Pursel. He knew the one candidate and was confident she would make a fine council member but she did not have the experience Mr. Pursel brings to the position.

#### APPROVAL OF RESOLUTION NO. 02-27-06.01 APPOINTMENT OF TOWN'S CDBG ENVIRONMENTAL REVIEW CERTIFYING OFFICER

On a motion by B. Brobst, seconded by P. Kinney and voted on unanimously, Council approved Resolution No. 02-27-06.01 appointing Mayor Claude Renninger, as Environmental Review Certifying Officer for the Town's Community Development Block Grant Program (CDBG).

#### APPROVAL OF FEBRUARY 13, 2006 COUNCIL MEETING MINUTES

On a motion by P. Kinney, seconded by D. Knorr and voted on unanimously, Council approved the February 13, 2006 Council meeting minutes with no additions or corrections.

#### TRISTAR HOUSING – LAND DEVELOPMENT/LOT INCORPORATION – EAST FIRST STREET

A motion was made by B. Brobst to accept the recommendation of the Planning Commission for the final plan for Tristar Housing's land development/lot incorporation on East First Street contingent upon the approval of an erosion and sediment control plan by Columbia County Conservation District, approval of an NPDES permit by DEP, successful execution of a developer's agreement and financial security for the

construction of site improvements in a form approved by Town Council and final retaining wall design approved by Carbon Engineering with an additional contingency to double check compliance with the applicable zoning variances. The motion died for a lack of a second. The timetable for action by Council will be verified and this matter will be addressed at a future meeting.

#### APPROVAL OF SUNVIEW TERRACE – LOT INCORPORATION

On a motion by P. Kinney, seconded by D. Knorr and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the final plan for Sunview Terrace contingent upon the submission of a deed description outlining the lot incorporation and the placement of instrument numbers for the adjoining property owners on the plan.

#### APPROVAL OF BLOOMSBURG UNIVERSITY – LAND DEVELOPMENT – SWISHER COMMUTER PARKING LOT

On a motion by D. Knorr, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the final plan for Bloomsburg University's Swisher Commuter Parking Lot contingent upon the approval of an erosion and sediment control plan by Columbia County Conservation District and an NPDES permit by DEP.

#### APPROVAL OF WAIVERS – BLOOMSBURG UNIVERSITY – LAND DEVELOPMENT – ADDITION TO MCCORMICK HUMAN SERVICES CENTER

On a motion by B. Brobst, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Planning Commission, Council approved waivers from Section 22-403.1.A(2)(w), Section 22-404-B(2)(g) and Section 22-404.D(1)(a)20)f) for the requirement to provide a sewage module for land development.

#### APPROVAL OF BLOOMSBURG UNIVERSITY – LAND DEVELOPMENT – ADDITION TO MCCORMICK HUMAN SERVICES CENTER

On a motion by B. Brobst, seconded by P. Kinney and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the final plan for Bloomsburg University's addition to the McCormick Human Service Center contingent upon the approval of an erosion and sediment control plan by Columbia County Conservation District, approval of an NPDES permit by DEP and a highway occupancy permit from PennDOT.

#### APPROVAL OF 2006 STREET RESURFACING PROJECT

On a motion by B. Brobst, seconded by P. Kinney and voted on unanimously, Council approved the low bid of \$73,317.75 from HRI, Inc. for the 2006 Street Resurfacing Project.

#### DAY CARE BOARD MEMBER REPLACEMENT

On behalf of the Columbia Child Development Program Board, Bernard Landers, asked Council to consider naming a council member to complete former Mayor Coffman's term on the Day Care Board.

With no further business, the meeting adjourned at 8:19 pm.

CAROL L. MAS  
Town Administrator & Secretary