

A regular meeting of Bloomsburg Town Council was held Monday, July 9, 2012, 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, W. Carey Howell, Bill Kreisher arriving at 7:10 p.m., Fred Trump and Eric Bower arriving at 7:27 p.m.; Town Administrator William Lowthert; Director of Finance Heather Jacoby; Code Enforcement Administrative Assistant Christine Meeker; Solicitor Jack Mihalik and Office Assistant Amy Seamans. Absent were Code Enforcement/Zoning/Planning Officer Ed Fegley; Superintendent of Public Works John Barton; Recycling Administrator Charles Fritz; Chief of Police Leo Sokoloski and Fire Chief Bob Rupp.

WEST THIRD STREET RECONSTRUCTION

Kurt Hetrick of Larson Design Group reviewed how the preliminary plan was developed. The legal right-of-ways were set; utilities were identified as well as cross sections. The grade on intersecting alleys was checked and design scenarios including reinforced driveways and downspout outlets through the concrete were developed. He noted that a lot of time was spent on the grade. The recommendation is to mill the street to a depth of 2" with 1 ½" of material replaced. Stormwater flow will be maintained which runs north to south. K. Hetrick noted that to mill down to the concrete, it's a depth of 4". The depth was determined by test drilling completed by the Public Works Department. To only put 1" of material back, it wouldn't hold. 1 ½" of binder and 1 ½" of top coat is recommended making it the same as milling to a depth of 2". There will be a 6 ½" curb reveal with ADA accessible ramps installed at each intersection.

Mayor Knorr asked about a yard being lower than the curb. K. Hetrick stated it will tie in quite well. The hardest area is going to be the north side between Jefferson Street and Murray Avenue.

B. Lowthert stated that J. Barton is good with the plan, but has some additional work he plans to discuss with K. Hetrick concerning the Jefferson Street intersection.

Christopher Byerly, 204 West Third Street, questioned how the leaves will get cleaned out of the down spout. K. Hetrick stated that typically 6" to 8" behind the curb the homeowner would tie-in their down spouts.

Sue O'Donnell, 155 West Third Street, read aloud the following prepared letter:

July 9, 2012

Town Council Public Meeting
Monday July 9, 2012

RE: Reconstruction of West Third Street Project

I am the property owner of 155 West 3rd Street, on the north side between Jefferson and Market. I have lived at this address for the past five years. For the record I would like to share my concern of the proposed West Third Street Project as I understand it.

My first concern centers on storm water runoff. I don't see where rainwater runoff is addressed in the proposal. There is a history of storm water runoff problems on my block of West Third Street and this proposal would potentially make the runoff problem worse. If the curbs are built with a 6 ½" exposure above the street, my yard would be lower than the height of the curbs and sidewalk. There would be no way for me to drain my property without having to pump it over the curb.

The plans also shows two 4" PVC pipes positioned under the walk in front of my property to allow drainage from my gutter downspouts. However, my concern is that water from my downspouts would have to run uphill to reach the curb. Additionally, the potential for rainwater from the street to flow into these pipes and fill my yard with runoff is foreseeable since my yard would be the low point.

I believe this proposal puts my property at risk of having no way to drain storm water runoff and potentially would cause additional drainage problems from runoff water flowing down West Third.

I request that consideration be given to this potential storm water runoff problem and its impact to my property.

Respectfully yours,
Sue O'Donnell
155 West Third Street
Bloomsburg, PA

Cell: 914-419-0580

K. Hetrick expressed that it's difficult to lower the entire street for 3 properties.

John Jacobson, 201 West Third Street, expressed that water ponds at the northwest corner of Jefferson Street and asked if this will be addressed. K. Hetrick stated he knows of this dip in the roadway and that when the street is milled, this will resolve the ponding issue. Mr. Jacobson also asked if anyone from the Town has contacted the gas company, UGI, to make sure they aren't planning to replace the gas main from West Street to Market Street. B. Lowthert believes J. Barton has talked with UGI, but he would double check.

William Finnerty, representative for Wesley United Methodist Church, 130 West Third Street, asked when the Town is planning to do this. B. Lowthert stated the Town hopes to bid this summer and be complete by fall week. Mr. Finnerty expressed that they are having the church cleaned, repointed and painted which will take 10-12 weeks. The plan is to start at the rear or Murray Avenue side and then around to Third Street. The contractor needs to coordinate the rental of a large bucket lift being used to reach the top of the church from the Murray Avenue side. Council asked if the contractor could start on the Third Street side. Mr. Finnerty will have the contractor contact B. Lowthert to work out the details. Mr. Finnerty also asked if the church would need to tear out a small piece of sidewalk they recently replaced where the gas company dug and left stone. K. Hetrick stated he had seen this and it's fine, it wouldn't need to be torn out.

Ann Diserod, 204 West Third Street, stated that there is a problem with trucks riding over the curb when turning from Third Street onto Jefferson Street. There is now a large hole in the tree lawn area. Mr. Byerly stated he has filled in the hole twice. Mr. Jacobson expressed that people don't know how to park on Third Street and park too close to the intersection making it difficult for turning vehicles. Ms. Diserod stated they also need to replace the sidewalk on the Jefferson Street side of their property and asked if this could be included in the bid which they would pay for. B. Lowthert expressed that this could be added as an alternate to the bid and Mr. Hetrick stated the plan is to bid the project per square yard making it easy to determine what individual property owners will be responsible for.

Mary Chamuris, 163 and 211 West Third Street, questioned the test drilling. How could the pavement be only 4" thick if there used to be a 6" curb reveal that is now flush with the road. Mr. Hetrick did not have an answer. Ms. Chamuris stated that 18 years ago she had to replace the sidewalks in front of 211 West Third Street and it's still perfectly fine. This is not acceptable if she has to pay to replace it again. She also asked about the 4" interior curb noted on the plan for the northwest and southeast corners of Jefferson Street. K. Hetrick stated the homeowner will be asked if they would allow the contractor to slope it into their yard and if not, a toe wall would be put in.

Paul Kinney, 337 West Third Street, asked if some of the crown on West Street will be eliminated and Mr. Hetrick answered yes. Mr. Kinney has worked with the Public Works Department over the years concerning a runoff problem from Blackberry Avenue which is currently controlled. K. Hetrick recognizes that the contractor will need to work with some existing conditions.

Oren Helbok, 705 East Fifth Street, asked how long the wearing course will last and K. Hetrick stated 12-15 years. Mr. Helbok expressed that it's fair to say that this plan will correct the issues as long as the cross sections are maintained to this depth.

Mrs. Appleman, 225 West Third Street, stated that she and her husband have lived at this address for 60 years. The road has been paved several times and they used to have nice curbs but now there is only pavement.

Nanci Tichbourne, 201 West Third Street, asked how the walkway leading from the sidewalk to their house would be incorporated, it will be lower and a trip hazard. K. Hetrick stated the walkways are incorporated and contractor will be able to tie it in.

Ronald Ferdock, 320 Market Street (owner of 140 West Third Street), questioned what right-of-way means. Mr. Hetrick explained that there is a certain distance in front of everyone's property where the Town or a utility company has the legal right to have work done.

Kevin Kester, 236 West Third Street, expressed that he just had his sidewalk and curbing replaced to code and wonders how his are going to look to everyone else's. K. Hetrick stated they would blend in fine.

Kristen Beyer, 367 West Third Street, questioned what the right-of-way box was on the plans and K. Hetrick stated that it's a note to the contractor that the area is not within the right-of-way and will need to ask permission from the property owner. Daniel Beyer stated that there is an access/driveway at the rear of their property but it's not noted on the plan. He did explain that there is a fence and it doesn't look like a driveway but was wondering about obtaining access to it in the future. K. Hetrick made a note to add a drop curb there.

Douglas Michael, 155 West Third Street, stated they have historic slate sidewalks and walkway leading to the house and since they are in the historic district asked if they would be able to keep it. S. Costa expressed that the Town would like to keep the project uniform but suggests he use it somewhere else in his yard. Mr. Michael also feels the curb height will end up being level with the porch and doesn't know how the porch steps will tie in.

Scott Gleber, 163 West Third Street, questioned the storm drain tie in. K. Hetrick stated the storm drains go up Jefferson Street to the next alley. If the Town wants to do a total reconstruction, it would include milling to a depth of 4", laying new subbase, leveling and wearing courses and installing storm sewer inlets which he estimates to cost close to \$500,000.

Steve Coladonato, 210 West Third Street, feels 155 West Third Street needs to be looked at again. This property sits the lowest on the street and they may have a drainage issue there. He also would like the sidewalks that are in good shape looked at again to determine if they are only being replaced because they need to be lowered or raised.

Mayor Knorr stated the Town could refer to the curb and sidewalk study to determine the condition of the sidewalks but B. Lowthert stated that to his knowledge, the study has never been approved by Council. Mayor Knorr and B. Lowthert will look into how many properties fall into this profile.

B. Lowthert expressed that most streets are funded by state liquid fuels funds and the Town receives \$200,000 annually. The main purpose of the project is to keep drainage on the street and off private property. Bill also noted that he consulted with the Shade Tree Commission about the removal of approximately five (5) maple trees that are in decline and have outgrown their space. Information concerning preserving tree roots during construction was given to Mr. Hetrick with regards to the large beech tree at the corner of Market and Third Streets.

K. Hetrick asked Council if they want to set a standard width which is typically 4' and they agreed that the standard width should be at least 4'.

On a motion by B. Kreisher, seconded by S. Costa and voted on unanimously, Council approved the preliminary plan with standardizing the sidewalks where possible.

The meeting briefly adjourned at 8:39 p.m. and reconvened at 8:48 p.m.

CITIZEN TO BE HEARD – JOHN BERGER

Mr. Berger stated that he is looking at purchasing a property along Fort McClure Boulevard. The Zoning Board has approved him to install (20) RV spots on the property. Currently there is no sewer service to the existing house, just an on-lot system. He plans to flood proof the home so he can live on the second and third floors. He went to a Municipal Authority meeting to ask permission to place a 1,600' force main in the Town right-of-way which they approved the flows, but advised him to go to the Town to ask permission concerning the right-of-way first. At the Public Works Committee meeting last week the members and J. Barton requested plans so

they could see exactly where the line would be located within the right-of-way. Mr. Berger had his surveyor Ted Oman draw up a plan and after J. Barton reviewed it, it was determined that there is only a three foot right-of-way. J. Barton stated the side of the roadway would crumble and recommends a ten foot right-of-way which would involve Mr. Berger obtaining easements from the three property owners, the Town of Bloomsburg, the Daughters of American Revolution, and the Bloomsburg Municipal Authority. Mr. Berger stated that he doesn't want spend a thousand dollars on plans if the Town is not willing to give him an easement. If he gets a good vibe from Council tonight, he will sign the papers tomorrow to purchase the property.

B. Lowthert expressed that after speaking with the Code Enforcement Office, staff does not recommend Council take action tonight on the easement until this goes through the planning process. It was also noted that this property is included in the Hazard Mitigation Grant Program.

Mayor Knorr and B. Kreisher both expressed they wouldn't have a problem with granting the easement after a favorable review from the Planning Commission. F. Trump doesn't think granting an easement is a good idea. No action was taken at this time.

MAYOR'S UPDATE

HAZARD MITIGATION GRANT MATCH DISCUSSION

Mayor Knorr reported that the Town is still pursuing the CDBG Disaster Relief funds but won't be available until 2013. DCED is asking municipalities to slow down the process and PEMA and FEMA are indicating to proceed ahead. The Town still has not received a signed agreement for the 900 block. In the meantime, the Town would like to let property owners know what to expect concerning the 3% match. It was the consensus of the Administrative/Finance Committee that the Town would contribute half or 1.5% of the match with property owners paying the other 1.5%. Mayor Knorr stated that a few of the property owners were at the meeting and were receptive to this and expressed that they just want this finalized so they can get on with their lives.

ADMINISTRATION

Mayor Knorr expressed that B. Lowthert is getting up to speed on many projects and is doing a great job. C. Mas has agreed to remain as the main contact for the Hazard Mitigation Grant and the Airport Extension and Realignment Project.

At the Administrative/Finance Committee, the committee agenda procedure was discussed and it was decided that staff will have the agenda finalized at noon the day before the meeting. Committee agendas will not be posted on the Town website at this time but eventually this is the plan.

Mayor Knorr stated that from now on, citizens that have called ahead and are listed on the Council agenda will be heard at the beginning of the meeting and any other citizens wishing to speak that are not listed, will be heard at the end of the meeting.

APPROVAL OF RESOLUTION NO. 07-09-12.01 – DESIGNATION OF AGENT FOR TROPICAL STORM LEE – FEMA-4030-DR-PA

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved Resolution No. 07-09-12.01 designating Town Administrator William Lowthert, as the agent authorized to execute all forms and documents on behalf of the Town for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707).

APPROVAL OF JUNE 25, 2012 COUNCIL MEETING MINUTES

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved the June 25, 2012 Council meeting minutes with no additions or corrections.

APPROVAL OF PAYMENT OF MONTHLY BILLS AND JUNE PAYROLL AUTHORIZATION

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved payment of the following monthly bills and the June payroll authorization: General Fund, \$152,277.07; Debt Service Fund, \$5,986.69; Recycling Fund, \$19,555.07; Library Fund, \$20,000; Street Lighting Fund, \$12,298.24; Norris E. Rock Memorial Swimming Pool Fund, \$5,232.95; FFY 10 CDBG Program, \$251.71; FFY 11 CDBG Program, \$29,715.79; Day Care Project, \$2,737.40; Liquid Fuels Fund, \$34,991.17 and the June payroll authorization in the amount of \$172,907.68.

APPROVAL OF ADDITION TO TOWN VENDOR LIST

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved the addition of Century Manufacturing Corp., Waterway Twin Tier and Susquehanna Valley Lodge 52 FOP to the 2012 town vendor list.

APPROVAL OF PROPOSAL PRESENTED BY ROSE CONSULTING FOR A TWO-YEAR ELECTRICITY RATE FROM SUEZ ENERGY RESOURCES

On a motion by F. Trump, seconded by D. Levan and voted on Six (6) (F. Trump, D. Levan, S. Costa, C. Howell, B. Kreisher and E. Bower voting “Yes”) to One (1) Abstention (D. Knorr “Abstaining”), Council approved a proposal presented by Rose Consulting for a two-year electricity rate from Suez Energy Resources at \$.06603 per kWh. B. Lowther expressed that he will look into adding five accounts for the town park that were missed in the quote because they were not active at the time.

APPROVAL OF ACT 44 COMPLIANCE POLICY AND PROCEDURES FOR ALL PENSION PLANS

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved the Act 44 Compliance Policy and Procedures for all pension plans.

APPROVAL OF COMPUTER SERVICES PROPOSAL FROM MEPUSH, INC.

On a motion by C. Howell, seconded by F. Trump and voted on Five (5) (C. Howell, F. Trump, D. Knorr, S. Costa and B. Kreisher voting “Yes”) to Two (2) (D. Levan and E. Bower voting “No”), Council approved a computer services proposal from MePush, Inc. to implement phase 1-5 in the amount of \$18,725.

APPROVAL OF PAYMENT TO DENT PLUMBING AND HEATING FOR EMERGENCY AIR CONDITIONING REPAIRS

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to Dent Plumbing and Heating in the amount of \$1,005 for emergency air conditioning repairs in the fingerprinting room of the Police Department.

APPROVAL OF ENDING PROBATIONARY PERIOD FOR FULL-TIME POLICE CLERK RYAN SALAS

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved ending the probationary period for full-time Police Clerk Ryan Salas with a 2% wage increase to \$11.22/hour.

APPROVAL OF PAYMENT TO LARSON DESIGN GROUP, INC. FOR PROFESSIONAL SERVICES OF THE MILL RACE CULVERT REMOVAL PROJECT

On a motion by S. Costa, seconded by F. Trump and voted on unanimously, Council approved payment to Larson Design Group, Inc. in the amount of \$491.85 for professional services on the Mill Race Culvert Removal Project.

APPROVAL OF PAYMENT TO ROBERT C. YOUNG, INC. FOR THE MILL RACE CULVERT REMOVAL PROJECT

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved payment to Robert C. Young, Inc. in the amount of \$40,620 for construction activities of the Mill Race Culvert Removal Project.

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

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to URS Corporation in the amount of \$2,145.57 for professional services of the Streater Recreation Improvements Project with CDBG funds.

APPROVAL OF PAYMENT TO PETERS CONSULTANTS, INC. FOR PROFESSIONAL SERVICES OF THE PHASE V STREET LIGHTING PROJECT WITH CDBG FUNDS

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved payment to Peters Consultants, Inc. in an amount not to exceed the contracted amount of \$14,685.35 for professional services of the Phase V Street Lighting Project with CDBG funds.

APPROVAL OF CHANGE ORDER NO. 1 FROM DOBRINSKI BROTHERS, INC. FOR THE PHASE 5 AIRPORT EXTENSION AND REALIGNMENT PROJECT

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved Change Order No. 1 from Dobrinski Brothers, Inc. in the amount of \$68,936 for additional construction work and associated costs to address and satisfy the Columbia County Conservation District NPDES review comments and requirements of the Phase 5 Airport Extension and Realignment Project.

APPROVAL OF PAYMENT TO WMCS, INC. FOR CONSTRUCTION ACTIVITIES OF THE TOWN PARK RESTROOM REPLACEMENT PROJECT WITH CDBG FUNDS

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council approved payment No. 2 to WMCS, Inc. in the amount of \$86,670 for construction activities on the Town Park Restroom Replacement Project with CDBG Funds.

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 Catherine Flick to replace the front door to the structure located at **218 West Main Street**.

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, and on the recommendation of the Bloomsburg Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Angela Pruchnik to renovate the façade of Berrigan's Subs at **142 East Main Street**.

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, and on the recommendation of the Bloomsburg Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Wesley United Methodist Church to clean, repair and re-point the structure at **130 West Third Street**.

On a motion by S. Costa, 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 Melanie Hidlay to install an awning at **36 East Main Street** contingent upon zoning permit approval.

On a motion by S. Costa, 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 David Hughes to install vinyl siding on the structure located at **20 West Anthony Avenue**.

APPROVAL OF WAIVERS – BLOOMSBURG INDUSTRIAL VENTURES – LAND DEVELOPMENT/ INCORPORATION – SIXTH STREET

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following waiver for Bloomsburg Industrial Ventures land development/incorporation on Sixth Street: from providing monuments at intersection lines forming angles in the boundary of the overall site [Sec. 22-

702.1.B]. The applicant will be required to provide monuments only at the two (2) boundary corners along Sixth Street.

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following waiver for Bloomsburg Industrial Ventures land development/incorporation on Sixth Street: the proposed access drive is located closer than ten (10) feet to a drainage inlet [Sec. 22-503]. The applicant must provide the Town with an amount to cover future maintenance of the existing inlet in accordance with the SALDO Sec. 22-805.A.

APPROVAL OF NINETY (90) DAY TIME EXTENSION – BLOOMSBURG INDUSTRIAL VENTURES – LAND DEVELOPMENT/INCORPORATION – SIXTH STREET

On a motion by D. Levan, seconded by B. Kreisher and voted on unanimously, and on the recommendation of the Planning Commission, Council approved a ninety (90) day time extension for Bloomsburg Industrial Ventures land development/incorporation plan.

APPROVAL OF MODIFICATION – STEVE SHANNON – LAND DEVELOPMENT – PRELIMINARY

On a motion by C. Howell, seconded by E. Bower and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following modification: the rainfall amounts utilized within the Stormwater Control Narrative do not correspond to those amounts listed in the SALDO. However, since the project requires an NPDES Permit, the designer has obtained rainfall amounts from the National Weather Service website, which is now a requirement of the permit. The engineer agrees with the amounts used from the website [Sec.22-802.2.2].

APPROVAL OF HIRING ROBERT COREY FISH AS A PART-TIME TEMPORARY SEASONAL REGULATED RENTAL HOUSING INSPECTOR

On a motion by F. Trump, seconded by C. Howell and voted on unanimously, Council approved hiring Robert Corey Fish as a part-time temporary seasonal regulated rental housing inspector.

The meeting adjourned into Executive Session at 10:17 p.m. and reconvened at 10:30 p.m.

Mayor Knorr expressed that Town Council does not plan to file an appeal concerning the Capitol Theatre and that no action will be taken at this time on the recommendation from the Swimming Pool Operations Board for a wage increase for Clerk Christine Miccio.

With no further business, the meeting adjourned at 10:30 p.m.

WILLIAM LOWTHERT
Town Administrator & Secretary