

A regular meeting of Bloomsburg Town Council was held Monday, February 22, 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 Paul Kinney, Diane Levan, Sylvia Costa, W. Carey Howell, Bill Kreisher and Kathy Shepperson via speaker phone; Town Administrator Carol Mas; Code Enforcement/Zoning/Planning Officer Ed Fegley; Chief of Police Leo Sokoloski; Superintendent of Public Works John Barton; Office Assistant Amy Seamans and Solicitor Jack Mihalik. Absent were Finance Specialist Theresa Baylor; Recycling Administrator Charles Fritz and Fire Chief Bob Rupp.

FFY 2010 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FINALIZATION

Bill Lowthert of SEDA-Council of Governments reiterated that the town's FFY 2010 CDBG Program allocation is estimated at \$194,200.00. The following proposed projects were identified at the January 25, 2010 Public Hearing: Phase IV of the Main Street Lighting Project from Iron Street to East Street, Improvements to the Old Restroom Facilities at Town Park, Construction of an Entry Feature/Traffic Circle on Market Street at Town Park, Recreation Improvements associated with the Streater Property Development, Construction of a Walking/Biking Trail along Fifth Street Hollow, Reconstruction of Center Street from Main Street to Ridge Street, Reconstruction of Iron Street from Main Street to Third Street, Downtown Business Incentive Program and 18% for SEDA-COG Administrative/Planning Activities and Community Development Planning Studies.

B. Lowthert recommends allocating \$139,250 in FFY 2010 CDBG funds towards the Phase IV Main Street Lighting Project from Iron Street to East Street for construction, labor standards compliance and environmental review costs; \$10,000 towards the Improvements to the Old Restroom Facilities at Town Park to get the project approved by DCED; \$10,000 towards the Recreation Improvements associated with the Streater Property Development to get the project approved by DCED and a maximum of 18% or \$34,950 for SEDA-COG Administrative/Planning Activities and Community Development Planning Studies.

APPROVAL OF FFY 2010 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION PROJECTS

On a motion by P. Kinney, seconded by K. Shepperson and voted on unanimously, and on the recommendation of SEDA-COG, Council approved allocating the FFY 2010 CDBG funds to the following projects: \$139,250 for Phase IV Main Street Lighting Project from Iron Street to East Street, \$10,000 for Improvements to the Old Restroom Facilities at Town Park, \$10,000 for Recreation Improvements associated with the Streater Property Development and \$34,950.00 for Administration/Planning.

APPROVAL OF LARSON DESIGN GROUP AS CDBG PROJECT ENGINEER

On a motion by B. Kreisher, seconded by D. Levan and voted on Five (5) (B. Kreisher, D. Levan, D. Knorr, S. Costa and K. Shepperson voting "Yes") to Two (2) (P. Kinney and C. Howell voting "No"), Council approved Larson Design Group as the town CDBG project engineer for 2010, 2011 and 2012.

LARGE OUTDOOR SOCIAL GATHERING ORDINANCE AMENDMENT DISCUSSION

Solicitor Mihalik has drafted an ordinance to repeal Ordinance No. 857 and to adopt an ordinance relating to outdoor social gatherings. Mayor Knorr reviewed the proposed ordinance changes as drafted: a conviction for a prior violation of this ordinance or the Pennsylvania Liquor Code or any provision of the Pennsylvania Crimes Codes within 5 years from the date of the permit application on the same premises where a regulated social gathering is to be held shall be grounds for denying an application for a permit. The regulated social gathering shall last no longer than 8 hours and shall start no earlier than 11:00 am and end no later than 7:00 pm. One security person for every 50 persons

attending the regulated social gathering shall be provided by the person organizing, hosting, or sponsoring a regulated social gathering. No beverages shall be served in or consumed from glass bottles or containers or aluminum containers. If glass bottles or containers or aluminum containers are present on the premises, the event may be terminated by the police. Alcoholic beverages shall only be dispensed by keg or beer ball. One portable toilet shall be provided for every 50 persons attending and a 30 yard trash receptacle will be required for every 1,000 persons attending. The premises shall be cleaned up by 10:00 am on the day following the social gathering and the cash bond is payable either in cash, cashier's check or money order, not a certified check.

Kasey Boardman of 389A Penn Argyle Avenue stated that last year regulated gatherings were stopped at 5:00 pm and he was fine with that. He feels the town is benefitting from everyone that eats downtown on block party day. His fraternity last year cleaned up by 9:30 am – 10:00 am. They worked with the town last year and will continue to cooperate with the town.

Joseph Wright of 335 Lightstreet Road agrees with Mayor Knorr that limiting the time of the party from 11:00 am to 7:00 pm is too restrictive. He also called a portable toilet vendor and they stated that one portable toilet to 100 people is sufficient. He also asked for clarification on the \$500,000 liability coverage.

Ray Vought of 360 East Second Street asked who is sponsoring the event and Mayor Knorr replied that the applicant is the sponsor.

David Lynn of 1300 Ferry Road expressed that Council should be careful. He's aware that State College took Bloomsburg's ordinance to the extreme and is now being sued.

Eric Bower of 350 East Third Street stated he has some concerns. A wedding held outside with more than 150 people where alcohol is being consumed would be required to have security and alcohol could only be served by kegs and beer balls. He feels this should be discretionary.

Jim Hollister of Bloomsburg University expressed that Council either needs to make an ordinance directed towards just students or realize that this ordinance pertains to the entire community. As it stands now, if he had a party in his backyard he would only be able to have it for an hour if he doesn't get home from work until 6:00 pm.

Ed Sabo, Jr. of 360 East Street suggested changing the ordinance so property owners are exempt. D. Levan noted that sororities and fraternities own their homes.

Corey Kreischer of 703 Country Club Drive felt that the ordinance sounded good but it may be an enforcement nightmare and is concerned that it would be impossible to regulate.

Kyle Kelly of 50 East First Street stated that the cleanup time of 8:00 am would not work because students have different sleeping schedules compared to the working person.

Andrew DeFrank of 34 East Ridge Avenue stated he feels the security guard portion of the ordinance was added because of students.

Vince DeMelfi questioned if limiting the ordinance to beer in kegs is a good idea for weddings.

APPROVAL OF ADVERTISING AN ORDINANCE REPEALING ORDINANCE NO. 857 AND ADOPTING AN ORDINANCE RELATING TO OUTDOOR SOCIAL GATHERINGS

On a motion by D. Levan, seconded by S. Costa and voted on Six (6) (D. Levan, S. Costa, D. Knorr, P. Kinney, K. Shepperson and B. Kreisher voting "Yes") to One (1) (C. Howell voting "No"), Council approved advertising an ordinance repealing Ordinance No. 857 and adopting an ordinance relating to outdoor social gatherings. The following are changes to the draft: replace the word "shall" with "may" to leave the discretion to the Chief of Police in the sections relating to prior convictions, security, portable toilets and trash receptacles. The social gathering shall last no longer than 8 hours and shall start no earlier than 10:00 am and end no later than 9:00 pm. No beverages shall be consumed from glass bottles and malt beverages shall only be dispensed by keg or beer ball. One portable toilet shall be provided for every 50 persons attending and one 30 yard trash receptacle will be required for every 1,000 persons. The premises shall be cleaned up by 8:00 am on the day following the social gathering and the cash bond is payable either in cash, cashier's check or money order, not a certified check.

PROCLAMATION – BOOK FAIR DINER – ALL YOU CAN READ MONTH

Mayor Knorr proclaimed the month of March as "Book Fair Diner – All You Can Read" month in the Town of Bloomsburg. Mayor Knorr will present the proclamation to students and faculty of the Bloomsburg Memorial Elementary School on March 1, 2010.

APPROVAL OF RESOLUTION NO. 02-22-10.01 – POLICE PENSION PLAN ASSET VALUATION METHOD

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council approved Resolution No. 02-22-10.01 changing the method in which the basis of valuing the Police Pension Plan's assets for actuarial valuation purposes effective with the January 1, 2009 actuarial valuations of the plan.

APPROVAL OF RESOLUTION NO. 02-22-10.02 – EMPLOYEES PENSION PLAN ASSET VALUATION METHOD

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council approved Resolution No. 02-22-10.01 changing the method in which the basis of valuing the Employees Pension Plan's assets for actuarial valuation purposes effective with the January 1, 2009 actuarial valuations of the plan

APPROVAL OF RESOLUTION NO. 02-22-10.03 – AUTHORIZING THE TOWN ADMINISTRATOR TO SIGN ANY DOCUMENTS RELATING TO THE PURCHASE OF REAL ESTATE

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved Resolution No. 02-22-10.03 authorizing Town Administrator Carol L. Mas to sign any and all documents relating to the purchase of real estate on the Town's behalf.

MAYOR'S UPDATE

Mayor Knorr advised everyone on which meetings will be happening this week and next.

APPROVAL OF FEBRUARY 8, 2010 COUNCIL MEETING MINUTES

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved the February 8, 2010 Council meeting minutes with no additions or corrections.

APPROVAL OF MAYOR KNORR ATTENDANCE AT NATIONAL LEAGUE OF CITIES CONFERENCE

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved Mayor Knorr to attend the National League of Cities Conference on March 14-15, 2010 in Washington, DC.

APPROVAL OF PAYMENT OF INVOICE TO PENNSYLVANIA ALUMINUM FOR RECYCLING CENTER CANOPY PROJECT

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council approved the payment of an invoice from Pennsylvania Aluminum in the amount of \$16,428.00 for the Recycling Center Canopy Project. It was noted that the project is being funded by a grant.

APPROVAL OF 2010 TRAFFIC SIGN MATERIAL BIDS

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved accepting bids for traffic sign material for 2010 from the following companies: Osburn Associates, Inc. (sign faces, roll goods and sign posts), Custom Products Corporation (aluminum sign blanks), Garden State Highway Products (reflective letters) and Hall Signs, Inc. (brackets).

DOWNTOWN BLOOMSBURG, INC. REPORT

Downtown Manager Megan Hummel reported that the Art Walk-In last Thursday held at the Moose Exchange was very successful. Bids for the Courthouse Plaza Project will be accepted until 12:00noon this Thursday with construction being finalized by the Renaissance Jamboree on April 24, 2010.

With no further business, the meeting adjourned at 9:25pm.

CAROL L. MAS
Town Administrator & Secretary