

A regular meeting of Bloomsburg Town Council was held Monday, February 24, 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; Superintendent of Public Works John Barton; Chief of Police Roger Van Loan; Solicitor Jack Mihalik. Absent were Administrative Assistant Amy Seamans; Code Enforcement & Zoning Administrator Ed Fegley; Director of Finance Lisa Laboskie; Fire Chief Bob Rupp and Environmental Services Administrator Charles Fritz.

## **EXECUTIVE SESSION**

Mayor Davis adjourned the meeting into Executive Session at 7:01 p.m. to discuss personnel matters in the Police Department regarding sergeant promotions and litigation regarding the Butters liquor license transfer and reconvened the meeting at 7:30 p.m.

At the direction of Mayor Davis, Town Administrator William Lowthert read the following conditions associated with a resolution for the request of Ms. Butters to transfer a Liquor License into the Town of Bloomsburg:

1. The transfer of an inter-municipality liquor license to 18 West Main Street, which is the subject of this Resolution, shall not be subsequently transferred to any location within the Town of Bloomsburg without first obtaining the permission of the Town of Bloomsburg.
2. The Applicant may sell alcoholic beverages after 7:00 am until midnight on Mondays, Tuesdays, Wednesdays, and Thursdays.
3. The Applicant may sell alcoholic beverages after 7:00 am on Fridays until 2:00 am on Saturdays, and after 7:00 am on Saturdays until 2:00 am on Sundays.
4. The Applicant may sell alcoholic beverages after 11:00 am until midnight on Sundays, in accordance with the provisions of the Pennsylvania Liquor Code.
5. The Applicant may sell alcoholic beverages until 2:00 am on the day following the holidays set forth hereafter regardless of the day of the week on which the holiday falls: New Year's Eve, New Year's Day, Super Bowl Sunday, Valentine's Day, St. Patrick's Day, Easter, Mother's Day, Father's Day, Independence Day, Thanksgiving Eve, Thanksgiving, Christmas Eve, and Christmas.
6. No designated dance floor or designated area for dancing shall be permitted on the premises, and furniture shall not be rearranged to allow for a dance floor or designated area for dancing on the premises regardless of Pennsylvania Liquor Control Board regulations relating to amusements. Dancing on the premises shall not be promoted or encouraged.
7. Town of Bloomsburg may seek equitable relief in the Court of Common Pleas of Columbia County for breach of any of the above conditions.

**Steve Coladonato**, 210 W. Third Street, inquired to Council why aren't they asking the applicant to apply for an Economic Development license instead of a liquor license transfer. Solicitor Mihalik explained that an Economic Development license would not apply in this case.

**Doug Chiado**, 101 Arbutus Park Road, asked Council what would be wrong with dancing at a restaurant/bar and shouldn't it be the business owner's decision if he or she would want to offer dancing at their establishment. He stated that he believed the marketplace should determine which businesses will thrive. Mayor Davis clarified that the Council and herself were more concerned about large crowds of people that another restaurant/bar with a dance floor on the Main Street of Bloomsburg may bring and that the Police force was already spread thin with the existing bars in Town.

**Oren Helbok**, 705 E. Fifth Street, wanted to clarify that restrictions 2-5 outlined in the Resolution would also apply to any future owners of this liquor license and that this license could not be moved from 18 West Main Street without the approval of Town Council. Solicitor Mihalik confirmed that O. Helbok was correct.

**Barry Thorne**, 819 E. Third Street, approached Council to ask when they would decide to stop allowing liquor licenses into the Town of Bloomsburg. He expressed concern that there are too many licenses in our community already. Solicitor Mihalik explained that to prohibit additional liquor license transfers, the Town would need to prove how an additional license would negatively affect the health, safety, and wellness of the municipality.

**ADOPTION OF RESOLUTION NO. 02-24-14.01 APPROVING THE TRANSFER OF RESTAURANT LIQUOR LICENSE NO. R-18227 INTO THE TOWN OF BLOOMSBURG- MARLENE BUTTERS – 18 WEST MAIN STREET**

On a motion by C. Howell, seconded by D. Levan and voted on unanimously Council adopted Resolution No. 02-24-14.01 approving the transfer of restaurant liquor license No R-18227 into the Town of Bloomsburg per the terms and conditions outlined in the Resolution agreed upon by license holder, Marlene Butters and Town Council.

**APPROVAL OF FEBRUARY 10, 2014 COUNCIL MEETING MINUTES**

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved the February 10, 2014 Council meeting minutes with no additions or corrections.

**APPROVAL OF PROMOTING LEWIS CARL TO SERGEANT**

On a motion by B. Kreisher, seconded by F. Trump and voted on unanimously, Council approved promoting Lewis Carl to the position of Sergeant, from the promotional list certified by the Civil Service Commission. The salary for this position is \$59,496.78. R. Van Loan noted that this promotion would become effective on March 2, 2014 and that Lewis Carl will be the new third-shift Sergeant for the Bloomsburg Police Department.

**CITIZENS TO BE HEARD**

Oren Helbok updated Council on the DBI Strategic Planning process. He indicated that the plan will have a lot of good ideas moving forward.

Doug Chiado questioned why Town Council held Executive Sessions at the beginning of their meetings. He indicated that this was the second meeting he attended where Council had an Executive Session at the beginning of the meeting. It was explained that Executive Sessions were usually held at the end of meetings unless the topic of the Executive Session related to an agenda item that needed action earlier in the meeting.

Being no further business, the meeting adjourned at 7:55 p.m.

WILLIAM LOWTHERT  
Town Administrator and Secretary