

The Reorganization meeting of Bloomsburg Town Council was held Monday, January 3, 2011, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Mayor Dan Knorr presided. Present were Council Members Diane Levan, Paul Kinney, Kathy Shepperson, Sylvia Costa, W. Carey Howell and William Kreisher; Town Administrator Carol Mas; Code Enforcement/Zoning Officer Ed Fegley; Superintendent of Public Works John Barton; Environmental Services Administrator Charles Fritz; Fire Chief Bob Rupp; Solicitor Jack Mihalik and Office Assistant Amy Seamans. Absent were Finance Specialist Theresa Baylor and Chief of Police Leo Sokoloski.

#### NOMINATION AND ELECTION OF VICE PRESIDENT OF COUNCIL

On a motion by K. Shepperson, seconded by S. Costa and voted on unanimously, Council nominated and elected Diane Levan as Vice President of Council for 2011.

#### MAYOR'S APPOINTMENTS OF STANDING COMMITTEES

Mayor Knorr named the following Committees and Committee assignments of Council Members:

##### **Administrative/Finance Committee**

Dan Knorr, Chair  
Diane Levan  
Kathy Shepperson  
Carey Howell

##### **Community and Economic Development Committee**

Diane Levan, Chair  
Carey Howell  
Bill Kreisher

##### **Public Safety Committee**

Dan Knorr, Chair  
Paul Kinney  
Sylvia Costa  
Kathy Shepperson

##### **Public Works & Environment Committee**

Paul Kinney, Chair  
Sylvia Costa  
Carey Howell  
Bill Kreisher

##### **Grievance Committee**

Kathy Shepperson, Chair  
Dan Knorr  
Diane Levan

##### **Downtown Bloomsburg, Inc. Board**

Dan Knorr (Mayoral Appointment)

##### **Columbia County Sanitary Administrative Committee**

Sylvia Costa  
Paul Kinney (Alternate)

##### **Airport Advisory Committee**

Douglas Karsner      Term Exp.      12/31/11

## COUNCIL APPOINTMENTS OF BOARDS, COMMISSIONS, SOLICITORS AND GENERAL FUND DEPOSITORY

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council made the following appoints to various Boards, Commissions and other functions:

### **Bloomsburg Area Joint Flood Control Authority**

David VanHorn	Term Exp.	12/31/14
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### **Historic Architectural Review Board**

Paul Houseknecht	Term Exp.	12/31/14
Vince DeMelfi	Term Exp.	12/31/14

### **Municipal Authority Board**

George Turner	Term Exp.	12/31/15
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### **Planning Commission**

Susan McGarry	Term Exp.	12/31/14
Warren Faust	Term Exp.	12/31/14

### **Shade Tree Commission**

Susan Stemont	Term Exp.	12/31/15
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### **Swimming Pool Operations Board**

John Green	Term Exp.	12/31/14
Joe McCarthy	Term Exp.	12/31/14

### **Zoning Hearing Board**

Sandra Davis	Term Exp.	12/31/13
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### **Zoning Hearing Board Alternate**

Kurt Smith	Term Exp.	12/31/12
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### **Town Solicitor**

John Mihalik – Hummel & Lewis, PC

### **Zoning Hearing Board Solicitor**

William Kim Hill – Harding & Hill, LLP

### **Sewage Enforcement**

Columbia County Sanitary Inspection Office

### **General Fund Depository**

First Columbia Bank and Trust Company

## APPOINTMENT OF CAROL L. MAS AS TOWN ADMINISTRATOR/SECRETARY-TREASURER

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council appointed Carol L. Mas as Town Administrator/Secretary-Treasurer.

## CITIZEN TO BE HEARD – SANTE D’AMBROSIO

Sante’ D’Ambrosio inquired about the sidewalk agreement that his Attorney, Tom Leipold, forwarded to Solicitor Mihalik on December 13, 2010. The agreement was requested at the October 11, 2010 Council meeting in conjunction with the Pine Avenue Luxury Housing project. Solicitor Mihalik stated he had a question on paragraph 2 and needed clarification from Council. A copy of the agreement was passed around for Council to review. On a motion by P. Kinney, seconded by D. Levan and voted on Six (6) (P. Kinney, D. Levan, D. Knorr, K. Shepperson, S. Costa and B. Kreisher voting “Yes”) to One (1) (C. Howell voting “No”), Council approved the agreement with the following changes: the time frame changed from one year to eighteen months; the escrow amount in paragraph 1 will be changed to \$6,000; paragraph 2 will be deleted entirely;

and in paragraph 5 the length of the sidewalk along Whiteman Avenue will be from Pine Avenue to the end of the parcel, not to Third Street. Solicitor Mihalik said he would make the changes tomorrow.

#### CITIZEN TO BE HEARD – RAY VOUGHT

Ray Vought of College Hill Bed and Breakfast located at 360 E. Second Street requested the installation of two (2) signs at two (2) parking spaces in front of his business. Mayor Knorr stated that Attorney Moro's request came as a recommendation from the Public Safety Committee. Mayor Knorr asked A. Seamans to place Mr. Vought's request on the agenda for tomorrow's meeting at 4:15pm. Mr. Vought expressed that he would be attending.

#### APPROVAL OF RESOLUTION NO 01-03-11.01 SETTING CERTAIN FEES FOR 2011

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved Resolution No. 01-03-11.01 setting various fees for 2011 as follows:

**PURSUANT TO STREET EXCAVATIONS – ORDINANCE NO. 771:** in the streets and alleys the Permit Fee including inspection is \$100.00 per cut in addition to \$20.00 per square yard.

**THAT** the number of square yards used in the computation of fees will be based on the nearest whole square yard figure. Minimum fee to be equal to the rate for 1 square yard.

**THAT** the "Bond" required is \$5,000;

**PURSUANT TO ZONING HEARING BOARD APPLICATIONS – ORDINANCE NO. 687 & 812** the fee is \$300.00 for a variance, special exception and relief from zoning officer's decision.

#### **PURSUANT TO ZONING PERMIT FEES\* – ORDINANCE NO. 687:**

**THAT** the Residential permit fees are \$20.00 plus \$5.00 per \$1,000 up to 20,000; \$1.00 per \$1,000 over \$20,000; AND

**THAT** the Commercial permit fees are \$40.00 plus \$10.00 per \$1,000 up to \$20,000; \$2.00 per \$1,000 over \$20,000

#### ***\*ZONING PERMIT FEES ARE IN ADDITION TO ALL OTHER APPLICABLE FEES***

**PURSUANT TO ZONING ORDINANCE NO. 687 AS AMENDED** – the fee for amending the text or the zoning map is \$500.00 plus actual costs of planning consultant.

**PURSUANT TO CODE APPEAL APPLICATIONS – ORDINANCE NO. 694, 766 AND 874:** the fee is \$300.00 for relief from building code officials decision, relief from code officer's decision not to issue license [§11-104.1.J.], relief from disciplinary action by the code officer [11-105.5.A.(5)] and all other Town of Bloomsburg Ordinances to include but not limited by the current property maintenance code.

**PURSUANT TO FLOODPLAIN APPEAL APPLICATIONS – ORDINANCE NO. 913:** the fee is \$300.00.

**PURSUANT TO SOLICITATION PERMITS – ORDINANCE NO. 813:** the fee is \$100.00 (plus \$50.00 refundable deposit).

**PURSUANT TO BUILDING, SIGN, AND DEMOLITION PERMITS – ORDINANCE NO. 694:**

- THAT** Residential permit fees are \$10.00 per \$1,000 up to \$20,000; \$4.00 per \$1,000 over \$20,000; AND
- THAT** Commercial permit fees are \$12.00 per \$1,000 up to \$20,000; \$4.00 per \$1,000 over \$20,000; AND
- THAT** the processing of an application of a Certificate of Occupancy for a change of use required by the Code Office, requested by the applicant or any other occurrence not involving new construction, alterations or repairs to an existing building: the fee is \$50.00 non-refundable plus \$23.00/hour in excess of two (2) hours review time; AND
- THAT** the fee for a Demolition permit shall be calculated based on the square footage of the structure to be demolished. The rate shall be calculated at .10 dollars per square foot. Square footage shall include the sum of all stories above grade; AND
- THAT** a \$4.00 fee is added to all building permits issued as per ACT 45 of 1999 (Pennsylvania Construction Code Act) §7210.703 (a). **NOTE: This fee is assessed in accordance with Pennsylvania State law;** AND
- THAT** a minimum of \$10.00 will be retained for all withdrawn applications. This fee is for administration services. If said application has been partially or completely reviewed, the review fees also will be retained at a rate of \$22.00/hour. (*Note: All requests to withdraw an application must be in writing. Refunds will be issued within 30 days.*)

All fees collected include plan review fees; required initial inspection and one (1) required follow up inspection. If additional follow up inspections are required, an additional fee of \$25.00/inspection will be charged. **All past due fees must be paid in advance of scheduling future inspections.**

**NOTE: ALL PERMIT FEES MUST BE PAID UPON SUBMITTAL OF APPLICATION**

**PURSUANT TO SUBDIVISION AND LAND DEVELOPMENT – ORDINANCE NO. 759:**

covering general administration the fees are:

General Administration

Minor Subdivision	\$100.00 Basic Fee + \$5.00 per lot
Major Subdivision	\$200.00 Basic Fee + \$5.00 per lot
Land Development	\$150.00 Basic Fee + \$5.00 per lot or unit

**PURSUANT TO SUBDIVISION AND LAND DEVELOPMENT – ORDINANCE NO. 889:**

covering the costs of professional consultants fees the current schedule is:

<u>Engineering</u>	<u>Per Hour</u>
Principal Engineer	\$103.00
Professional Engineer	\$93.00
Engineer	\$68.00
Expert Witness and Arbitration	\$156.00
<u>Legal</u>	
Solicitor	\$100.00/\$125.00
<u>Planning Consultant</u>	
Planner	\$40.00

**PURSUANT TO REGULATED RENTAL UNIT LICENSING – ORDINANCE NO. 829:** for student housing dwelling units with two or more unrelated occupants, the fee is \$38.00 per occupant from July 1, 2010 through June 30, 2011.

**PURSUANT TO REGULATED RENTAL UNIT OCCUPANCY ORDINANCE REQUIRING PAYMENT OF A RE-INSPECTION FEE – ORDINANCE NO. 834,** the following fees will apply:

The licensing fee includes the initial inspection and one (1) follow up inspection. Any further return to re-inspect the violation corrections not completed within the stated time period, the following charges will apply:

Additional required Regulated Rental Unit inspections shall be \$25.00/dwelling unit per inspection.

**PURSUANT TO MISSED CODE ENFORCEMENT APPOINTMENTS – ORDINANCE NO. 800:** the fee is \$50.00 per dwelling unit per missed visit for regulated rental unit inspections. All other missed appointments the fee is \$50.00 an occurrence.

**PURSUANT TO THE PROCEDURE FOR HEARINGS RELATED TO APPLICATIONS FOR THE TRANSFER OF LIQUOR LICENSES AND ECONOMIC DEVELOPMENT LICENSES – ORDINANCE NO. 845:** the fee for such applications is \$600.00.

**PURSUANT TO RECYCLING FEE – ORDINANCE NO. 823:** an annual fee per unit shall be \$45.00. If paid within 60 days of the invoice date, the property owner of the unit shall receive a \$10.00 discount and shall pay \$35.00. If the Annual Fee is paid between 60 days and 90 days from the invoice date, the property owner shall pay \$45.00. If the Annual Fee is paid between 90 days and 120 days of the invoice date, a \$10.00 penalty shall be added and the property owner shall pay \$55.00.

**PURSUANT TO PAPER SHREDDING FEES –** the following fees will apply:

- Under 500 lbs. \$50.00
- 500-1000 lbs. \$75.00
- 1000-2000 lbs. \$150.00
- Over 2000 lbs. Base fee of \$150.00 + \$50.00 for next 500 lbs.
  - + \$75.00 for 2500-3000 lbs.
  - + \$150.00 for 3001-4000 lbs.

**PURSUANT TO DUMPSTER FEES – ORDINANCE NO. 722:** when a dumpster is placed on any right-of-way or portion thereof, the fee will be \$15.00 per week or any portion thereof. If placed before permission is granted, the fee will be \$50.00.

**PURSUANT TO BYOB ESTABLISHMENTS – ORDINANCE NO. 855:** an annual application fee shall be \$25.00.

**PURSUANT TO OUTDOOR SOCIAL GATHERINGS – ORDINANCE NO. 928:** the fee to accompany a permit application is \$25.00; the cash bond to cover the projected costs for police response to the premises where the regulated social gathering is to be held is \$500.00; and the cash bond to cover the cost of cleaning up the premises if the cleanup is not completed by 10:00am on the day following the regulated social gathering is \$500.00.

**PURSUANT TO ANTIQUE DEALERS AND SECOND HAND GOODS DEALER LICENSE – ORDINANCE NO. 888:** an annual application fee shall be \$25.00.

**PURSUANT TO ROAD CLOSING,** the fee will be \$25.00 per week.

**PURSUANT TO RENTAL OF METERED SPACE,** the fee will be \$10.00 per day.

**PURSUANT TO RETURNED CHECKS**, the fee will be \$20.00 per check.

**PURSUANT TO OFFENSE/INCIDENT REPORTS**, the fee will be \$20.00.

**PURSUANT TO ACCIDENT REPORTS**, the fee will be \$15.00.

**PURSUANT TO ACCIDENT DIAGRAM/RECONSTRUCTION REPORTS**, the fee will be \$10.00 plus actual cost of diagram.

**PURSUANT TO FINGERPRINTING**, the fee for Non-Criminal will be \$10.00 per card.

**PURSUANT TO REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES – ORDINANCE NO. 785**: the storage of vehicles at the Town’s impoundment facility, the fee will be \$10.00 per day.

**PURSUANT TO THE ISSUANCE OF RESIDENT PERMIT PARKING DECALS – ORDINANCE NO. 920**: the annual nonrefundable fee for the owner or such owner’s lawfully authorized designee of each residential dwelling unit shall be \$10.00 each at a maximum of two (2).

**PURSUANT TO THE ISSUANCE OF GUEST PERMIT PARKING DECAL – ORDINANCE NO. 920**: the annual nonrefundable fee for the owner or such owner’s lawfully authorized designee of each residential dwelling unit shall be \$20.00 at a maximum of one (1).

**PURSUANT TO PURCHASE OF PARKING LOT PERMIT PLACARDS – ORDINANCE NO. 802**: the fee for a six month parking lot permit placard will be \$125.00 for all parking lots except the Hoppes parking lot will be \$100.00 for six months.

**PURSUANT TO PURCHASE OF ON-STREET PERMIT PARKING PLACARDS**: the fee for a six-month permit parking placard will be \$125.00.

**PURSUANT TO PURCHASE OF STUDENT SUMMER PARKING PERMIT PLACARDS**: the fee will be \$60.00 from May 16, 2011 to August 12, 2011.

**PURSUANT TO TAX COLLECTOR PROVIDING INFORMATION RELATING TO TAX CERTIFICATIONS AND DUPLICATE BILLINGS – ORDINANCE NO. 832**: the fee will be \$5.00 per bill.

**PURSUANT TO MILEAGE**, the reimbursement is .51 cents per mile.

APPROVAL OF RESOLUTION NO. 01-03-11.02 POLICE EDUCATION AND TRAINING FOR 2011

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved Resolution No. 01-03-11.02 Police Education and Training for 2011.

APPROVAL OF RESOLUTION NO. 01-03-11.03 DRUG TASK FORCE AGREEMENT

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved Resolution No. 01-03-11.03 authorizing the Town of Bloomsburg to participate in the Columbia County Drug Task Force.

APPROVAL OF RESOLUTION NO. 01-03-11.04 POLICE PENSION CONTRIBUTION DETERMINATION

On a motion by D. Levan, seconded by K. Shepperson and voted on unanimously, Council approved Resolution No. 01-03-11.04 stating that effective December 29, 2008, the Town of Bloomsburg hereby institutes an annual contribution in the amount of 3% to the Bloomsburg Police Pension Fund as determined by the actuary in accordance with Act 600.

ADOPTION OF ORDINANCE NO. 936 – DETERMINING TO INCUR DEBT IN THE AMOUNT NOT TO EXCEED \$600,000

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council adopted Ordinance No. 936 determining to incur debt in the amount not to exceed \$600,000; determining that such debt shall be incurred as lease rental debt to be evidenced by a guaranteed construction note, series of 2010, in the principal amount not to exceed \$800,000, to be authorized and to be issued by Bloomsburg Area Joint Flood Control Authority; briefly describing the project for which said debt is to be incurred and specifying the realistic useful life of said project; authorizing and directing the Mayor of this Town and the Secretary or Assistant Secretary of this Town to prepare, verify and file, as applicable, the debt statement and other appropriate documents required by the Local Government Unit Debt Act, 53 PA. C.S. § 8001 Et Seq., as amended and supplemented, and, upon receipt of approval of the Pennsylvania Department of Community and Economic Development, to execute, attest, acknowledge and deliver, as applicable and appropriate, a guaranty agreement with respect to aforesaid guaranteed construction note; approving the form of said guaranty agreement; guaranteeing payment of a portion of the principal of and interest on aforesaid guaranteed construction note and making certain covenants with respect thereto; specifying the maximum amount of the guaranty obligations of this Town pursuant to such a guaranty agreement; pledging the full faith, credit and taxing power of this Town with respect to the A guaranty agreement; authorizing proper officers of this Town to execute all required, necessary or desirable certificates and documents in connection with said lease rental debt and the project; authorizing proper officers of this Town to take all other required, necessary or desirable action in connection with such project and the execution and delivery of said A guaranty agreement; providing for the severability of provisions of this ordinance; and providing for the repeal of all inconsistent ordinances or resolutions or parts of ordinances or resolutions contingent upon a letter of intent being received by the Bloomsburg Area Joint Flood Control Authority stating that they will only use the funds as a match for received state and/or federal funds.

ADOPTION OF ORDINANCE NO. 937 – VACATING A PORTION OF HONEYSUCKLE LANE, FORMERLY OLD COUNTRY CLUB ROAD

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council adopted Ordinance No. 937 vacating a portion of Honeysuckle Lane, formerly Old Country Club Road.

APPROVAL OF DECEMBER 13, 2010 COUNCIL MEETING MINUTES

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

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

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council approved payment of the following monthly bills and the December payroll authorization: General Fund, \$106,413.25; Debt Service Fund, \$5,986.69; Recycling Fund, \$19,508.60; Library Fund, \$3,000; Street Lighting Fund, \$12,480.07; Norris E. Rock Memorial Swimming Pool Fund, \$601.86; Capital Projects, \$16,000.00; FFY 06 CDBG Entitlement Program, \$33,470.00; FFY 09 CDBG Entitlement Program, \$5,244.50; Daycare Project, \$2,737.40; Airport Expansion Project, \$5,976.73; Liquid Fuels Fund, \$3,949.27 and the December payroll authorization in the amount of \$201,822.89.

## APPROVAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by P. Kinney, seconded by K. Shepperson and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Terry Kramarz to install outdoor receptacles, a chimney cap, bathroom vent and vinyl replacement windows at 250 Jefferson Street.

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Drue Magee to make sign improvements at 203 West Main Street.

On a motion by P. Kinney, seconded by K. Shepperson and voted on Five (5) (P. Kinney, K. Shepperson, D. Knorr, D. Levan and S. Costa voting "Yes") to Two (2) Abstentions (B. Kreisher and C. Howell "Abstaining"), and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Chris Howell to install an ADA ramp and signage at 425 Market Street.

## APPROVAL OF WAIVERS – BLOOMSBURG UNIVERSITY – ELWELL HALL ADDITION – 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 the following waivers: the minimum pipe size for drainage facilities shall be fifteen (15) inches in diameter. (806.2.A.4(2)). The applicant requests pipe sizes smaller than 15 inches in diameter. The inside radii at the intersections of Elm Alley and East Second Street show twenty (20) feet, the requirement is twenty-five (25) feet for collector streets intersecting with minor street (502.6.F (3)). The applicant requests a twenty (20) foot inside radii. The proposed drainage facilities within the street right-of-way area shall be dedicated to the town. A written agreement providing for ownership and maintenance of other facilities must be provided. (805. (2)). The applicant requests a waiver from this requirement.

## APPROVAL OF BLOOMSBURG UNIVERSITY ELWELL HALL ADDITION LAND DEVELOPMENT PLAN

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, and on the recommendation of the Planning Commission, Council approved Bloomsburg University's Elwell Hall addition land development plan.

## APPROVAL OF REPAIR OF MARY AVENUE

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council approved the repair of Mary Avenue in the amount of \$2,600 with street excavation funds.



APPROVAL OF PAYMENT NO. 2 TO WOLYNIEC CONSTRUCTION, INC. FOR THE PHASE IV  
MAIN STREET LIGHTING PROJECT

On a motion by P. Kinney, seconded by C. Howell and voted on unanimously, Council approved the payment No. 2 to Wolyniec Construction, Inc. in the amount of \$56,779.20 for the Phase IV Main Street Lighting Project.

FIRE DEPARTMENT

Chief Rupp reviewed the fire department's year-end report.

Being no further business, the meeting adjourned into Executive Session at 8:17pm and did not reconvene.

CAROL L. MAS  
Town Administrator & Secretary