

A regular meeting of Bloomsburg Town Council was held Monday, February, 11, 2013, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor Dan Knorr; Council Members Diane Levan, Sylvia Costa, W. Carey Howell, Bill Kreisher, Fred Trump and Eric Bower; Town Administrator William Lowthert; Assistant Town Administrator Lauren Martz; Superintendent of Public Works John Barton; Chief of Police Leo Sokoloski; Code Enforcement Officer Ed Fegley; Fire Chief Bob Rupp; Solicitor Jack Mihalik and Administrative Assistant Amy Seamans. Absent were Director of Finance Heather Jacoby and Recycling Administrator Charles Fritz.

PUBLIC HEARING – WINDSOR FOODS – VARIANCE FROM FLOODPLAIN ORDINANCE

Prior to the regular meeting, a Public Hearing was held at 6:00 p.m. regarding a request from Windsor Foods of 595 West Eleventh Street for a variance from Subsection 8-403.2.A, Elevation and Flood Proofing of a Non-Residential Structure.

Maintenance Manager Rick Carpenter representing Windsor Foods explained that their human resource trailer was damaged beyond repair in the 2011 flood. After researching different options, they chose to replace the trailer with a modular unit and applied for a building permit.

Monsoor Khan of Larson Design Group stated that when the final elevation survey was completed by Larson, they found that the structure only yields 3.5 inches of freeboard instead of the required 1 ½ feet (18 inches). He noted that the structure is above the 100-year base flood elevation though.

The hardship is the expense and time to have the building lifted so additional material can be added to attain the 18 inches of freeboard. They also expressed that all of the utilities have been connected so they would have to be disconnected and then reconnected.

Mayor Knorr asked E. Fegley if he had any concerns. E. Fegley stated that he did numerous inspections on the foundation and his only concern is that the Town's CRS evaluation is this year and doesn't know how this would be affected if Council were to approve the variance. He also stated that the structure would not have an effect on the base flood elevation.

Mr. Carpenter also feels Council needs to consider that Windsor Foods is actively seeking funding for the construction of a flood wall around their facility and once this is in place, this variance request would be a mute point.

B. Kreisher asked if their flood protection project is approved, what would be the time frame for completion and Mr. Carpenter stated three years.

Mayor Knorr expressed that nothing is concrete yet, although Congressman Barletta's office is working in the right direction. He doesn't feel Council should consider this project when making a decision on this request.

D. Levan doesn't feel Council should consider the possibility of them building a floodwall either.

Oren Helbok wanted to clarify that currently, there is a concrete block foundation at 4 feet, so they're looking for a variance for two more courses of block? Mr. Carpenter answered yes and reiterated that the electrical, plumbing and heating are already tied in.

Joe Martarano expressed that if you read the ordinance carefully, it states 18" above the 100-year flood but sometimes it reads 18" above the regulatory flood elevation. He feels it should be 3' above. The 100-year flood level is 29.5' but feels it should be more like 32.5'.

Mr. Carpenter stated the plant had 79" of water in 2011 and that this unit is already well above the plant floor height.

C. Howell pointed out that according to their application, the current base flood elevation at the site is 479.40' and on November 16, 2012, the survey crew determined the modular structure has a finished floor elevation of 479.70' so they were already over before the final survey.

E. Bower asked is they have an estimate of what it would cost to raise it and do the work. Mr. Carpenter answered \$40,000 plus down time.

On a motion by F. Trump, seconded by E. Bower and voted on Five (5) (F. Trump, E. Bower, S. Costa, C. Howell and B. Kreisher voting "Yes") to Two (2) (D. Knorr and D. Levan voting "No"), Council granted the variance.

The Public Hearing concluded at 6:50 p.m. and the regular meeting of Town Council convened at 7:00 p.m.

MAYOR'S UPDATE

Mayor Knorr expressed that the Town was notified by the National Labor Relations Board that they rejected the filing by the Bloomsburg Police for unfair labor practices. The Town was also notified today that Folk Butterfly Farm has filed an appeal with the Office of Open Records concerning the denial of their Right to Know Request they filed with the Town on January 31, 2013 asking for a list of all businesses taxed under the provision of the "Amusement Tax" for the previous three (3) years, 2012, 2011 and 2010. The Town denied the request because it would violate the Local Taxpayers Bill of Rights.

APPROVAL OF JANUARY 28, 2013 COUNCIL MEETING MINUTES

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved the January 28, 2013 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, \$347,236.55; Debt Service Fund, \$5,986.69; Recycling Fund, \$20,841.99; Street Lighting Fund, \$14,690.62; Norris E. Rock Memorial Swimming Pool Fund, \$35.00; Day Care Project, \$2,737.40; Liquid Fuels Fund, \$652.82 and the January payroll authorization in the amount of \$247,233.97.

APPROVAL OF PROPOSAL FROM REMIT CORPORATION FOR PARKING TICKET RECOVERIES

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved a proposal from Remit Corporation for parking ticket recoveries at a billing rate of \$5.00 per ticket plus an additional 25% for non-payment.

APPROVAL OF PURCHASE OF A 2013 FORD POLICE INTERCEPTOR FROM HOFFMAN FORD, INC.

On a motion by S. Costa, seconded by F. Trump and voted on unanimously, Council approved the purchase of a 2013 Ford Police Interceptor in the amount of \$26,502.68 from Hoffman Ford, Inc. through the COSTARS program. It was noted that this was a budgeted purchase.

APPROVAL OF PAYMENT TO STROSSER ARCHITECTURE & CONSERVATION

On a motion by D. Levan, seconded by D. Knorr and voted on unanimously, Council approved payment to Strosser Architecture & Conservation in the amount of \$4,500 for the Town Hall Space and Site Usage Project.

APPROVAL OF THE SUBMITTAL OF A HAZARD MITIGATION GRANT PROGRAM (HMGP) APPLICATION FOR A PROPERTY LOCATED AT 274 EAST TENTH STREET

B. Lowthert stated he was asked by the property owner of 274 East Tenth Street if the Town would submit a HMGP application for the acquisition and demolition of his property. The owner received a repetitively damaged letter from FEMA because his home was flooded in 1996, 2004, 2006 and 2011. B. Lowthert informed the property owner to assume a 75%/25% split with the Town not contributing any funding and he's still interested. B. Lowthert expressed that although we now know that a cost for staff time can be put into the application, he stressed that this process is going to take up a lot of his and L. Martz's time so other projects may not get worked on. He also hopes that in the end the Town will not incur any costs.

Joe Martarano asked Council why they would spend time to have another property taken off the tax rolls. Why not have an engineer look at the foundation to see if the property could be elevated.

On a motion by B. Kreisher, seconded by E. Bower and voted on Six (6) (B. Kreisher, E. Bower, D. Knorr, D. Levan, S. Costa and C. Howell voting "Yes") to One (1) (F. Trump voting "No"), Council approved the submittal of a Hazard Mitigation Grant Program (HMGP) application for a property located at 274 East Tenth Street.

APPROVAL OF PROPOSAL FROM MEPUSH, INC. FOR LEVEL TWO COMPUTER MAINTENANCE SERVICES

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved a proposal from MePush, Inc. for Level 2 computer maintenance services at a cost of \$1,325 per month for a trial of six months. B. Lowthert noted that these services were budgeted for.

Steve Coladonato asked if the Town has attempted an emergency recovery using the backup and B. Lowthert stated no. Mr. Coladonato expressed that a disaster recovery should be done annually. B. Lowthert stated he would ask MePush about this.

APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE BLOOMSBURG POLICE DEPARTMENT AND COLUMBIA COUNTY

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved a Memorandum of Understanding (MOU) between the Bloomsburg Police Department and Columbia County to move the finger printing services to the Columbia County Prison.

Mayor Knorr adjourned the meeting into Executive Session at 7:57p.m. to discuss Chief Sokoloski's employee agreement and reconvened the meeting at 8:05 p.m.

APPROVAL OF EXTENDING THE EMPLOYEE AGREEMENT WITH CHIEF OF POLICE LEO SOKOLOSKI FOR A PERIOD OF TWO YEARS

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved extending the employee agreement with Chief of Police Leo Sokoloski for a period of two years.

APPROVAL OF ADVERTISING FOR BIDS FOR A CONVEYOR SORT LINE AT THE BLOOMSBURG RECYCLING CENTER

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved advertising for bids for a conveyor sort line at the Bloomsburg Recycling Center.

APPROVAL OF PAYMENT TO LARSON DESIGN GROUP, INC. FOR PROFESSIONAL ENGINEERING SERVICES OF THE STREATER FIELDS RECREATION IMPROVEMENT PROJECT WITH CDBG FUNDS

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved payment to Larson Design Group, Inc. in the amount of \$1,739.51 for professional engineering services of the Streater Fields Recreation Improvements Project through 01/05/13 with CDBG funds.

APPROVAL OF PAYMENT TO URS CORPORATION FOR PROFESSIONAL ARCHEOLOGICAL SERVICES OF THE STREATER RECREATION IMPROVEMENTS PROJECT WITH CDBG FUNDS

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to URS Corporation in the amount of \$668.47 for professional archeological services of the Streater Recreation Improvements Project through 09/28/12 with CDBG funds.

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On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to URS Corporation in the amount of \$1,019.38 for professional archeological services of the Streater Recreation Improvements Project through 12/28/12 with CDBG funds.

CHANGE ORDER NO. 2 FROM DOBRINSKI BROTHERS, INC. FOR COSTS ASSOCIATED WITH WINTER SHUTDOWN AND A REQUEST TO EXTEND THE CONTRACT TIME OF PHASE 5 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT

After a lengthy discussion, Council agreed to table Change Order No. 2 from Dobrinski Brothers, Inc. for costs associated with winter shutdown and a request to extend the contract time of Phase 5 of the Bloomsburg Municipal Airport Extension and Realignment Project until the February 25, 2013 Town Council meeting. B. Lowthert was asked to provide a timeline of events.

APPROVAL OF CHANGE ORDER NO. 3 FROM DOBRINSKI BROTHERS, INC. FOR ADDITIONAL COSTS FOR NEW NGS BENCH MARK REQUIREMENTS OF PHASE 5 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved Change Order No. 3 from Dobrinski Brothers, Inc. in the amount of \$8,250 for additional costs for new NGS bench mark requirements of Phase 5 of the Bloomsburg Municipal Airport Extension and Realignment Project.

APPROVAL OF CHANGE ORDER NO. 1 FROM TECH SERVICES, INC. FOR ADDITIONAL COSTS DUE TO VENDOR PRICE INCREASES CAUSED BY THE PROJECT START DELAY OF PHASE 6 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved Change Order No. 1 from Tech Services, Inc. in the amount of \$1,695.07 for additional costs Due to vendor price increases caused by the project start delay of Phase 6 of the Bloomsburg Municipal Airport Extension and Realignment Project.

APPROVAL OF ROAD MATERIAL BIDS FOR 2013

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council accepted the following road material bids for 2013: 2A subbase, 2RC, 1B and 2B stone from Sokol, Inc., FOB Bloomsburg and Hanson Aggregates PA LLC, FOB plant; and ID-3, Superpave 9.5 mm, Superpave 19 mm and Superpave 25.0 mm from HRI, Inc., FOB plant only.

APPROVAL OF PROPOSAL FROM STROSSER ARCHITECTURE & CONSERVATION TO AMEND TOWN HALL SPACE AND USAGE PROJECT TO INCLUDE THE TOWN HALL GENERATOR PROJECT

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved a proposal from Strosser Architecture & Conservation to amend their Town Hall Space and Usage Project to include the Town Hall Generator Project in the amount of \$2,700.

APPROVAL OF FORMING A FIRE ENGINE PURCHASE COMMITTEE

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved forming a Fire Engine Purchase Committee.

APPOINTMENT OF COUNCIL MEMBER SYLVIA COSTA TO THE FIRE ENGINE PURCHASE COMMITTEE

On a motion by C. Howell, seconded by F. Trump and voted on unanimously, Council appointed Council Member Sylvia Costa to the Fire Engine Purchase Committee.

APPROVAL OF PAYMENT TO BERGEY'S TRUCK CENTERS FOR EMERGENCY REPAIRS TO LADDER TRUCK 42

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved payment to Bergey's Truck Centers in the amount of \$6,900.13 for emergency repairs to Ladder Truck 42.

Being no further business, the meeting adjourned into Executive Session at 8:49 p.m. to discuss a personnel matter and did not reconvene.

WILLIAM LOWTHERT
Town Administrator and Secretary