

A Public Hearing was held at 6:30pm prior to the regularly scheduled Town Council meeting to discuss Bloomsburg Fire Department tax free borrowing for the purchase of a new fire truck.

A regular meeting of Bloomsburg Town Council was held Monday, June 12, 2017, beginning at 7:00pm in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Presiding was Mayor Sandy Davis; Council Members Fred Trump, Sylvia Costa, William Kreisher, James Huber, Joe Martarano and W. Carey Howell; Town Manager/Secretary Lauren Martz; Director of Finance/Treasurer Lisa Dooley; Director of Governmental Services/Recycling Coordinator Charles Fritz; Director of Human Resources/Assistant Secretary Tracy Lanza fame; Chief of Police Roger Van Loan, Public Works Superintendent John Barton; Code Enforcement Officer III Ralph Magill and Code Enforcement Officer I Kyle Bauman; Fire Chief Bob Rupp

PROCLAMATION – RELAY FOR LIFE DAY

Mayor Davis proclaimed the 12-hours of June 24, 2017 as Relay for Life Day in the Town of Bloomsburg and presented the proclamation to members of the Relay for Life of Columbia County.

CITIZEN TO BE HEARD – OREN HELBOK

Mr. Helbok read the following prepared letter:

Mayor Davis, Council members, fellow citizens of Bloomsburg –

I stand before you tonight as a citizen of the Town of Bloomsburg, a voter and a taxpayer here. I do not claim to represent my employer, nor any of the many organizations with which I volunteer and with which any of those organizations collaborate.

My family and I moved into Bloomsburg in 2010, making a very conscious choice to live here because we love this town. It has a great deal going for it, and almost endless potential. It also has obstacles in its way, chief among them this very Council and the way that it has, time after time, prevented us, the citizens of Bloomsburg, from taking our proper roles in governing.

It all comes down to trust: We as the citizenry need to trust our government, our elected officials whom we choose to represent us and act in our best interests, but we can only do that if you trust us. And you plainly do not trust us. By acting in secrecy, as you have done time after time, and as you have done with the Ordinance change on the agenda tonight, you show us that you do not want our input into your decisions, that you do not trust us to know anything about how government works or should work, and that you do not trust us to agree with you on how you believe government should work.

When you shut citizens out of the process, when you cannot explain to us along the way why you wish to make this and other changes, I cannot trust you. And when you propose changes that concentrate power in just one of your number, the Mayor, while effectively removing it from the Council as a whole, while simultaneously marginalizing the Town Manager – a job only suitable for an educated, trained, and experienced person – without accepting any input from the citizenry or the current occupant of the Manager's position, I cannot trust you.

I have read every word of the proposed Ordinance change, and I have read every word of the existing Ordinance concerning this position. As well as subjugating the Manager to the will of the Mayor, you would give the Council free rein, through the newly-created Personnel committee, to meddle in and micromanage hiring and firing. You did not trust me or my fellow citizens to have input into the process that created this proposed Ordinance change; why should I now trust you to act in the best interests of me and my fellow citizens? All seven of you serve us, the People – not the interests of one Council member, not the interests of the Mayor, not even the interests of a majority of you. You serve us, the 14,000 citizens of Bloomsburg, and our collective interests.

Since turning 18 years old, in 1983, I have missed one election, the primary of 1985; otherwise, I have voted in every election in every place I have lived, choosing among hundreds of candidates. Mayor Davis, you ran for this job on a platform of inclusion, talking about setting up regular forums in each of Bloomsburg's wards, of soliciting citizen input. I voted for you, Mayor Davis. And then you won, and you shut the bunker door behind you, shutting me and other citizens and our organizations out, time and time again, as you have done, yet again, with this proposed Ordinance change. Of all of those hundreds of votes that I have cast over the last 34 years, I regret only one, Mayor Davis: I regret voting for you.

Oren B. Helbok, 705 East 5th Street, Bloomsburg

COUNCIL STATEMENT READ BY CAREY HOWELL

The state law that controls the Town states that the Town can appoint a Town Manager and that the powers and duties of the Town Manager must be set forth in an Ordinance. In 1978 the Town passed a Town Manager ordinance which remains in effect today. The Town did not have a Manager until Lauren Martz was appointed 1 ½ years ago and had no experience with the Town Manager Ordinance or working with a Town Manager.

As Town matters got more complex over the last several years, the need for Council and Council members to become involved in Town matters has increased. One of the areas that required council involvement was in personnel matters. So, several months ago, the Town created a personnel committee consisting of myself as chair, Sylvia Costa and Jim Huber, with Joe Martarano currently acting in my place because of my injury. One of the tasks of the Committee was to study the Town Manager ordinance and the relationship between Council and the Town Manager.

For over 20 years, Town Administrators performed as the head appointed official. This seemed to work well. In the job description for Town Administrator, Secretary/Treasurer, it states that "Direction is received from the Mayor through conferences and policy directives and work is reviewed for the achievement of desired objectives.

In a letter emailed to "undisclosed recipients", Vince DeMelfi erroneously states that the Town Manager shall be supervised by and report only to the Mayor (or his his/her designee). Please read the entire ordinance and you will see that this is not true. If you look at the organizational chart, you will see that the Town Manger is responsible not only to the Mayor but each individual Council Member and Committee Chair. This would mean the Council and the Town Manager would work together in accomplishing what is best for the town.

When Bill Lowthert left to be the Borough Manager of Lewisburg, he made the following statements to Eric Scicchitano of the Daily Item.

Lowthert said "He won't look to set the direction of the borough, that's the job of the council". He will instead pursue the vision elected officials have for Lewisburg. "I want to try to make Lewisburg into the community the members of council feel it should be, I'm not the boss, they are".

Council found the 1978 ordinance deficient in that the Town Manager was to report to council as a whole which is impractical to expect the Town Manager to receive direction from seven council members at one time. The Personnel Committee recommended that the 1978 Ordinance be amended to create an organizational chart whereby the Town Manager reported to committee chairs.

Much of the Town work these days is done at the committee level with recommendations to council for formal action.

In addition, under the 1978 ordinance, the Town Manger is given complete power to hire, fire and suspend employees. The Personnel Committee recommended that the Town Manger make recommendations to Council on the hiring, discharge and suspension of employees. The Personnel Committee also recommended an update in the powers and duties of the Town Manager. These changes are reflected in the ordinance which is before Council tonight. This was being done with the Town Administrator's position. At one time, council even sat in on job interviews.

Council is now at the point where it can deliberate the proposed ordinance to take formal action. Since questions have been raised about the Town Manager Ordinance, I am going to make a motion to table the ordinance for now. A public work shop should be held in the near future where Council can explain its recommendations to the public and can hear the concerns of the public and from the Town Manager, Lauren Martz as to whether the 1978 ordinance should stay in effect or be changed to what the Personnel Committee feels is in the best interests of the Town or adopted with different provisions.

Copies of the 1978 ordinance, the proposed organizational chart, the Town Administrator job description and the proposed ordinance are available to you tonight. If there are not enough documents you can call Town Hall for copies. The 1978 ordinance is also available on the Town website.

ADOPTION OF ORDINANCE NO. ____ REPEALING AND RE-ENACTING CHAPTER 1, PART 2 RELATING TO CONTRIBUTIONS TO THE OFFICE OF TOWN MANAGER

On a motion by C. Howell, seconded by B. Kreisher, and voted on 4 to 3 (S. Costa, J. Huber and J. Martarano voting 'no'), Council approved the tabling of the ordinance repealing and reenacting until public workshops could be held.

ADOPTION OF TOWN OF BLOOMSBURG ORGANIZATIONAL CHART

On a motion by F. Trump, seconded by C. Howell, and voted on 5 – 2 (J. Martarano and S. Costa voting 'no'), Council approved the tabling of the new organizational chart pending public workshops and public input.

APPROVAL OF May 22, 2017 COUNCIL MEETING MINUTES

On a motion by J. Martarano, seconded by J. Huber, and voted on unanimously, Council approved the May 22, 2017 Council meeting minutes with no additions or corrections.

APPROVAL OF PAYMENT OF MONTHLY BILLS AND MAY PAYROLL AUTHORIZATION

On a motion by F. Trump, seconded by C. Howell, and voted on 6 – 1 (J. Huber voting ‘no’), Council approved payment of the following monthly bills and the May payroll authorization: General Fund, \$179,295.30; Recycling Fund, \$19,744.11; Street Lighting Fund, \$4,920.96; Fire Fund, \$7,231.12; Norris E. Rock Memorial Swimming Pool Fund, \$4,266.04; Liquid Fuels Fund, \$3,237.77; Debt Service Fund, \$137,817.72; 2016 CDBG Annual Entitlement, \$4,850; HOME Fund, \$16,749; CDBG Disaster Recovery Fund, \$18,404.58; and the May payroll authorization in the amount of \$209,561.11.

APPROVAL TO SELL POLICE DEPARTMENT 2004 FORD EXPLORER ON MUNICIBID

On a motion by F. Trump, seconded by C. Howell, and voted on unanimously, Council approved the sale of a 2004 Ford Explorer with 133,152 odometer miles, VIN# 1FMZU72K45ZA58260 on Municibid.

APPROVAL OF PAYMENT TO KORN FERRY FOR QUARTERLY POLICE PENSION ACTUARIAL SERVICES

On a motion by F. Trump, seconded by C. Howell, and voted on unanimously, Council approved payment in the amount of \$1,788 for quarterly Police Pension actuarial services.

APPROVAL OF PAYMENT TO KORN FERRY FOR QUARTERLY MUNICIPAL EMPLOYEE PENSION ACTUARIAL SERVICES

On a motion by C. Howell, seconded by J. Martarano, and voted on unanimously, Council approved payment in the amount of \$1,788 for quarterly Municipal Employee Pension actuarial services.

APPROVAL OF PAYMENT TO STROSSER ARCHITECTURE & CONSERVATION FOR TOWN HALL RENOVATION PROJECT

On a motion by B. Kreisher, seconded by F. Trump, and voted on unanimously, Council approved payment in the amount of \$950 for the Town Hall renovations bid opening.

APPROVAL OF PAYMENT TO HUMMEL AND LEWIS FOR LEGAL SERVICES REGARDING PERSONNEL MATTERS

On a motion by J. Huber, seconded by C. Howell, and voted on unanimously, Council approved payment in the amount of \$2,118.75 for legal services regarding personnel matters.

APPROVAL OF CERTIFICATES OF APPROPRIATENESS

On a motion by F. Trump, seconded by S. Costa, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Patricia Ferry to enclose a rear porch at 438 Center Street.

On a motion by F. Trump, seconded by C. Howell, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Debbie Smith to replace a roof at 344 E. 2nd Street.

On a motion by F. Trump, seconded by S. Costa, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Sue O'Donnell to replace porch roofs at 155 W. 3rd Street.

On a motion by F. Trump, seconded by B. Kreisher, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Town of Bloomsburg to install replacement windows at 301 E. 2nd Street.

On a motion by C. Howell, seconded by J. Huber, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Gayle Hine to repair porch floor and column base at 445 Market Street.

On a motion by J. Martarano, seconded by B. Kreisher, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Jeffrey Acosta to install signage and replace door at 102 W. Main Street.

APPROVAL OF BLOOMSBURG UNIVERSITY LAND DEVELOPMENT – EAST PARKING LOT MODIFICATION FROM SECTION 22-404.B.1.a

On a motion by B. Kreisher, seconded by J. Huber, and voted on unanimously, and upon the recommendation of the Planning Commission, Council approved a Modification from Section 22-404.B.1.a for providing plan sheet size of 24" x 36" The applicant requests the plans to be accepted on 30" x 42" sheets as required by the Department of Government Services.

CONDITIONAL APPROVAL OF BLOOMSBURG UNIVERSITY LAND DEVELOPMENT – EAST PARKING LOT

On a motion by B. Kreisher, seconded by J. Huber, and voted on unanimously, and upon the recommendation of the Planning Commission, Council conditionally approved the plan contingent upon the following items being met:

1. The erosion & sediment pollution control (E&SPC) plan shall be deemed adequate by the Columbia County Conservation District. A copy of the final approved plan and adequacy letter shall be provided. [Sec. 22-404.B.(2)(f), Sec. 22-404.D.(1)(a)17), Sec. 22-508. and Sec. 22-804.]
2. An NPDES Permit for Storm Water Discharges Associated with Construction Activities Is required for this project. A copy of this permit once obtained shall be provided. [Sec. 22-403.1.A(1) and Sec. 22-804.]
3. An agreement for the ownership and maintenance of all proposed drainage/storm water management facilities shall be provided. The applicant stated that this is standard and covered in the NPDES permit.

APPROVAL OF BIDS FOR TOWN HALL RENOVATION PROJECT

On a motion by B. Kreisher, seconded by F. Trump, and voted on 5 – 2 (J. Huber and J. Martarano voting ‘no’), Council approved the bids for the Town Hall renovation project as follows:

Contract	Contractor Name	Base Bid	Add Alternate #1
GENERAL	T-Ross Brothers Construction	\$217,000.00	\$19,850.00
MECHANICAL	LTS Plumbing & Heating, Inc.	\$59,780.00	
ELECTRICAL	The Howard Company	\$73,750.00	
PLUMBING	LTS Plumbing & Heating, Inc.	\$34,780.00	
TOTAL			\$405,160.00

APPROVAL TO ADVERTISE FOR BIDS ON THE 2017 STREET RESURFACING PROJECT

On a motion by S. Costa, seconded by C. Howell, and voted on unanimously, Council approved advertisement for bids on the 2017 Street Resurfacing Project.

APPROVAL FOR USAGE OF 2017 CDBG ALLOCATION FOR THE PROPOSED FLOODWALL EXPANSION PROJECT

On a motion by B. Kreisher, seconded by F. Trump, and voted on unanimously, Council approved using 50% of the 2017 CDBG allocation for storm water improvements and 50% of the 2017 CDBG allocation for sanitary sewer improvements in regard to the proposed floodwall expansion project after administrative costs.

APPROVAL OF A LIQUID FUEL GRANT AWARD FROM THE COLUMBIA COUNTY LIQUID FUELS ASSISTANCE PROGRAM

On a motion by F. Trump, seconded by S. Costa, and voted on unanimously, Council approved a Liquid Fuels grant award in the amount of \$20,000 from the Columbia County Liquid Fuels Assistance Program.

APPROVE AUTHORIZATION OF THE MAYOR TO SIGN PAPERWORK FOR A TAX EXEMPT LOAN FOR THE BLOOMSBURG FIRE DEPARTMENT

On a motion by S. Costa, seconded by C. Howell, and voted on unanimously, Council approved allowing the Mayor to sign paperwork for the Bloomsburg Fire Department’s tax free loan in the amount of \$385,000 for the purchase of a 2018 Toyne Pumper Tanker with a 1,750 gmp pump and 2,000 gallon water tank on a Spartan Metrostar Chassis.

APPROVAL OF PAYMENT NO. 3 TO LENDENMANN’S REMODELING FOR HOME PROGRAM

On a motion by C. Howell, seconded by B. Kreisher, and voted on unanimously, the Committee approved payment in the amount of \$6,924 to Lendenmann’s Remodeling for HOME Program

Application TB-T-34.

APPROVAL OF PAYMENT TO ERVIN BLANK ASSOCIATES, INC FOR STENOGRAPHER SERVICES

On a motion by B. Kreisher, seconded by S. Costa and voted on unanimously, Council approved payment in the amount of \$674.60 to Ervin Blank Associates, Inc. for stenographer services at the curative amendment hearing with regard to the former Windsor Foods Property currently owned by Bloomsburg Industrial Ventures, LLC.

APPROVAL OF PAYMENT TO HARDING, HILL & TUROWSKI, LLP FOR LEGAL SERVICES

On a motion by J. Martarano, seconded by F. Trump, and voted on unanimously, Council approved payment in the amount of \$5,583.50 to Harding, Hill & Turowski, LLP for legal services for the curative amendment in regard to the former Windsor Foods Property currently owned by Bloomsburg Industrial Ventures, LLC

APPROVAL OF STREET VENDOR PERMIT FOR EM'S PINK WIENERS

On a motion by C. Howell, seconded by S. Costa, and voted on unanimously, Council approved a street vendor permit for Em's Pink Wieners.

APPROVAL OF PAYMENT TO SEDA-COG FOR FFY 2016 HUD CDBG ADMINISTRATIVE SERVICES

On a motion by C. Howell, seconded by S. Costa, and voted on unanimously, Council approved payment to SEDA-COG in the amount of \$24,313 for administrative services in connection with the FFY 2016 HUD CDBG Entitlement Program.

Council adjourned into Executive Session at 8:15pm and reconvened at 8:35pm.

APPROVAL TO HIRE AN ADMINISTRATIVE ASSISTANT

On a motion by B. Kreisher, seconded by F. Trump, and voted on unanimously, Council approved the hiring of Bobbi Erlston as an Administrative Assistant at the rate of \$12.50 per hour, with a \$.50 per hour increase with the successful completion of a six month probationary period. Hire is conditional on the successful completion of a background check and pre-employment screening.

Lauren Martz
Town Manager/Secretary