

A Public Hearing of Bloomsburg Town Council was held Monday, February 10, 2014, beginning at 6:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor Sandy Davis; Council Members W. Carey Howell, Sylvia Costa, Bill Kreisher, Fred Trump and Eric Bower; Town Administrator William Lowthert; Assistant Town Administrator Lauren Martz; Code Enforcement & Zoning Administrator Ed Fegley; Code Enforcement Officer Kyle Bauman; Solicitor Jack Mihalik and Administrative Assistant Amy Seamans. Absent was Council Member Diane Levan.

Mayor Davis stated the purpose of this informational Public Hearing is to take public comment regarding proposed amendments to Ordinance No. 931 which established a Business Campus (BC) Zoning District and establishing regulations regarding signage in the BC District.

Matt Zoppetti, President of Bloomsburg Industrial Ventures, stated that the first ordinance change he had requested was to increase the building height in the BC District to 65 feet. He noted that this is the same height as buildings in the Commercial District but less than 80 feet in the Industrial Park District which this land used to be zoned. The second request allows the flexibility of not having parking on the principle lot and Mr. Zoppetti gave a couple of examples. The third amendment is to add business identification signs to the BC District. Mr. Zoppetti stated that this was mistakenly forgotten when the ordinance was originally written. He feels the simplest way to do this is to have the same requirements that preexisted when it was zoned I-P. He went on to state that all these extra paragraphs in the proposed ordinance amendment are not needed and is not what he requested. Mr. Zoppetti questioned his business partner, Sante D'Ambrosio, who concurred with his statements.

Mayor Davis expressed that this ordinance amendment is the best way for Mr. Groshek to obtain a sign permit for his business located at this location and anything else would have to be studied by the Planning Commission.

Steve Coladonato, 210 West Third Street, questioned if Council really intends to have no setbacks required for interior lots as stated in the ordinance amendment under number 3. He compared this to the building that Mr. Zoppetti built at the corner of First and Iron Streets. Joe Martarano agreed with Mr. Coladonato.

E. Fegley suggested changing the word "setbacks" to "side yard".

Hearing no further public comment, the Public Hearing closed at 6:59 p.m.

A regular meeting of Bloomsburg Town Council was held Monday, February 10, 2014, beginning at 7:07 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor Sandy Davis; Council Members W. Carey Howell, Sylvia Costa, Bill Kreisher, Fred Trump and Eric Bower; Town Administrator William Lowthert; Assistant Town Administrator Lauren Martz; Code Enforcement & Zoning Administrator Ed Fegley; Code Enforcement Officer Kyle Bauman; Chief of Police Roger Van Loan; Superintendent of Public Works John Barton; Environmental Services Administrator Charles Fritz; Fire Chief Bob Rupp; Solicitor Jack Mihalik and Administrative Assistant Amy Seamans. Absent were Council Member Diane Levan and Director of Finance Lisa Laboskie.

**ADOPTION OF ORDINANCE NO. 952 – AMENDING ORDINANCE NO. 931 WHICH ESTABLISHED A BUSINESS CAMPUS ZONING DISTRICT IN THE TOWN OF BLOOMSBURG, AND ESTABLISHING REGULATIONS REGARDING SIGNAGE IN THE BUSINESS CAMPUS ZONING DISTRICT**

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council adopted Ordinance No. 952 amending Ordinance No. 931 which established a Business Campus Zoning District in the Town of Bloomsburg, and establishing regulations regarding signage in the Business Campus Zoning District.

**APPROVAL OF COLUMBIA-MONTOUR BOY SCOUTS OF AMERICA TO HOLD CAMPOREE AT THE BLOOMSBURG MUNICIPAL AIRPORT**

On a motion by C. Howell, seconded by F. Trump and voted on unanimously, Council approved the Columbia-Montour Boy Scouts of America to hold a Camporee at the Bloomsburg Municipal Airport on May 2-4, 2014.

#### **APPROVAL OF JANUARY 27, 2014 COUNCIL MEETING MINUTES**

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved the January 27, 2014 Council meeting minutes with no additions or corrections.

#### **APPROVAL OF PAYMENT OF MONTHLY BILLS AND JANUARY PAYROLL AUTHORIZATION**

On a motion by C. Howell, seconded by E. Bower and voted on unanimously, Council approved payment of the following monthly bills and the January payroll authorization: General Fund, \$210,791.90; Debt Service Fund, \$5,986.69; Recycling Fund, \$37,400.72; Library Fund, \$6,621.50; Street Lighting Fund, \$10,033.96; Norris E. Rock Memorial Swimming Pool Fund, \$33.71; FFY 12 CDBG Program, \$7,642.20; Day Care Project, \$2,737.40; Liquid Fuels Fund, \$5,949.84 and the January payroll authorization in the amount of \$275,612.45.

#### **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 Pay McCarthy Productions, Inc., and Northeast PA Chief of Police Association to the 2014 town vendor list.

#### **APPROVAL OF THE PURCHASE OF NINE OLYMPUS VG 160 DIGITAL CAMERAS WITH LCB GRANT**

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved the purchase of nine (9) Olympus VG 160 digital cameras in the amount of \$982 with LCB grant funds.

#### **APPROVAL OF CERTIFICATE OF APPROPRIATENESS**

On a motion by S. Costa, 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 Betsy Hancock to remove a ramp and repair the steps at the front of the structure located at **21 East Fifth Street**.

On a motion by F. Trump, 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 Thanh Le to install a full glass panel storm door over the existing entry door and install a 3 foot high by 12 foot long painted aluminum sign on the structure located at **261 West Main 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 Thanh Le to replace the porch floor with 5 ½ inch Trex boards with a groove cut down the middle to imitate the look of individual 2 ½ board; retain and repaint all railings and trim around the porch; replace all windows in the structure with the exception of three windows that have stained glass with one over one double hung; repair and repaint all window trim; replace seven entry doors with nine light half glass steel entry doors and replace the gutters with a U style gutter system at **135-137-139 East Fourth Street**.

#### **APPROVAL OF BID FROM DAVE EVANS DISPOSAL SERVICES FOR TOWN FACILITY SOLID WASTE AND REFUSE REMOVAL FOR THREE YEARS**

On a motion by F. Trump, seconded by B. Kreisher and voted on unanimously, Council accepted the bid from Dave Evans Disposal Services in the amount of \$27,885 for Town facility solid waste and refuse removal from March 1, 2014 through February 28, 2017.

#### **APPROVAL OF CHARLES FRITZ ATTENDANCE AT ANNUAL PROP CONFERENCE**

On a motion by S. Costa, seconded C. Howell and voted on unanimously, Council approved Charles Fritz to attend the annual PROP Conference on July 22-25, 2104 in Washington, PA.

**APPROVAL OF A PROFESSIONAL ENGINEERING PROPOSAL FROM LARSON DESIGN GROUP, INC. FOR THE CDBG-DR 900 BLOCK OF WEST MAIN STREET SIDEWALK REPLACEMENT PROJECT**

On a motion by C. Howell, seconded by F. Trump and voted on unanimously, Council approved a professional engineering proposal from Larson Design Group, Inc. in the amount of \$6,800 for the CDBG-DR 900 Block of West Main Street Sidewalk Replacement Project.

**APPROVAL OF A PROFESSIONAL ENGINEERING PROPOSAL FROM LARSON DESIGN GROUP, INC. FOR THE CDBG-DR PORT NOBLE DRAINAGE MITIGATION PROJECT**

On a motion by S. Costa, seconded by B. Kreisher and voted on unanimously, Council approved a professional engineering proposal from Larson Design Group, Inc. in the amount of \$17,950 for the CDBG-DR Port Noble Drainage Mitigation Project.

**APPROVAL OF RELEASING FINANCIAL SECURITY FOR DWORSAK/ENTERLINE PROJECT**

On a motion by C. Howell, seconded by B. Kreisher and voted on unanimously, Council approved releasing \$30,670 in financial security for Dworsak/Enterline Project at 85 Knapp Avenue.

**APPROVAL OF RELEASING FINANCIAL SECURITY FOR AAA STUDENT HOUSING PROJECT**

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved releasing \$41,025 in financial security for AAA Student Housing Project at 17 East Main Street.

**APPROVAL OF BILL KREISHER CONTACTING THE COLUMBIA COUNTY COMMISSIONERS REGARDING THE NEED FOR A HUMAN OFFICER**

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved Bill Kreisher contacting the Columbia County Commissioners regarding the need for a humane officer.

**APPROVAL OF TOWN HALL RECORDS DISPOSITION LIST**

On a motion by S. Costa, seconded by B. Kreisher and voted on unanimously, Council approved the following Town Hall records disposition list: 941 Forms 1993-2006, 1096 Forms 1992-2006, 2012 signature cards, 2011 and 2012 E-file payroll into personal accounts, 2004-2006 retirement Police and Town entries/reconciliations, 1999 and 2001 Town of Bloomsburg Municipal/Police Employees Pension Plan, 2002-2006 audit file documentation, 2002-2005 delinquent tax collections, PCA Grant 203295 LGD Grant award Letter from 2001 New Year's Eve Celebration, 1999 and 2006 Centax Agreement, 2003 and 2004 Industrial Appraisal, 2004-2006 budget files, 2001, 2004-2006 data collection form submittal, 2005-2006 Liquid Fuels AP, 2001-2002 and 2004 Liquid Fuels payroll report, 2007-2009 and 2013 voided checks, and 2005-2008 disruptive conduct reports.

**EXECUTIVE SESSION**

Mayor Davis adjourned the meeting into Executive Session at 7:41 p.m. to discuss personnel matters in the Police Department and the ongoing Butters case and reconvened at 8:22 p.m.

**BUTTERS LIQUOR LICENSE TRANSFER SETTLEMENT OFFER**

B. Lowthert read the following offer from Marlene Butters' attorney Mark E. Kozar of Flaherty & O'Hara:

*This letter is in response to your letter of January 8, 2014 regarding settlement of this matter.*

- 1. Ms. Butter agrees that the liquor license not be transferred to another location from 18 West Main Street without approval of Town Council.*
- 2. Ms. Butters also agrees to the following – no alcohol sales after midnight on Monday through Thursday and Sundays. Alcohol sales permitted until 2 a.m. on Fridays, Saturdays, and the following holidays; New Year's Eve, New Year's Day, Super Bowl*

*Sunday, Valentine's Day, St. Patrick's Day, East, Mother's and Father's Days, 4<sup>th</sup> of July, Thanksgiving Eve and Thanksgiving Day, Christmas Eve and Christmas Day.*

*With respect to noise, Ms. Butters, like any business in Bloomsburg will be required to comply with the Town's Noise Ordinance.*

*In addition, these conditions will need to be incorporated into a resolution permitting the transfer of the liquor license into Bloomsburg. When submitted to the PLCB, the PLCB will in turn prepare a Conditional Licensing Agreement ("CLA") incorporating these conditions. The CLA will be signed by Ms. Butters and the PLCM and approved at a Board meeting. Once approved by the Board the enforcement of the terms of the CLA, and the conditions therein, falls under the jurisdiction of the Pennsylvania State Police Bureau of Liquor Control Enforcement.*

*This is Ms. Butters' best and final offer to settle this matter. This offer is open until February 12, 2014.*

On a motion by C. Howell, seconded by E. Bower and voted on Three (3) (E. Bower, B. Kreisher and F. Trump voting "Yes") to Three (3) (S. Davis, C. Howell and S. Costa voting "No"), the motion to approve the offer was lost due to a tie vote.

#### **APPROVAL OF TERMINATING THE EMPLOYMENT OF ASHLEY NORQUEST AS A FULL-TIME SECOND SHIFT POLICE CLERK**

On a motion by B. Kreisher, seconded by F. Trump and voted on unanimously, Council approved terminating the employment of Ashley Norquest as a full-time second shift clerk Police Clerk effective immediately.

#### **APPROVAL OF HIRING TRACY KISHBAUGH AS A FULL-TIME SECOND SHIFT POLICE CLERK**

On a motion by B. Kreisher, seconded by S. Costa and voted on unanimously, Council approved hiring Tracy Kishbaugh as a full-time second shift Police Clerk at her current rate of \$10.61/hour effective February 17, 2014.

#### **APPROVAL OF ADVERTISING FOR A PART-TIME PARKING ENFORCEMENT OFFICER**

On a motion by C. Howell, seconded by F. Trump and voted on unanimously, Council approved advertising for a part-time Parking Enforcement Officer at a rate of \$10.00/hour with hours not exceeding 29 a week.

Being no further business, the meeting adjourned at 8:46 p.m.

WILLIAM LOWTHERT  
Town Administrator and Secretary