

Prior to the regularly scheduled meeting of Bloomsburg Town Council, a public input session was held beginning at 6:00 p.m. at the Bloomsburg Fire Department, 911 Market Street, Bloomsburg, PA, to receive comments regarding a proposed ordinance requiring the licensing and inspection of non-student apartment houses and rental homes.

Mayor Knorr reviewed the sections of the proposed ordinance and then asked the audience to come forward to give their comments.

James Appleman, 244 Jefferson Street, asked why this ordinance has come into play. His family has been in the rental business for 60 years.

Rose Brown representing David and Teresa Spiwak of 603 E. Fourth Street handed out a letter from Mr. Spiwak. He is asking Council to table the ordinance for now until the Berwick lawsuit is settled. He also feels that the fees are excessive.

Joe Martarano, 259 East Tenth Street, stated that this will cost about \$10 a month, at 1,000 units \$10,000 will be taken out of the local economy. According to the newspaper, the Town budgeted \$38,000 for a new code officer, he asked if this amount is what the Town will be paying this person and Mayor Knorr answered yes, this is the salary. Mr. Martarano feels the ordinance should be tabled and he doesn't feel its right for Bloomsburg.

Brad Miller, 1811 Old Berwick Road, asked what the purpose is, revenue or just following along with other towns? Mayor Knorr read the purpose from the proposed ordinance.

B. Kreisher expressed that before he was on Council, the Town had already adopted the 2003 International Property Maintenance Code (IPMC). He reviewed a presentation he prepared.

Sandy Davis, 18 West Fifth Street, expressed that at the a Council meeting in May 2011 she asked why this was needed and she asked Code Enforcement Officer Ed Fegley how many safety related complaints his office received in a year and he estimated maybe ten. There are already ordinances in place but the Town needs to enforce them. She asked if the Town is ready for this, how much will it cost the taxpayers, did anyone budget for the hidden costs. Ms. Davis also again expressed that the definitions are not consistent with the rest of the Code, specifically "dwelling unit". Council needs to be better stewards of taxpayer's dollars and should not pass the ordinance this evening.

Sherewood Appleman, 225 West Third Street, has been in the rental business for 65 years and the Town should be able to tell from the exterior of a property if it's up to code or not. This country is looking at being a police state instead of a united state. Mrs. Appleman read the Fourth Amendment. She agrees with Ms. Davis that the ordinance should be tabled or turned down. There are so many laws being created and not enforced.

Karen Heaps, 425 Center Street, asked how many years the Town has been talking about hiring another code officer. The Town needs to enforce what they have. She feels the costs will only get passed on to the tenant and they cannot afford it.

John Klinger, 149 Ivey Drive, asked if this is adopted, would landlords be able to choose to rent to students and non-students. Mayor Knorr stated no, they are two totally separate ordinances.

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A regular meeting of Bloomsburg Town Council was held Monday, February 25, 2013, beginning at 7:06 p.m. at the Bloomsburg Fire Department, 911 Market 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; Chief of Police Leo Sokoloski; Code Enforcement Officer Ed Fegley; Fire Chief Bob Rupp; Solicitor Jack Mihalik and Administrative Assistant Amy Seamans.

D. Levan started by addressing some of the questions. She did speak with Mr. Spiwak and answered some of his questions; Council did budget funds for this; in the month of January, the code office had 125 complaints which 10 of them were from tenants; the Town has been looking at hiring a codes officer for the past two years; there is a Town Hall space study currently going on and it's not the intent nor is it permitted to make a profit on this.

Mayor Knorr stated that management has expressed that the effective date needs to be pushed back to at least October so an additional person can be hired and trained. He feels there should be a wording change regarding the display of the license. D. Levan expressed that the license just needs to be available, it doesn't have to be visibly on display. B. Kreisher stated that the word "display" could be taken out.

F. Trump stated that he has been a resident of Bloomsburg all of his life. He walks all over Town and he doesn't see a need. He feels government has taken over too much and is concerned another tax or another fee will hurt the people.

E. Bower asked Fire Chief Bob Rupp and Chief of Police Leo Sokoloski for their thoughts.

D. Levan reviewed the list of fees. She also feels this ordinance will help clarify and prove that there are students living in non-regulated apartments.

S. Costa feels the ordinance should be tabled and would like to hear from the tenants.

F. Trump made a motion and S. Costa seconded it to send the ordinance back to the Community and Economic Development Committee but after further discussion, F. Trump withdrew his motion.

Sara Laidacker, 52 Buckhorn Road, feels this is a slippery slope which could lead to the inspection of all homes. When a former Council approved the inspection of student rentals she felt it could lead to the inspection of all rentals but was assured at the time that this wouldn't happen. If this passes, she asked what would stop the inspection of the homes of the elderly or where children reside. This is against the Fourth Amendment and the Bill of Rights so Council should reject this.

Vince DeMelfi, 246 West Main Street, expressed that student landlords are written up for cosmetic issues like chipped paint and rug stains. The Bloomsburg Landlord Association is opposed to this ordinance if cosmetic issues are going to be an issue. As a realtor he is opposed to the certificate of compliance as this could delay a closing. He feels inspections should occur when a property is vacant like the student housing inspections.

Jim Davis, 579 West Main Street, told his tenants about this ordinance and they're all against it. His tenants are already struggling and now he'll have to pass these fees onto them.

Ron Schutt manages the Spiwak's apartments and they feel the Town is opening itself up for unnecessary litigation.

Patty Vaughn, Berwick, stated that she's still in litigation with the Borough of Berwick over this same type of ordinance. There are laws that don't even allow her to enter her rentals without the tenant's permission. When the code officer's in Berwick try to inspect her rentals, the tenant knows their rights and they tell them no. She feels that the best way to inspect a property is when it's empty.

ADOPTION OF ORDINANCE NO. 949 – REQUIRING THE LICENSING AND INSPECTION OF NON-STUDENT APARTMENT HOUSES AND RENTAL HOMES

On a motion by D. Levan, seconded by C. Howell and voted on Four (4) (D. Levan, C. Howell, D. Knorr and B. Kreisher voting "Yes") to Three (3) (S. Costa, F. Trump and E. Bower voting "No"), Council adopted Ordinance No. 949 requiring the licensing and inspection of non-student apartment houses and rental homes effective October 1, 2013.

Mayor Knorr adjourned the meeting for a break at 8:28 p.m. and reconvened at 8:40 p.m.

ADOPTION OF RESOLUTION NO. 02-25-13.01 – SETTING THE FEES FOR THE LICENSING AND INSPECTION OF NON-STUDENT APARTMENT HOUSES AND RENTAL HOMES

On a motion by B. Kreisher, seconded by D. Knorr and voted on Four (4) (B. Kreisher, D. Knorr, D. Levan and C. Howell voting "Yes") to Three (3) (S. Costa, F. Trump and E. Bower voting "No"), Council adopted Resolution No. 02-25-13.01 setting the fees for the licensing and inspection of non-student apartment houses and rental homes.

MAYOR'S UPDATE

Mayor Knorr reported that the 600 block of West Main Street Hazard Mitigation Grant Program grant applications have been denied by PEMA. Oren Helbok asked why and B. Lowthert expressed that the properties did not meet PEMA's cost benefit ratio.

Mayor Knorr also reported that the federal Economic Development Administration (EDA) approved a \$15 million grant for flood protection in Bloomsburg around Autoneum and Windsor Foods. The state has already approved \$12 million in funding and the two companies will contribute \$3 million. The project will be engineered and designed over the next year and will have up to 5 years for engineering, designing and construction although they are looking at having the construction completed in 3 years. E. Bower asked if the \$500,000 line of credit for the Bloomsburg Area Joint Flood Control Authority can be pulled back. Mayor Knorr expressed that the line of credit was in the amount of \$800,000 and the Authority can only draw down \$400,000 but they've been advised not to spend anything because the funds were to be used for an Army Corps project which no longer exists.

APPROVAL OF SUBMITTING A GRANT APPLICATION TO DCNR FOR THE CONSTRUCTION OF A TRAIL TO CONNECT TOWN PARK AND STREATER FIELDS

On a motion by B. Kreisher, seconded by S. Costa and voted on Six (6) (B. Kreisher, S. Costa, D. Knorr, D. Levan, C. Howell and E. Bower voting "Yes") to One (1) (F. Trump voting "No"), Council approved submitting a grant application to DCNR for the construction of a trail to connect Town Park and Streater Fields with some of the application information being prepared by Larson Design Group in the amount of \$2,500. B. Lowthert stated that the grant is a 50/50 match.

Mayor Knorr reported that members of the Public Safety Committee and Fire Department will be meeting soon with representatives of United Water to discuss the incident that happened during the fire on Eighth Street last week.

APPROVAL OF FEBRUARY 11, 2013 COUNCIL MEETING MINUTES

On a motion by D. Levan, seconded by E. Bower and voted on unanimously, Council approved the February 11, 2013 Council meeting minutes with no additions or corrections.

APPROVAL OF PAYMENT TO HAY GROUP, INC. FROM THE POLICE PENSION PLAN AND THE EMPLOYEES PENSION PLAN

On a motion by F. Trump, seconded by C. Howell and voted on unanimously, Council approved payment to Hay Group, Inc. from the Police Pension Plan in the amount of \$1,140 and \$1,140 from the Employees Pension Plan for first quarter professional services.

APPROVAL OF PAYMENT TO SEDA-COG FOR ADMINISTRATION OF THE TOWN'S FFY 2011 CDBG PROGRAM

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved payment to SEDA-COG in the amount of \$1,800 for the administration of the Town's FFY 2011 CDBG Program.

APPROVAL OF CHANGE ORDER NO. 2 FROM DOBRINSKI BROTHERS, INC. FOR COSTS ASSOCIATED WITH WINTER SHUTDOWN OF PHASE 5 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT

On a motion by B. Kreisher, seconded by F. Trump and voted on Six (6) (B. Kreisher, F. Trump, D. Knorr, S. Costa, C. Howell and E. Bower voting "Yes") to One (1) (D. Levan voting "No"), Council approved Change Order No. 2 from Dobrinski Brothers, Inc. for costs associated with winter shutdown of Phase 5 of the Bloomsburg Municipal Airport Extension and Realignment Project.

APPROVAL OF REQUEST FROM DOBRINSKI BROTHERS, INC. TO EXTEND THE CONTRACT TIME OF PHASE 5 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT

On a motion by D. Levan, seconded by B. Kreisher and voted on unanimously, Council approved a request from Dobrinski Brothers, Inc. to extend the contract time of Phase 5 of the Bloomsburg Municipal Airport Extension and Realignment Project.

CITIZEN TO BE HEARD – MARY CHAMURIS

Mary Chamuris, 163 West Third Street, asked if there will be a review of the sidewalks in the spring. B. Lowthert expressed that John Barton is planning to and there is a one (1) year warranty on any defects.

Mayor Knorr adjourned the meeting into Executive Session at 9:28 p.m. to discuss a Police Department personnel matter and reconvened at 9:56 p.m.

APPROVAL OF SUSPENDING POLICE OFFICER SHAWN HILL

On a motion by D. Knorr, seconded D. Levan and voted on unanimously, Council approved suspending Police Officer Shawn Hill without pay, effective immediately, due to a protection from abuse order being filed against him.

Being no further business, the meeting adjourned at 9:56 p.m.

WILLIAM LOWTHERT
Town Administrator and Secretary