

A regular meeting of Bloomsburg Town Council was held Monday, January 23, 2012, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor Daniel Knorr; Council Members Diane Levan, Sylvia Costa, W. Carey Howell, William Kreisher, Fred Trump and Eric Bower; Town Administrator Ron Mull; Director of Finance Heather Jacoby; Code Enforcement/Zoning/Planning Officer Ed Fegley; Superintendent of Public Works John Barton, Recycling Administrator Charles Fritz, Solicitor Jack Mihalik and Office Assistant Amy Seamans. Absent were Chief of Police Leo Sokoloski and Fire Chief Bob Rupp.

MAYOR'S UPDATE

Mayor Knorr reviewed upcoming meetings including the Public Hearing scheduled for January 30, 2012, at 6:00pm, related to the zoning change requests of Camplese, Hill and Gerrish.

The three Planning Commission candidates will be interviewed at the February commission meeting and a recommendation will then be forwarded to the Administrative/Finance Committee.

APPROVAL OF JANUARY 3, 2012 COUNCIL MEETING MINUTES

On a motion by F. Trump, seconded by C. Howell and voted on unanimously, Council approved the January 3, 2012 Council meeting minutes with no additions or corrections.

Oren Helbok asked for clarification on the demolition permit fee on page 2 of the Setting Various Fees Resolution that was adopted at the January 3rd Council meeting. In the resolution it states that the rate shall be calculated at .10 cents per square foot and shall not exceed \$500. Mr. Helbok wanted to know if this should be ten (10) cents per square foot because it looks like a tenth of a cent per square foot. Mayor Knorr and E. Fegley confirmed that the fee is ten (10) cents per square foot. The resolution will be corrected and placed on the February 13, 2012 agenda for approval.

APPROVAL OF ADVERTISING THE ASSISTANT CODE ENFORCEMENT OFFICER POSITION

On a motion by D. Levan, seconded by S. Costa and voted on Six (6) (D. Levan, S. Costa, D. Knorr, C. Howell, B. Kreisher and E. Bower voting "Yes") to One (1) (F. Trump voting "No"), Council approved advertising the Assistant Code Enforcement Officer position.

APPROVAL OF PAYMENT TO FIRST COLUMBIA BANK AND TRUST COMPANY FROM THE EMPLOYEES PENSION PLAN FOR QUARTERLY TRUSTEE FEES

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved payment to First Columbia Bank and Trust Company from the Employees Pension Plan in the amount of \$2,850.95 for quarterly trustee fees.

APPROVAL OF PAYMENT TO FIRST COLUMBIA BANK AND TRUST COMPANY FROM THE POLICE PENSION PLAN FOR QUARTERLY TRUSTEE FEES

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved payment to First Columbia Bank and Trust Company from the Police Pension Plan in the amount of \$3,624.63 for quarterly trustee fees.

APPROVAL OF PURCHASE OF A LASER PRINTER FROM NORTH CENTRAL DIGITAL SYSTEMS, INC.

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved the purchase of a laser printer in the amount of \$1,135 from North Central Digital Systems, Inc. for the finance office.

ACCEPTANCE OF 2011 DUPLICATE COLLECTION REPORT FROM MARY F. WARD, TAX COLLECTOR

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council accepted the official report from Mary F. Ward, Tax Collector covering 2011 Town of Bloomsburg duplicate collections for the period ending December 31, 2011 in the amount of \$1,242,198.53.

ACCEPTANCE OF 2011 INTERIM DUPLICATE COLLECTION REPORT FROM MARY F. WARD, TAX COLLECTOR

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council accepted the official report from Mary F. Ward, Tax Collector covering 2011 Town of Bloomsburg interim duplicate collections for the period ending December 31, 2011 in the amount of \$2,997.78.

APPROVAL OF PROPOSAL FROM HUMMEL ROOFING TO INSULATE LOWER PORTION OF TWO ROOMS AT THE RECYCLING CENTER

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved a proposal from Hummel Roofing to insulate the lower sections of two rooms at the Recycling Center with closed cell insulation in the amount of \$9,850.

APPROVAL OF PAYMENT TO PETERS CONSULTANTS, INC. FOR ENGINEERING SERVICES OF THE PHASE V STREET LIGHTING PROJECT WITH CDBG FUNDS

On a motion by S. Costa, seconded by C. Howell and voted on unanimously, Council approved payment to Peters Consultants, Inc. in the amount of \$836.25 for engineering services of the Phase V Street Lighting Project with CDBG funds.

APPROVAL OF PAYMENT TO PETERS CONSULTANTS, INC. FOR ENGINEERING SERVICES OF THE PHASE V STREET LIGHTING PROJECT WITH CDBG FUNDS

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved payment to Peters Consultants, Inc. in the amount of \$2,021.25 for engineering services of the Phase V Street Lighting Project with CDBG funds.

DENIAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by D. Levan, seconded by D. Knorr and voted on unanimously, Council denied the recommendation of the Historic Architectural Review Board to approve a Certificate of Appropriateness for David Prior to do exterior renovations at 232 Jefferson Street because the applicant did not submit any drawings or was present at this meeting to answer questions.

APPROVAL OF LEROY AND MARY JO YOCUM NINTH STREET TOWNHOUSES SUBDIVISION AND LAND DEVELOPMENT PLAN WITH CONTINGENCIES

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved Leroy and Mary Jo Yocum's Ninth Street townhouses subdivision and land development plan contingent upon the following conditions being met:

Subdivision and Land Development Requirements:

- The 'Certificate of Ownership and Acknowledgment of Subdivision /Land Development Plans' statement provided on the title page shall be signed and notarized. [404.B.1.a.7, 404.B.1.a.8 and 404.D.1.a.5];
- A sewage facilities planning module must be approved by the PA DEP. A copy of the approval letter shall be provided. [404.B.2.g and 404.D.1.a.2.f];
- An easement shall be provided for the proposed water line through Lot No's. 1 to 8. [505.1] Note 20 has been added to the Title Sheet stating that a 'Homeowners Agreement' will be submitted listing all easements and maintenance responsibilities. A copy of this document shall be provided for review by the Town Solicitor;
- Proposed Lot No's. 2 thru 8 do not abut a street. [507.2.A] The applicant has responded that the proposed access drive is a "common drive" and will be a "cross easement area". This access easement shall be described within the 'Homeowners Agreement' as stated in Note 20 on the Title Sheet. A copy of this document shall be provided for review by the Town Solicitor and the applicant shall either provide for the dedication of the proposed drainage facilities within the Ninth Street right-of-way or provide an agreement stating ownership and maintenance of these facilities. [805]. The applicant has indicated these facilities are to be dedicated to the Town. The applicant shall provide a payment for annual maintenance of those facilities.

THIRD STREET LUXURY HOUSING – SOLICITOR OPINION DISCUSSION

Mayor Knorr read an opinion from Solicitor Mihalik addressing Steve Coladonato’s concerns with regard to the issuance of a zoning permit for the Third Street Luxury Housing development. He questioned the propriety of issuing the permit because the first floor of the structure is a parking lot with the upper floors being used for student housing.

APPROVAL OF WAIVER – MATT ZOPPETTI AND SANTE D’AMBROSIO - THIRD STREET LUXURY HOUSING – LAND DEVELOPMENT

On a motion by D. Levan, seconded by B. Kreisher and voted on unanimously, Council approved the following waiver for the Third Street Luxury Housing land development:

- the eastern proposed access drive onto Third Street is located closer than ten (10) feet to an existing fire hydrant. [502.10.J].

APPROVAL OF WAIVER – MATT ZOPPETTI AND SANTE D’AMBROSIO - THIRD STREET LUXURY HOUSING – LAND DEVELOPMENT

On a motion by S. Costa, seconded by F. Trump and voted on unanimously, Council approved the following waiver for the Third Street Luxury Housing land development:

- monuments and markers shall be set. [702].

APPROVAL OF MODIFICATION – MATT ZOPPETTI AND SANTE D’AMBROSIO - THIRD STREET LUXURY HOUSING – LAND DEVELOPMENT

On a motion by D. Levan, seconded by B. Kreisher and voted on unanimously, Council approve the following modification for the Third Street Luxury Housing land development:

- The western proposed access drive onto Third Street is located closer than forty (40) feet to the intersection of Whiteman Alley and Third Street right-of-way lines. [502.10.G]. The applicant has requested a modification to allow for eighteen (18) feet.

APPROVAL OF MODIFICATION – MATT ZOPPETTI AND SANTE D’AMBROSIO - THIRD STREET LUXURY HOUSING – LAND DEVELOPMENT

On a motion by D. Levan, seconded by B. Kreisher and voted on Five (5) (D. Levan, B. Kreisher, D. Knorr, S. Costa and E. Bower voting “Yes”) to Two (2) (C. Howell and F. Trump voting “No”), Council approve the following modification for the Third Street Luxury Housing land development:

- The aisle widths through the proposed parking lot shall be twenty-four (24) feet wide. [607.3.D.1] The applicant has requested a modification to allow an aisle width of twenty-two (22) feet.

APPROVAL OF MATT ZOPPETTI AND SANTE D’AMBROSIO THIRD STREET LUXURY HOUSING LAND DEVELOPMENT PLAN WITH CONTINGENCIES

On a motion by B. Kreisher, seconded by D. Levan and voted on Five (5) (B. Kreisher, D. Levan, D. Knorr, S. Costa and E. Bower voting “Yes”) to Two (2) (C. Howell and F. Trump voting “No”), Council approved Matt Zoppetti and Sante D’Ambrosio’s Third Street Luxury Housing land development plan contingent upon the following conditions being met:

- A sewage facilities planning module must be approved by the PA DEP. A copy of the approval letter shall be provided. [404.B.2.g and 404.D.1.a.2.f];
- Financial security must be provided for all proposed site improvements. A construction cost estimate dated December 29, 2011 in the amount of \$40,700, prepared by G.M. Crawford, Inc. has been provided. An accessible sign, wall mounted lights, and a 10% contingency has been added to the estimate for a total of \$47,300 required for financial security for this project.[404.C];
- Easements shall be provided for the existing four (4) inch PVC drainage pipes that run through the lot. A copy of the easement document has been provided and is pending approval by the Town Solicitor. [505.1];
- Large parking lots of ten (10) or more spaces shall submit a lighting plan for review. A lighting plan has been submitted and is pending approval by the Town Engineer. [607.3.E.4] The proposed parking aisle layout connects to and is aligned with the existing parking area to the north of the Third Street Luxury Housing, LLC.

- An easement agreement and maintenance agreement shall be provided between the applicant and the Pine Avenue Luxury Housing, LLC giving both parties the right to cross the shared property line and utilize the access aisles. A copy of the agreement has been provided for review and approval by the Town Solicitor.

The meeting adjourned into Executive Session at 8:51pm and reconvened at 9:17pm.

APPROVAL OF PURCHASING A CELLULAR PHONE WITH DATA PLAN FOR RON MULL, TOWN ADMINISTRATOR

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved purchasing a cellular phone with data plan for Ron Mull, Town Administrator.

With no further business, the meeting adjourned at 9:19pm.

RONALD J. MULL
Town Administrator & Secretary