

A regular meeting of Bloomsburg Town Council was held Monday, January 27, 2014, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor Sandy Davis; Council Members W. Carey Howell, Diane Levan, Sylvia Costa, Bill Kreisher, Fred Trump and Eric Bower; Town Administrator William Lowthert; Assistant Town Administrator Lauren Martz; Code Enforcement & Zoning Administrator Ed Fegley; Chief of Police Roger Van Loan; Environmental Services Administrator Charles Fritz and Administrative Assistant Amy Seamans. Absent were Director of Finance Lisa Laboskie; Superintendent of Public Works John Barton; Fire Chief Bob Rupp and Solicitor Jack Mihalik.

PROCLAMATION – CATHOLIC SCHOOLS WEEK

Mayor Davis proclaimed the week of January 26 through February 1, 2014, as Catholic Schools Week in the Town of Bloomsburg and presented a proclamation to St. Columbia Catholic School Principal Nancy Sheehan-Becker.

ADOPTION OF RESOLUTION NO. 01-27-14.01 – READOPTING A POLICY PROTECTING INDIVIDUALS ENGAGED IN NONVIOLENT CIVIL RIGHTS DEMONSTRATIONS

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council adopted Resolution No. 01-27-14.01 readopting a policy protecting individuals engaged in nonviolent civil rights demonstrations.

APPROVAL OF KIDSBURG 2.0 FINAL DESIGN AND BUILD DATE

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council approved the final design of Kidsburg 2.0, the pre-build date on April 25-27, 2014 and the Community Build date on April 29-May 4, 2014. Chuck Wagner noted that all of the funding is in place and the Bloomsburg Town Park Improvement Association has \$25,000 set aside if something should arise during the build.

CITIZEN TO BE HEARD – DOLORES BAUCHSPIES

Dolores Bauchspies, 637 West Main Street, expressed that there needs to be a humane control officer. She showed a copy of an article and photo that was in the Press Enterprise concerning the abuse of a pit bull to Town Council. She followed up on this story and found that the dog was returned to the owner. Right now there is no control officer dealing with these cases. It makes her sick to see this abuse and knows that there is nothing happening to make it change. She feels the surrounding counties also need to help fund an officer.

B. Kreisher suggests this issue be sent to the Community and Economic Development Committee so they can develop a proposal for Columbia and Montour Counties to fund an officer to enforce the laws that are already on the books. He also stated that the former animal control officer is a current employee at the prison.

APPROVAL OF CDBG-DR CONTRACT FROM DCED

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved a CDBG-DR contract from DCED for the removal and replacement of the sidewalks and the removal of driveways in the 900 block of West Main Street, flood improvements in the Port Noble area and the rerouting of Snyder's Run from under the Autoneum facility to Railroad Street.

APPROVAL OF CHANGING THE AIRPORT TERMINAL BUILDING CDBG-DR PROJECT SUMMARY BENEFIT FROM LOW TO MODERATE INCOME TO URGENT NEED

On a motion by B. Kreisher, seconded by F. Trump and voted on unanimously, Council approved changing the Airport Terminal Building CDBG-DR Project summary benefit from low to moderate income to urgent need. Tyler Dombroski of SEDA-COG explained that DCED would not approve the project under a low to moderate benefit and urged the Town to resubmit it under urgent need.

COLUMBIA COUNTY FLOOD CONTROL PROJECT UPDATE

Bill Seigel of SEDA-COG reported that there will be a public meeting tomorrow night at 7:00 p.m. in the Bloomsburg High School cafeteria to give an update on the Columbia County Flood Control Project.

CITIZEN TO BE HEARD – DAVID RUTKOWSKI

David Rutkowski, 156 W. Fourth Street, read the following prepared statement:

As the noise pollution from the Autoneum Factory continues to be disturbing I am here again to address the town council and ask for assistance with this issue. I would like to first explain what I have been told and then ask for your response. To begin with, I have been informed that the police are unable to enforce the general noise nuisance code ordinance as in Chapter 10-Part 11, Excessive Noise 10-201 because the code specifically excludes nonconforming uses by industry in the industrial zoning districts. (Ord 881, 1/24/2005, 10-205, Exception C). Also I was told the code/zoning office has not enforced the code because it does not have the expertise nor the equipment to do the measurements necessary for enforcement.

The affected town residents have currently no means of code protection from the noise pollution emanating for the Autoneum Factory. I urge the Town Mayor and the Town Council to work with the Autoneum to bring about a solution for the continuing problem. I am requesting updates from the Town Council as an agenda item in all its next meetings until this issue is resolved. In addition, to avoid similar-situations in the future, a revision of the industrial noise code is urgently needed to update it with the help of an expert in order to insure that it will be protective and enforceable.

Mayor Davis reported that Council met with Autoneum after the last Council meeting and assured Mr. Rutkowski that Autoneum is taking it seriously and are just as frustrated. Initially they thought the noise was coming from a silo. After they put a muffler on it, the noise persisted and they kept looking for the problem. A specialist identified the noise as coming from an area where exhaust from production lines exists under a canopy that amplifies the noise. The specialist installed a trial muffler and lowered the noise level by 20 dba. Autoneum has requested funding from their headquarters for three custom made mufflers and hope by mid to late March to have the matter resolved.

APPROVAL OF JANUARY 6, 2014 COUNCIL MEETING MINUTES

On a motion by F. Trump, seconded by B. Kreisher and voted on unanimously, Council approved the January 6, 2014 Council meeting minutes with no additions or corrections.

APPROVAL OF PAYMENT TO EZ STORAGE FOR ANNUAL STORAGE RENTAL

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved payment to EZ Storage in the amount of \$839.88 for the annual storage rental.

APPOINTMENT OF W. CAREY HOWELL TO THE BLOOMSBURG MUNICIPAL AUTHORITY BOARD

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council appointed W. Carey Howell to the Bloomsburg Municipal Authority Board with a term expiring on December 31, 2015.

APPOINTMENT OF TODD DAVIS TO THE CIVIL SERVICE COMMISSION

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council appointed Todd Davis to the Civil Service Commission with a term expiring on December 31, 2015.

ACCEPTANCE OF 2013 DUPLICATE COLLECTION REPORT FROM MARY F. WARD, TAX COLLECTOR

On a motion by S. Costa, seconded by F. Trump and voted on unanimously, Council accepted the official report from Mary F. Ward, Tax Collector covering 2013 Town of Bloomsburg duplicate collections for the period ending December 31, 2013 in the amount of \$1,246,761.08.

ACCEPTANCE OF 2013 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 2013 Town of Bloomsburg interim duplicate collections for the period ending December 31, 2013 in the amount of \$4,497.46.

APPROVAL OF PAYMENT TO FIRST COLUMBIA BANK AND TRUST CO. FROM THE POLICE PENSION PLAN AND EMPLOYEES PENSION PLAN FOR FOURTH QUARTER TRUSTEE FEES

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to First Columbia Bank and Trust Co. from the Police Pension Plan in the amount of \$4,013.24 and \$3,291.86 from the Employees Pension Plan for fourth quarter trustee fees.

APPROVAL OF ADDITION TO TOWN VENDOR LIST

On a motion by F. Trump, seconded by C. Howell and voted on unanimously, Council approved the addition of Susquehanna Valley Medical Services, Great Lake Power Products, American Technology Systems, Inc., Harry's Sporting Goods, Micro Survey Software Systems, and Work Place Health to the 2014 town vendor list.

APPROVAL OF REPAIRS TO THE BEAST GRINDER

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved repairs to the Beast grinder in the amount of \$16,429.83.

APPROVAL OF ADVERTISING A PART-TIME RECYCLING CENTER LABORER POSITION

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved advertising a part-time Recycling Center laborer position.

APPROVAL OF THE PURCHASE OF CURBSIDE GUIDELINE BROCHURES FROM BIRD PRINTING

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved the purchase of curbside guideline brochures in the amount of \$918 from Bird Printing.

APPROVAL OF WAIVER – AUTONEUM NORTH AMERICA – LAND DEVELOPMENT PLAN – WEST FIFTH STREET

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, and on the recommendation of the Planning Commission, Council approved a waiver from submitting an Erosion and Sedimentation Control Plan [Sec. 22-508].

APPROVAL OF WAIVER – AUTONEUM NORTH AMERICA – LAND DEVELOPMENT PLAN – WEST FIFTH STREET

On a motion by F. Trump, seconded by C. Howell and voted on Six (6) (F. Trump, C. Howell, S. Davis, S. Costa, B. Kreisher and E. Bower voting "Yes") to One (1) (D. Levan voting "No"), and on the recommendation of the Planning Commission, Council approved a waiver from submitting a Stormwater Management Analysis [Sec. 22-509 Part 8].

APPROVAL OF AUTONEUM NORTH AMERICA LAND DEVELOPMENT PLAN WITH CONTINGENCIES

On a motion by D. Levan, seconded by B. Kreisher and voted on unanimously, and on the recommendation of the Planning Commission, Council approved Autoneum North America land development plan for Building No. 20 contingent upon the following conditions being met: the surveyor's certification statement provided on Sheet 1 shall be signed by the plan preparer [Sec. 22-403.1.A.2.o] and a note shall be added to Sheet 1 of the plan indicating the variance granted from the flood plain regulations with regard to the Building #20 addition, sighting section [Section 8-403.2.A and Sec. 8-403.2.B], a description of the request and the date the variance was granted.

APPROVAL OF FUNDING UP TO THREE PLANNING COMMISSION MEMBERS ATTENDANCE AT A FLOODPLAIN COURSE

On a motion by C. Howell, seconded by B. Kreisher and voted on unanimously, Council approved funding up to three Planning Commission members attendance at a floodplain course on March 24-27, 2014, in State College.

APPROVAL OF WITHDRAWING REQUEST TO REZONE A PORTION OF THIRD STREET FROM COMMERCIAL TO RESIDENTIAL URBAN

On a motion by B. Kreisher, seconded by E. Bower and voted on Six (6) (B. Kreisher, E. Bower, C. Howell, D. Levan, S. Costa and F. Trump voting “Yes”) to One (1) Abstention (S. Davis “Abstaining”), Council approved withdrawing the request to rezone a portion of Third Street from Commercial to Residential Urban.

EXECUTIVE SESSION

Mayor Davis adjourned the meeting into Executive Session at 8:20 p.m. to discuss the Ronald Jumper litigation case and reconvened at 9:01 p.m.

APPROVAL OF SETTLEMENT AGREEMENT WITH RONALD JUMPER

On a motion by B. Kreisher, seconded by D. Levan and voted on unanimously, Council approved a settlement agreement with Ronald Jumper concerning the federal lawsuit he filed against the Town of Bloomsburg.

Being no further business, the meeting adjourned at 9:03 a.m.

WILLIAM LOWTHERT
Town Administrator and Secretary