

A regular meeting of Bloomsburg Town Council was held Monday, April 8, 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, Bill Kreisher, Fred Trump and Eric Bower; Town Administrator William Lowthert; Assistant Town Administrator Lauren Martz; Director of Finance Heather Jacoby; Superintendent of Public Works John Barton; Recycling Administrator Charles Fritz; Chief of Police Leo Sokoloski; Code Enforcement Officer Ed Fegley; Fire Chief Bob Rupp; Solicitor Jack Mihalik and Administrative Assistant Amy Seamans. Absent was Council Member W. Carey Howell.

#### **PROCLAMATION – NATIONAL OSTEOPATHIC MEDICINE WEEK**

Mayor Knorr proclaimed the week of April 14-20, 2013 as National Osteopathic Medicine Week and presented the proclamation to Dr. William Kuprevich Jr., DO.

#### **RESOLUTION NO. 04-08-13.01 – PENNDOT BUREAU OF AVIATION GRANT ACCEPTANCE**

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council adopted Resolution No. 04-08-13.01 authorizing and directing the Mayor to accept a grant from the Pennsylvania Department of Transportation Bureau of Aviation for debris removal from the September 2011 flood.

#### **CITIZEN TO BE HEARD – ADRIENNE MAEL, DOWNTOWN MANAGER**

Downtown Manager Adrienne Mael reported that a Welcome to Bloomsburg! packet is being developed; permission has been obtained to paint murals on side street buildings; she is working on First Friday's when merchants will stay open until 8:00pm; a token program is still being worked on, but some details still need to be figured out with the bank; incentives for BU Alumni Weekend are being planned as a way to get students, alumni and professors Downtown; a Brewsburg event is being planned for June 29th at the Caldwell Consistory and a Bluesburg event is being planned for next February.

#### **CITIZEN TO BE HEARD – BILL AND SHIRLEY HOFFMAN**

Shirley Hoffman explained that she and her husband went through the Planning Commission to request their property be rezoned but the Commission said no. They are losing income from the sign company that is no longer leasing land from them. In 1980, when they purchased the property, it was zoned for agricultural and recreation and they were not aware that it was rezoned to Residential-Conservation and now PennDOT will not allow a sign in this district.

Mayor Knorr reviewed the steps that have happened so far. The Hoffman's submitted an application, the Planning Commission reviewed it first and they voted to recommend Council to deny the request but the Hoffman's decided to withdraw their application before it came to Council. The next step would have been for a public hearing to be scheduled but because the process was interrupted when the Hoffman's withdrew their request, Council had to determine if they would consider reinstating their previous request or make them start over again. On a motion by B. Kreisher, seconded by D. Levan and voted on unanimously, Council approved the reinstatement of the application and agreed to schedule a public hearing.

#### **CITIZEN TO BE HEARD – BARBARA CRAWFORD, PA PETS**

Barbara Crawford of PA PETS stated that they operate a thrift store at 203 East Fifth Street to support their spay and neuter program. People also come to the store to pick up and drop off applications and to make donations. About two weeks ago, a large number of parking tickets were issued. The permit parking in this area is creating a problem. They are looking for suggestions/solutions.

Jo Wright expressed that this was a grocery store years ago and PA PETS has been there for over 25 years. To date, they've helped spay and neuter 29,500 animals. By helping to control the pet population, she feels they are an asset to the community. They don't know how to run the store with only 2 parking spaces though. The staff is all volunteers and the business purchases 3 parking permits for them to use and share. The store is open from 9:00am to 5:00pm. Mayor Knorr stated that the permit parking in this area is enforced from 7:00am to 7:00pm unlike other areas of Town. Some of Ms. Wright's ideas are installing meters, being able to utilize the lot next door which is owned by the Town or being given more spaces. Mayor Knorr directed

this matter to the Public Safety Committee for further discussion. The next Committee meeting is scheduled for April 30<sup>th</sup> at 4:15pm.

#### **CITIZEN TO BE HEARD – TIM COYNE, REBUILD BLOOMSBURG SKATE PARK GROUP**

Chuck Wagner took full responsibility for the communication breakdown concerning the skate park and apologized to Council and the volunteers.

Tim Coyne expressed that the skate park is looking for continued support from Council. Their group will focus on cleanup and getting the ramps functioning so the park can open. Communication will continue between Travis Creveling and B. Lowthert.

#### **MAYOR'S UPDATE**

Mayor Knorr reported that, at the suggestion of Steve Coladonato, the Town obtained a quote for MePush to conduct a computer disaster recovery. MePush currently does monthly maintenance for the Town and instead of paying a separate fee to conduct a disaster recovery, MePush will schedule this in the future on one of the dates that they would normally do maintenance at no extra cost.

Mayor Knorr also reported that the HMGP pre-application that staff submitted for a property at 274 East Tenth Street has been denied because it doesn't meet the benefit cost ratio.

#### **APPROVAL OF MARCH 11, 2013 COUNCIL MEETING MINUTES**

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

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

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment of the following monthly bills and the March payroll authorization: General Fund, \$163,392.40; Debt Service Fund, \$5,986.69; Recycling Fund, \$21,011.56; Street Lighting Fund, \$9,814.24; Norris E. Rock Memorial Swimming Pool Fund, \$1,014.70; FY 11 CDBG Program, \$3,427.36; Day Care Project, \$2,737.40; Airport Fund, \$47,841.43; Liquid Fuels Fund, \$409.89 and the March payroll authorization in the amount of \$175,045.44.

#### **APPROVAL OF ADDITION TO TOWN VENDOR LIST**

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved the addition of Hauck & Long, LLC, Summit Design Studio and Wage Works, Inc. to the 2013 town vendor list.

#### **APPROVAL OF PAYMENT TO HAY GROUP, INC. FROM THE POLICE AND EMPLOYEES PENSION PLANS**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to Hay Group, Inc. from the Police Pension Plan in the amount of \$295 and \$295 from the Employees Pension Plan for audit work.

#### **APPROVAL OF PAYMENT TO HAY GROUP, INC. FROM THE GENERAL FUND**

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council approved payment to Hay Group, Inc. from the General Fund in the amount of \$2,280 for second quarter actuarial and consulting services in connection with the Police and Employees Pension Plans.

#### **APPROVAL OF A PROPOSAL FROM ADP**

On a motion by F. Trump, seconded by E. Bower and voted on unanimously, Council approved a proposal from ADP for the outsourcing of the Town's payroll with a onetime implementation fee of \$1,600 and an annual fee of \$12,483.04.

#### **APPROVAL OF THE PURCHASE OF A DIVING BOARD AND STAND**

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council approved the purchase of a diving board and stand from If It's Water, Inc. in the amount of \$15,500 from the Pool Fund.

#### **APPROVAL OF A CIVIL SERVICE COMMISSION TRAINING POLICY**

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council approved a Civil Service Commission Training Policy.

#### **APPROVAL OF ENDING THE SIXTH MONTH PROBATIONARY PERIOD OF POLICE CLERK BETTY J. TEICHMAN**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved ending the sixth month probationary period of Police Clerk Betty J. Teichman.

#### **APPROVAL OF THE PURCHASE OF CHAIN LINK FENCE WITH ONE GATE FOR THE POLICE IMPOUND LOT**

On a motion by D. Levan, seconded by E. Bower and voted on unanimously, Council approved the purchase of chain link fence with one gate for the police impound lot in an amount not to exceed \$2,980. It was noted that this purchase was budgeted.

#### **APPROVAL OF HIRING ONE PART-TIME POLICE OFFICER**

On a motion by E. Bower, seconded by D. Levan and voted on unanimously, Council approved hiring one part-time police officer.

#### **APPROVAL OF ACQUIRING PROPERTY AT 206 WEST EIGHTH STREET FROM WELLS FARGO BANK**

B. Lowthert expressed that when Wells Fargo Bank initially contacted him to ask if the Town would be interested in accepting a parcel of land as a donation, there was a stipulation that the Town would need to agree to build low to moderate income housing on it. Since the Town isn't in the construction business, B. Lowthert felt the Columbia County Redevelopment Authority would be interested, which they are. After further correspondence with Wells Fargo, B. Lowthert has now learned that there are not restrictions and the Town could do whatever they want with the land. The offer is first come, first serve.

On a motion by E. Bower, seconded by S. Costa and voted on Five (5) (E. Bower, S. Costa, D. Knorr, B. Kreisher and F. Trump voting "Yes") to One (1) (D. Levan voting "No"), Council approved accepting the property located at 206 West Eighth Street as a donation from Wells Fargo Bank contingent upon there being no restrictions on what can be done with the property.

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

On a motion by F. Trump, seconded by E. Bower and voted on unanimously, and on the recommendation of the Bloomsburg Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Joey Galarza to repair the front porches at **252-254-256 West Main Street**.

On a motion by F. Trump, seconded by S. Costal and voted on Five (5) (F. Trump, S. Costa, D. Knorr, B. Kreisher and E. Bower voting "Yes") to One (1) (D. Levan voting "No"), and on the recommendation of the Bloomsburg Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Thanh Le to remove four casement windows and replace them with four two over two double hung windows that are approximately 12 inches smaller in height( 52 X 43) to allow for the installation of an interior counter top in the kitchen area and to remove the windows on the second floor and replace them with a regular two over two double hung window and place a four inch arched wooden infill at the top of the window painted to match the existing trim at the rear of **261 West Main Street**.

On a motion by F. Trump, seconded by E. Bower and voted on unanimously, and on the recommendation of the Bloomsburg Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Joe Gushen to paint a sign on the northwest corner of the building at **2 East Main Street** contingent upon all zoning requirements being met.

#### **APPROVAL OF WAIVER – BLOOMSBURG UNIVERSITY PEDESTRIAN BRIDGE PLAN – LIGHTSTREET ROAD**

On a motion by D. Levan, seconded by E. Bower and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following waiver for Bloomsburg University's Pedestrian Bridge Plan on Lightstreet Road: Landscaping, screening, and buffering shall be provided. [Sec. 22-606.]

#### **APPROVAL OF MODIFICATION – BLOOMSBURG UNIVERSITY PEDESTRIAN BRIDGE PLAN – LIGHTSTREET ROAD**

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following modification for Bloomsburg University's Pedestrian Bridge Plan on Lightstreet Road: The expansion joint material at the 'Concrete Walk Detail' shall have a width of 1½ inches. [Sec. 22-706.E. and Sec. 22-706.F.] The applicant requests a modification to a ½ inch.

#### **APPROVAL OF WAIVER – BLOOMSBURG UNIVERSITY PEDESTRIAN BRIDGE PLAN – LIGHTSTREET ROAD**

On a motion by B. Kreisher, seconded by D. Levan and voted on Five (5) (B. Kreisher, D. Levan, D. Knorr, S. Costa and E. Bower voting "Yes") to One (1) (F. Trump voting "No"), Council approved the following waiver for Bloomsburg University's Pedestrian Bridge Plan on Lightstreet Road: A Highway Occupancy Permit (HOP) from PennDOT is required for the proposed improvements within the Lightstreet Road, SR 0487, right-of-way. A copy of the HOP, once obtained, shall be provided. [Sec. 22-403.1.A.(2)(z) and Sec. 22-502.1.M.]

#### **APPROVAL OF BLOOMSBURG UNIVERSITY PEDESTRIAN BRIDGE PLAN WITH CONTINGENCIES**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, and on the recommendation of the Planning Commission, Council approved Bloomsburg University's Lightstreet Road Pedestrian Bridge plan contingent upon the following conditions being met: Chapter 22 – Subdivision and Land Development Ordinance (SALDO): The owners certifications provided on plan sheets CO.1 and C1.5.1 shall be signed and notarized. An Owners statement for 500 Club Apartments LP shall be provided, signed and notarized on plan sheet C1.5.1. [Sec. 22-403.1.A.(2)(s) and Sec. 22-403.1.A.(2)(t)]; The right-of-way and cartway width for Honeysuckle Lane shall be shown on the plan. [22-403.1.A.2.d]; Zoning information shall be shown on the 'Subdivision' plan. [22-403.1.A.2.f]; North point and scale shall be shown on the 'Subdivision' plan. [22-403.1.A.2.p,] and General: The plan sheets to be recorded should be designated at the 'List of Drawings' provided on plan sheet CO.1. At the minimum, sheet nos. CO.1, C1.2, C1.5.1, C1.5.2 and C2.3 should be recorded.

Mayor Knorr adjourned the meeting for a brief break at 8:30 p.m. and reconvened the meeting at 8:36 p.m.

#### **APPROVAL OF LEROY AND MARY JO YOCUM – NINTH STREET TOWNHOUSES – SUBDIVISION AND LAND DEVELOPMENT PLAN WITH CONTINGENCIES**

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, and on the recommendation of the Planning Commission, Council approved Leroy and Mary Jo Yocum's Ninth Street Townhouses Subdivision and Land Development Plan contingent upon the following conditions being met: Chapter 22 – Subdivision and Land Development Ordinance (SALDO): The Columbia County Planning Commission shall review the plan and provide comments. [Sec. 22-203.]; Financial security must be provided for all proposed site improvements. A construction cost estimate dated February 21, 2013 has been provided and adjusted for revision. [Sec. 22- 404.C.]; The 'Certificate of Ownership and Acknowledgement of Subdivision/Land Development Plans' statement provided on the title sheet shall be signed and notarized. The 'Stormwater Management Statement' shall also be signed and dated by the Owner. [Sec. 22-404.D.(1)(a) 5) and Sec. 22-404.D.(1)(a)6)]; An easement shall be provided for

the proposed water line through Lot Nos. 1 to 8. [Sec. 22-404.D.(1)(a)7) and Sec. 22-505.1.] Note 20 on the Title Sheet states that a 'Homeowners Agreement' will be submitted listing all easements and maintenance responsibilities. A copy of this document shall be provided; Proposed Lot Nos. 2 to 8 do not abut a street. [Sec. 22-404.D.(1)(a)7) and Sec. 22-507.2.A.] The Applicant's Surveyor has responded that the proposed access drive is a "common drive area" and will be a "cross easement area". Staff concurs with this approach. This access easement area shall be described within the 'Homeowners Agreement' as stated in Note 20 on the Title Sheet. A copy of this document shall be provided; The Applicant shall either provide for the dedication of the proposed drainage facilities within the Ninth Street right-of-way or provide an agreement stating ownership maintenance of these facilities. [Sec. 22-404.D.(1)(a) 20)k) and Sec. 22-805.], and the 'Certificate of Ownership and Acknowledgement of Subdivision/Land Development Plans' states that all drainage facilities within the Ninth Street right-of-way are to be dedicated to the Town. The Applicant shall provide a payment to provide for annual maintenance of those facilities.

#### **APPROVAL OF MODIFICATION – BLOOMSBURG UNIVERSITY FOUNDATION – LAND DEVELOPMENT – 50 EAST MAIN STREET**

On a motion by D. Levan, seconded by E. Bower and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following modification for Bloomsburg University Foundation's Land Development Plan at 50 East Main Street: The expansion joint note provided at the 'Concrete Walk' detail on sheet D1 shall be revised to state a width of 1½". [Sec. 22-706.E. and Sec. 22-706.F.] The applicant requests a modification to a ½ inch.

#### **APPROVAL OF MODIFICATION – BLOOMSBURG UNIVERSITY FOUNDATION – LAND DEVELOPMENT – 50 EAST MAIN STREET**

On a motion by E. Bower, seconded by D. Levan and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following modification for Bloomsburg University Foundation's Land Development Plan at 50 East Main Street: The width of the proposed access drive (to beneath the building) shall be twenty-two (22) feet. [Sec. 22-502.10.D.(1)] The applicant requests a modification to twenty (20) feet.

#### **APPROVAL OF MODIFICATION – BLOOMSBURG UNIVERSITY FOUNDATION – LAND DEVELOPMENT – 50 EAST MAIN STREET**

On a motion by D. Levan, seconded by S. Costa and voted on Five (5) (D. Levan, S. Costa, D. Knorr, B. Kreisher and E. Bower voting "Yes") to One (1) (F. Trump voting "No"), and on the recommendation of the Planning Commission, Council approved the following modification for Bloomsburg University Foundation's Land Development Plan at 50 East Main Street: The radii of the proposed access drive (to beneath the building) intersection with the unnamed alley shall be ten (10) feet [Sec. 22-502.10.E.(1)]. The Applicant requests a modification to five (5) feet.

#### **APPROVAL OF BID FROM THC ENTERPRISES, INC. T/A MID ATLANTIC WASTE SYSTEMS FOR A FOUR PERSON STATIONARY SORTING STATION**

On a motion by S. Costa, seconded by B. Kreisher and voted on unanimously, Council approved a bid from THC Enterprises, Inc. T/A Mid Atlantic Waste Systems in the amount of \$78,729.03 for a four person stationary sorting station at the Recycling Center.

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

On a motion by S. Costa, seconded by B. Kreisher and voted on unanimously, Council approved payment to URS Corporation in the amount of \$350 for professional archeological services of the Streater Recreation Improvements Project through 02/22/13 with CDBG funds.

#### **APPROVAL OF PAYMENT TO L.R. KIMBALL FOR ENGINEERING SERVICES OF PHASE 5 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT**

On a motion by S. Costa, seconded by F. Trump and voted on unanimously, Council approved payment to L.R. Kimball in the amount of \$335.59 for engineering services of Phase 5 of the Bloomsburg Municipal Airport Extension and Realignment Project through 02/24/13.

**APPROVAL OF PAYMENT TO L.R. KIMBALL FOR ENGINEERING SERVICES OF PHASE 6 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to L.R. Kimball in the amount of \$1,466.93 for engineering services of Phase 6 of the Bloomsburg Municipal Airport Extension and Realignment Project through 02/24/13.

**APPROVAL OF CHARLES SHUMAN USING A PORTION OF THE TOWN RIGHT-OF-WAY IN FRONT OF 353-355 WEST MAIN STREET**

On a motion by F. Trump, seconded by E. Bower and voted on unanimously, Council approved Charles Shuman to use a portion of the Town right-of-way in front of 353-355 West Main Street to accommodate a handicap ramp contingent upon the property owner assuming all liability.

**APPROVAL OF THE CONSTRUCTION OF RAISED PLANTING BEDS AT THE BLOOMSBURG COMMUNITY GARDEN AS AN EAGLE SCOUT PROJECT**

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved Walker Murphy to construct raised planting beds at the Bloomsburg Community Garden as an Eagle Scout project contingent upon working out the details with Code Officer Ed Fegley.

The meeting adjourned into Executive Session at 9:09 p.m. to discuss a Police Department personnel matter and pending litigation involving the park and did not reconvene.

WILLIAM LOWTHERT  
Town Administrator and Secretary