

A Public Hearing of Bloomsburg Town Council was held Monday, June 10, 2013, beginning at 6:00 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, Fred Trump and Eric Bower; Town Administrator William Lowthert; Assistant Town Administrator Lauren Martz; Code Enforcement Officer Ed Fegley and Solicitor Jack Mihalik. Absent was Council Member Bill Kreisher. A stenographer was present to record the proceeding.

Shirley Hoffman was to present to ask Council to change the zoning district designation from Residential-Conservation to Commercial-Warehouse of her 54 acre parcel of land located along State Route 42 west of Interstate 80 and east of Fishing Creek known as 1028 Millville Road.

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved continuing the hearing at a date to be determined by Town Hall staff after further information is obtained.

Hearing no further comment, the Public Hearing adjourned at 6:55 p.m.

### **EXECUTIVE SESSION**

Bloomsburg Town Council held an Executive Session at 6:55 p.m. to discuss an appeal that was filed in Columbia County Court by Marlene Butters concerning the liquor license transfer denial and a Police Department personnel matter.

A regular meeting of Bloomsburg Town Council was held Monday, June 10, 2013, beginning at 7:31 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, 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; Chief of Police Leo Sokoloski; Code Enforcement Officer Ed Fegley; Fire Chief Bob Rupp; Solicitor Jack Mihalik and Administrative Assistant Amy Seamans. Absent were Council Member Bill Kreisher and Recycling Administrator Charles Fritz.

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

Downtown Manager Adrienne Mael expressed that businesses will be losing 22 parking spaces in the Pine Avenue parking lot for a year to a year and a half during the demolition and construction of the Bloomsburg University Foundation building. In talking with Rose Marie's Restaurant, they would like to request that Miller Avenue, off Main Street, be temporarily closed for the summer so they could put out five tables to expand their business. Temporary barriers, possibly flower pots, would be put out and would be taken in each night. In working with the Public Safety Committee, a traffic count was conducted and it showed that there is not a significant amount of cars that use this alley. Rose Marie's liquor license could be extending to include this area as long as a letter of support from the Town is provided so they could apply for the extension through the Pennsylvania Liquor Control Board. Adrienne also stated that this same section of Miller Avenue had been recently closed during the day while Joe Gushen had his building painted and she didn't hear of any complaints. S. Costa asked L. Sokoloski if he perceived any issues with his department not having access to this area and he stated that the alley would not be closed during the construction, just now until then and he didn't feel emergency vehicles would have a problem getting around.

Cleve Hummel, owner of the building along Miller Avenue that faces Main Street, expressed that no one evidently talked with his staff because they were not happy when the road was closed during the painting. Mr. Hummel is concerned about how the trash would be picked up and vehicles pulling in and then seeing the barriers would have to back out onto Main Street. He feels this request is premature.

Mike Smith, manager for Rose Marie's, stated he would take care of whatever would need to be done. They are also fine with waiting so more discussion could take place. He did state that their trash hauler backs up the alley. Mr. Smith was also thinking that a gate could possibly be attached to one of the buildings to close off the alley instead of using planters. No action was taken at this time and Council advised Ms. Mael to continue working out the details with the Public Safety Committee.

## **MAYOR'S UPDATE**

Mayor Knorr stated that the purpose of the Executive Session that was called after the Council Workshop on May 28, 2013 was to discuss a Police Department personnel matter.

In light of this being his last Council meeting, Mayor Knorr wanted Council to know that he received a noise complaint from a resident that lives near Autoneum. He and the Code Enforcement Office have answered the complaint to the best of their ability. The decibel levels are not in violation of the Town's noise ordinance and Autoneum is also looking into the matter.

Mayor Knorr had also planned to ask Council what their initial demands are in preparation of the upcoming contract negotiations. B. Lowthert will collect this information and will schedule a work session for Council.

## **COUNCIL MEETING MINUTES DISCUSSION**

B. Lowthert reported that he learned at a recent administrator's workshop that it's recommended that municipalities do not do detailed minutes and should only record any action that is taken. B. Lowthert recommends Council approve changing the way the Town's minutes are written.

Oren Helbok, 705 East Fifth Street, strongly disagrees with this change. He feels as a citizen and resident that this is violating his governmental right. E. Bower expressed that he likes the minutes the way they are currently written which makes it easier for him to search for information. F. Trump agreed with E. Bower. S. Costa also stated that she likes the way the minutes are now so she can look back and recall what was said at a meeting. Mayor Knorr stated that the minutes are only a highlight of what was discussed, not everything that was said. B. Lowthert then recommended that a stenographer should be at every Council meeting to record every word. Council agreed to continue with the way the Council meeting minutes are written. B. Lowthert disagreed with this direction from Council.

## **VETERANS MEMORIAL UPDATE**

Council Member Levan and Sherry Horcha of Peters Consultants presented a concept diagram of the Veterans Memorial to be located in the center of Market Street at Town Park. The area will be surrounded by a raised curb with handicap parking spaces. All branches of the military as well as the Merchant Marines will be incorporated in the memorial. The design of the actual memorial will be discussed at the next meeting on July 11<sup>th</sup>. The group plans to have representatives from the code office and public works there to help answer questions. Some items they envision to be in this area are benches, a water feature and possibly an eternal flame. Anyone interested in helping with the design is welcome to attend.

## **APPROVAL OF MAY 13, 2013 COUNCIL MEETING MINUTES**

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved the May 13, 2013 Council meeting minutes with no additions or corrections.

## **APPROVAL OF PAYMENT OF MONTHLY BILLS AND MAY 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 May payroll authorization: General Fund, \$118,242.40; Debt Service Fund, \$5,986.69; Recycling Fund, \$45,698.50; Street Lighting Fund, \$9,477.48; Norris E. Rock Memorial Swimming Pool Fund, \$20,201.32; Day Care Project, \$2,737.40; Airport Expansion Project, \$18,374.73; Liquid Fuels Fund, \$395.21 and the May payroll authorization in the amount of \$218,079.93.

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

On a motion by C. Howell, seconded by F. Trump and voted on unanimously, Council approved the addition of EZ Storage and Larry C. Frace Inspections, LLC to the 2013 town vendor list.

#### **RESIGNATION ACCEPTANCE OF CRISTINA MATHEWS FROM THE SHADE TREE COMMISSION**

On a motion by S. Costa, seconded by C. Howell and voted on unanimously, Council accepted the resignation of Cristina Mathews with regret from the Shade Tree Commission.

#### **APPOINTMENT OF MICHAEL PERAKOVICH TO THE SHADE TREE COMMISSION**

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council appointed Michael Perakovich to the Shade Tree Commission with a term expiring on 12/31/14.

#### **APPROVAL OF REVISING THE CODE ENFORCEMENT OFFICER I POSITION AND RE-ADVERTISING THE POSITION**

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved revising the Code Enforcement Officer I position to reduce the minimum requirements and re-advertising the position.

#### **APPROVAL OF QUIT CLAIM OF CERTAIN UNOPENED STREETS AND PASSAGE WAYS ORIGINALLY LAID OUT AS PART OF THE WALLER ADDITION**

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council approved quit claiming its interest in certain unopened streets and passage ways originally laid out as part of the Waller Addition that lie adjacent to 2 West Twelfth Street (Paul and Debra Gilbert), 2 East Twelfth Street (E.C.D. LLC) and 1205 Market Street (Richard Tevis and Carol Rheam-Tevis).

#### **APPROVAL OF RETIREMENT OF LEO V. SOKOLOSKI AS CHIEF OF POLICE**

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved the retirement of Leo V. Sokoloski as Chief of Police effective June 28, 2013 with great regret.

#### **RESIGNATION ACCEPTANCE OF DANIEL D. KNORR, II AS MAYOR**

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council accepted the resignation of Daniel D. Knorr, II as Mayor effective June 21, 2013. Mayor Knorr stated that Vice President of Council Diane Levan, will conduct the next Council meeting on June 24<sup>th</sup> at which time Council will discuss the appointment of an interim Mayor.

#### **APPROVAL OF SETTING THE VENDOR FEES FOR THE FOURTH OF JULY EVENT AT TOWN PARK**

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved setting the vendor fees at 20% of gross revenue for the Fourth of July event at Town Park with the proceeds being donated to Kidsburg 2.0.

#### **APPROVAL OF KIDSBURG 2.0 COMMITTEE TO COLLECT DONATIONS AT THE FOURTH OF JULY EVENT AT TOWN PARK**

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved the Kidsburg 2.0 Committee to collect donations at the Fourth of July event at Town Park.

#### **APPROVAL OF THE PURCHASE OF SOFTWARE FROM COMCATE FOR THE CODE ENFORCEMENT OFFICE**

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved the purchase of software from Comcate in the amount of \$8,550 for the first year and \$5,250 annually for the Code Enforcement Department.

#### **RESIGNATION ACCEPTANCE OF MARTIN BOUDMAN AS A PART-TIME POLICE OFFICER**

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council accepted the resignation of Martin Boudman as a part-time police officer.

#### **APPROVAL OF ADVERTISING FOR A PART-TIME POLICE OFFICER**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved advertising for a part-time police officer.

#### **APPROVAL OF THE PURCHASE AND INSTALLATION OF POLICE VEHICLE EQUIPMENT FROM KEYSTONE COMMUNICATIONS**

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved the purchase and installation of police vehicle equipment in the amount of \$7,945.15 from Keystone Communications.

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

On a motion by F. Trump, seconded by C. Howell and voted on unanimously, and on the recommendation of the Bloomsburg Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Carl Beaver to replace the slate roof with a metal roof on the structure located at **255-257 East Fifth Street**.

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, and on the recommendation of the Bloomsburg Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Susan Wagner to replace the shingle roof with a metal roof on the structure located at **410 Iron Street**.

#### **APPROVAL OF SEDA-COG ADMINISTERING THE PROCESS OF OBTAINING RFP'S FOR CDBG ENGINEERING SERVICES**

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved SEDA-COG administering the process of obtaining RFP's for CDBG engineering services.

#### **APPROVAL OF PAYMENT TO LARSON DESIGN GROUP, INC FOR PROFESSIONAL ENGINEERING SERVICES OF THE STREATER RECREATION IMPROVEMENTS PROJECT**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to Larson Design Group, Inc. in the amount of \$2,485 for professional engineering services of the Streater Recreation Improvements Project through 05/18/13 with CDBG funds.

#### **APPROVAL OF PAYMENT TO KUHARCHIK CONSTRUCTION, INC. FOR THE PHASE V STREET LIGHTING PROJECT**

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council approved payment to Kuharchik Construction, Inc. in the amount of \$194,710.70 for the Phase V Street Lighting Project with Transportation Enhancement Funds.

#### **APPROVAL OF PAYMENT TO DOBRINSKI BROTHERS, INC. FOR PHASE 5 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT**

On a motion by S. Costa, seconded by C. Howell and voted on unanimously, Council approved payment to Dobrinski Brothers, Inc. in the amount of \$24,300 for Phase 5 of the Bloomsburg Municipal Airport Extension and Realignment Project through 04/30/13.

#### **APPROVAL OF PAYMENT TO DOBRINSKI BROTHERS, INC. FOR PHASE 6 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT**

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved payment to Dobrinski Brothers, Inc. in the amount of \$15,660 for Phase 6 of the Bloomsburg Municipal Airport Extension and Realignment Project through 04/30/13.

#### **APPROVAL OF PAYMENT TO DOBRINSKI BROTHERS, INC. FOR PHASE 6 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT**

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved payment to Dobrinski Brothers, Inc. in the amount of \$21,105 for Phase 6 of the Bloomsburg Municipal Airport Extension and Realignment Project through 05/31/13.

**APPROVAL OF PROPOSAL FROM MOTT TANK INSPECTION, INC. FOR THE INSPECTION OF TWO ABOVEGROUND STORAGE TANKS AT THE BLOOMSBURG MUNICIPAL AIRPORT**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved a proposal from Mott Tank Inspection, Inc. in the amount of \$1,700 for the inspection on two (2) aboveground storage tanks at the Bloomsburg Municipal Airport.

**APPROVAL OF DESIGN OPTION 4(B) FOR THE NEW TERMINAL BUILDING AT THE BLOOMSBURG MUNICIPAL AIRPORT**

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved design option 4(B) for the new terminal building at the Bloomsburg Municipal Airport.

**APPROVAL OF BID FROM ROBERT C. YOUNG, INC. FOR THE 2013 STREET RESURFACING PROJECT**

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved the bid from Robert C. Young, Inc. in the amount of \$125,360.40 for the 2013 Street Resurfacing Project.

**APPROVAL OF PAYMENT TO KUHARCHIK CONSTRUCTION, INC. FOR THE PHASE V STREET LIGHTING PROJECT**

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved payment to Kuharchik Construction, Inc. in the amount of \$36,277 for the Phase V Street Lighting Project with Transportation Enhancement Funds.

**APPROVAL OF REVISED EASEMENT AGREEMENT WITH JOSEPH AND SHEREE MARTARANO**

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved a revised easement agreement with Joseph and Sheree Martarano as written.

**APPROVAL OF THE TERMINATION OF POLICE OFFICER SHAWN HILL**

On a motion by D. Knorr, seconded by D. Levan and voted on Five (5) (D. Knorr, D. Levan, S. Costa, C. Howell and E. Bower voting “Yes”) to One (1) (F. Trump voting “No”), Council approved the termination of Police Officer Shawn Hill effective immediately due to the violation of the following policies and procedures: Unbecoming Conduct Section 6.01.00, Immoral Conduct Section 6.02.00, Conformance of Laws Section 6.03.00, Orders of Commissioned and Noncommissioned Officers Section 6.14.00, Insubordination Section 6.14.01 and Discrimination or Harassment Section 6.34.00.

Being no further business, the meeting adjourned at 9:14 p.m.

WILLIAM LOWTHERT  
Town Administrator and Secretary