

A regular meeting of Bloomsburg Town Council was held Monday, February 9, 2015, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor Sandy Davis, Council Members Diane Levan, Sylvia Costa, William Kreisher, Fred Trump, W. Carey Howell, and Eric Bower; Town Administrator William Lowthert; Assistant Town Administrator Lauren Martz; Code Enforcement Officer III Ed Fegley; Sergeant Leonard Rogutski, Superintendent of Public Works John Barton; Solicitor Jack Mihalik; Director of Finance Lisa Laboskie, and Fire Chief Bob Rupp. Absent were; Chief of Police Roger Van Loan and Environmental Services Coordinator Charles Fritz.

CHECK PRESENTATION

Mayor Davis and Town Council presented Downtown Bloomsburg Inc. with a check for \$25,000 to be put towards the Strategic Plan for Downtown Bloomsburg.

APPROVAL OF JANUARY 26, 2015 COUNCIL MEETING MINUTES

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved the January 26, 2015 Council meeting minutes with no additions or corrections.

APPROVAL OF PAYMENT OF MONTHLY BILLS AND JANUARY PAYROLL AUTHORIZATION

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved payment of the following monthly bills and the January payroll authorization: General Fund, \$185,426.51; Debt Service Fund, \$18,528.28; Recycling Fund, \$9,334.32; Street Lighting Fund, \$6,643.22; Fire Fund, \$5,725.76; Day Care Project, \$2,617.63; and the January payroll authorization in the amount of \$232,173.54.

APPROVAL OF PAYMENT TO SEDA-COG FOR ADMINISTRATION OF FFY 2011 CDBG ENTITLEMENT

On a motion by B. Kreisher, seconded by D. Levan and voted on unanimously, Council approved payment to SEDA-COG in the amount of \$1,730.00 for the Administration of the Town's FFY 2011 CDBG Entitlement Program.

APPROVAL OF PAYMENT TO SEDA-COG FOR ADMINISTRATION OF FFY 2012 CDBG ENTITLEMENT

On a motion by B. Kreisher, seconded by D. Levan and voted on unanimously, Council approved payment to SEDA-COG in the amount of \$3,298.56 for the Administration of the Town's FFY 2012 CDBG Entitlement Program.

APPROVAL OF ADVERTISING AN ORDINANCE TO AMEND REGULATIONS RELATING TO UNMETERED PARKING AND IMMOBILIZATION OF PARKED VEHICLES

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved advertising an Ordinance amending certain sections of the motor vehicle and traffic regulations, as set forth in Chapter 15 of the Code of Ordinances relating to traffic regulations, unmetered parking and immobilization of illegally parked vehicles.

APPROVAL OF SERGEANT BALON ATTENDING TRAINING COURSE

On a motion by C. Howell, seconded by F. Trump and voted on unanimously, Council approved a request from Sergeant Charles Balon to attend a law enforcement executive development training course from June 7-12, 2015.

APPROVAL OF ENDING THE PROBATIONARY PERIOD OF MARK HILEMAN

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved ending the probationary period of Recycling Department driver Mark Hileman effective February 11, 2015.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by C. Howell, seconded by E. Bower and voted on unanimously and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Cellco Partnerships d/b/a Verizon Wireless to install an antenna at 5 West Third Street.

On a motion by C. Howell, seconded by B. Kreisher and voted on unanimously and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Ed Sabo to demolish a garage at 364 East Street.

On a motion by S. Costa, seconded by C. Howell and voted on unanimously and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Mary Howe to install a handrail at 336 East Street.

On a motion by B. Kreisher, seconded by E. Bower and voted on unanimously and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Joe Gushen/Aaron Rush to remove an awning and install signage at 34 East Main Street.

On a motion by B. Kreisher, seconded by C. Howell and voted on unanimously and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Liangfu Chen to replace windows and entry doors at 129-131 Oyer Avenue.

On a motion by F. Trump, seconded by C. Howell and voted on unanimously and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Caldwell Consistory to demolish a garage at 150 Market Street.

DENIAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by D. Levan, seconded by C. Howell and voted on Four (4) (F. Trump, D. Levan, S. Davis, and C. Howell voting “Yes”) to Three (3) (S. Costa, B. Kreisher, and E. Bower voting “No”), and on the recommendation of the Historic Architectural Review Board, Council approved denying a Certificate of Appropriateness for John Shuman to install vinyl siding at 240 East Fourth Street.

APPROVAL OF BLOOMSBURG UNIVERSITY ELWELL HALL SUB-BASEMENT MAIL ROOM RELOCATION LAND DEVELOPMENT PLAN

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved the following waiver: the affected property deed reference shall be indicated on the plan. [Sec. 22-403.1.A.(2)(k)].

On a motion by D. Levan, seconded by B. Kreisher and voted on unanimously, Council approved the following waiver: a professional engineer’s statement shall be provided on the plan and signed and sealed. [Sec. 22-403.1.A.(2)(o)].]].

On a motion by D. Levan, seconded by B. Kreisher and voted on unanimously, Council approved the following waiver: the professional land surveyor’s statement provided on sheet CS-1.0b shall be signed and sealed. [Sec. 22-403.1.A.(2)(o) and Exhibit I].

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved the following waiver: easements shall be provided for drainage facilities. [Sec. 22-505.1. and Sec. 22-505.1.A.].

On a motion by S. Costa, seconded by C. Howell and voted on unanimously, Council approved the following waiver: monuments and markers shall be set as required. [Sec. 22-702.].

On a motion by B. Kreisher, seconded by C. Howell and voted on unanimously, Council approved the plan contingent upon the following conditions being met: the revised plan as submitted on January 22, 2015, must obtain a favorable review by Carbon Engineering.

APPROVAL OF AAA STUDENT HOUSING LAND DEVELOPMENT PLAN WITH CONTINGENCIES

On a motion by B. Kreisher, seconded by F. Trump and voted on unanimously, Council approved AAA Student Housing's land development plan contingent upon the following items being met and a letter of acceptance of these conditions must be received by the Code Enforcement Office within fifteen (15) days of the date of the letter or the application will automatically be denied: Financial security shall be provided for all proposed site improvements. A construction cost estimate shall be submitted. [Sec. 22-403.1.A. and Sec. 22-404.C.]; The 'Certificate of Ownership, Offer of Dedication and Acknowledgement of Incorporation/Land Development Plans' shall be signed by the Owner and notarized. [Sec. 22-403.1.A.(2)(s) and Sec. 22-403.1.A.(2)(t)]; A sewage facilities planning module exemption from the PA DEP must be obtained for the proposed connection to the existing sanitary sewer system. A copy of the approval letter from the PA DEP shall be provided. [Sec. 22-403.1.A.(2)(w)]; Details for the proposed retaining walls should be provided on the plan, and Note # 2 under the 'Certificate of Ownership, Offer of Dedication and Acknowledgement of Incorporation/Land Development Plans' states that the portion of the proposed storm sewer system within the Glen Avenue right-of-way is to be dedicated to the Town. An amount to provide for sufficient interest income per year to cover the annual cost of maintenance of the facilities shall be provided by the Applicant. Please note, however, that for this project, the facilities are only ten (10) linear feet of 15" pipe. [Sec. 22-805.A.] The applicant has agreed to install a manhole in the street to allow for maintenance of the pipe. The planning commission requests that John Barton approve this item.

APPROVAL OF UNITED WATER PA NEW TREATMENT PLANT LAND DEVELOPMENT TIME EXTENSION

On a motion by S. Costa, seconded by D. Levan and voted on Six (6) (F. Trump, D. Levan, S. Davis, C. Howell, S. Costa, and E. Bower voting "Yes") to One (1) (B. Kreisher voting "No"), Council approved the recommendation to approve an additional sixty (60) day time extension to the conditional approval of October 13, 2014.

APPROVAL OF PAYMENT TO ARCH CENTRAL ARCHITECTS, INC FOR SERVICES THROUGH 11/20/14 FOR THE AIRPORT TERMINAL BUILDING PROJECT

On a motion by B. Kreisher, seconded by S. Costa and voted on unanimously, Council approved payment to Arch Central Architects, Inc. in the amount of \$5,077.17 for architectural services of the Bloomsburg Municipal Airport Terminal Building Project through 11/20/14.

APPROVAL OF PAYMENT TO ARCH CENTRAL ARCHITECTS, INC FOR SERVICES THROUGH 12/31/14 FOR THE AIRPORT TERMINAL BUILDING PROJECT

On a motion by B. Kreisher, seconded by F. Trump and voted on unanimously, Council approved payment to Arch Central Architects, Inc. in the amount of \$2,750 for architectural services of the Bloomsburg Municipal Airport Terminal Building Project through 12/31/14.

APPROVAL OF PAYMENT TO LARSON DESIGN GROUP, INC FOR SERVICES THROUGH 1/24/15 FOR THE ARLE GRANT PROJECT

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to Larson Design Group, Inc. in the amount of \$2,000 for professional services of the ARLE Grant Project through 01/24/15.

APPROVAL OF ADVERTISING AN ORDINANCE AMENDING REGULATIONS FOR OUTDOOR SOCIAL GATHERINGS

On a motion by D. Levan, seconded by E. Bower and voted on Six (6) (F. Trump, D. Levan, S. Davis, C. Howell, S. Costa, and E. Bower voting "Yes") to One (1) (B. Kreisher voting "No"), Council approved advertising an Ordinance Amending Chapter 13, Part 4 of the Code of Ordinances regulating outdoor social gatherings.

DOWNTOWN MANAGER REPORT

Adrienne Mael gave the Downtown Bloomsburg, Inc. update which included information about

the Destination Blues event that was held in Bloomsburg, Berwick, and Danville February 6, 7, and 8th which was heavily attended and well received by all three communities.

CITIZEN TO BE HEARD

Anace Ahmed, 81 Iron Street 1A, would like to know which areas will be permitted zones for the parties. He has hosted large parties for years on East Street, has had licensed security at the event, and has not had any problems in the past. He would like to work with the Town of Bloomsburg to ensure it will be a safe event and will comply with any taxes as necessary.

Solicitor Mihalik, the Zoning Ordinance has also been in place in addition to the Social Gathering Ordinance and these parties are not an accessory use to residential property.

Mayor Sandy Davis, stated that licensed security will need to be provided and that charging fees for admission is a commercial activity, rather than a residential property. She also clarified the meaning of adjacent properties.

Bill Kreisher, is concerned that amending the Ordinance will concentrate the large parties into the Commercial District.

Chanty Gbaye, 81 Iron Street 1A, wanted to know if there were any documented issues at the East Street party last year.

Eric Bower, stated that the residents of Bloomsburg do not want to put up with these parties any more.

Dana Kruleski, 254 West Main Street, concerned that landlords will be held responsible for their tenants who are having parties that they did not allow at their properties, but occur anyways.

Sergeant Leonard Rogutski, stated that the Bloomsburg Police Department works diligently to go after the people who are causing the problem and will work with landlords to the best of their ability.

Chuck Wagner, indicated that not all residents are against Block Party.

Tom Culligan, 231 East Street, explained that their party does not furnish any alcohol to anyone attending their event so how could they be held responsible for issues of unruly attendees.

Jim Hollister, Bloomsburg University, stated that the University's number one priority is student safety and that they will continue to work on this issue with the Town.

Dan Slotterback, 25 Michel Drive, is concerned about landlords being held responsible for gatherings being held at their property without their permission.

Vince DeMelfi, 241 West Main Street, stated that maximum occupancy is already included in lease agreements of student rentals.

Doug Chiado, 101 Arbutus Park Road, is concerned about the \$25,000 which was given to Downtown Bloomsburg, Inc. to put towards the development of the Downtown Strategic Plan. He stated that Town Council needs to create an environment for business with low regulation and taxing. He also stated that he believes the Downtown Strategic Plan will not be successful.

Oren Helbok, 705 E. Fifth Street, explained that Downtown Bloomsburg, Inc. has been granted funding in the past from Town Council to cover general operations. DBI asked that the general operation funding be put towards the strategic plan for this year instead.

Being no further business, the meeting adjourned at 8:41 p.m.

William Lowthert
Town Administrator/Secretary