

A regular meeting of Bloomsburg Town Council was held Monday, July 23, 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, Fred Trump and Eric Bower; Town Administrator William Lowthert; Human Resource Specialist Tracy Lanza fame; Code Enforcement Officer Ed Fegley; Superintendent of Public Works John Barton and Office Assistant Amy Seamans. Absent were Council Member Bill Kreisher; Chief of Police Leo Sokoloski; Director of Finance Heather Jacoby; Recycling Administrator Charles Fritz; Fire Chief Bob Rupp and Solicitor Jack Mihalik.

#### **CITIZEN TO BE HEARD – SUSAN MCGARRY, ARCH CENTRAL ARCHITECTS, INC. – REQUEST TO CONSTRUCT RAMP IN PUBLIC RIGHT-OF-WAY**

S. McGarry stated her clients are changing the five unit apartment building at 140-152 Iron Street into four units. Through the plan submission review with Commonwealth Code, it was determined that for code compliance, one of the units needs to be handicap accessible. They then applied to the PA Department of Labor and Industry Accessibility Advisory Board for a variance to delete the provision to furnish an accessible route into the apartment and were denied but were granted a variance for the placement of a ramp outside the door to the first floor corner apartment. Because the building is situated from lot line to lot line, the ramp would be constructed in the Town right-of-way, which needs to be approved by Council.

In the meantime, the Town's engineer, Ron Tirpak of Carbon Engineering reviewed the plan. The proposed ramp does not have the required leveling area adjacent to the entrance door. Carbon Engineering was concerned that if the Town approves a non-compliant ADA ramp it may expose the Town to liability in the event of a pedestrian accident. Carbon Engineering offered the following options: (1) Do not approve the non-compliant ADA access ramp; (2) require the property owner to execute a Hold Harmless Agreement; or (3) have the property consider reconstructing a portion of sidewalk in the vicinity of the access in order to construct a ramp in compliance with ADA requirements.

Property owner, Bruce Costa, expressed that the ramp would be small and would be the same size as the existing steps located in front of the other two doors. He doesn't feel a hold harmless agreement is needed because there is no more liability than what already exists. He is happy to do whatever the Town wants. S. McGarry also pointed out that the letter from L & I is dated June 27, 2012 and they only had 15 days to appeal. Mr. Costa asked if they could temporarily install a wooden ramp while they reapply to L & I. This is a student housing property and the apartments are leased for the upcoming fall semester. E. Fegley stated that if they submit a new plan showing the ramp he could issue a temporary certificate of occupancy.

On a motion by D. Levan, seconded by D. Knorr and voted on unanimously, Council denied the request to install an ADA ramp in the Town right-of-way at 140-152 Iron Street. B. Lowthert was asked to write a letter to the property owner stating the same for inclusion with their submission to L & I.

#### **CITIZEN TO BE HEARD – CHUCK WAGNER, BLOOMSBURG TOWN PARK IMPROVEMENT ASSOCIATION**

C. Wagner informed Council that in the initial plan for Totsburg included a handicap accessible walkway leading to the playground. As an Eagle Scout project, Joseph Todd will be constructing the walkway.

#### **SKATE PARK UPDATE**

C. Wagner stated that Travis Creveling, who helped build the original skate park, contacted him to ask if he and a group of his friends could resurrect the skate park. As there were other pressing issues going on in the Town Park after the flood, he welcomed the help. Dave Chambers and Chad Gorby of Blue Seal Concrete and Stonework are designing and constructing phase I, which is a concrete bowl. Mr. Gorby has designed and constructed skate parks in Danville, Williamsport and Philadelphia.

B. Lowthert indicated that the Town recently received the inspection assessment report from the insurance carrier. One of the recommendations is the Town have a qualified, professional skate board park designer. C. Wagner believes Mr. Gorby is licensed and insured and could produce those documents to the Town. C. Wagner also stated that he will eventually be asking the Town if the insurance carrier will allow the removal of the existing chain link fence except for a 16' fence on the Ft. McClure Boulevard side. They've been told that a fence causes more

of a liability. B. Lowthert stated that the number two recommendation from the carrier is to remove the existing 4' fence and replace it with an 8' fence. B. Lowthert asked C. Wagner if there are stamped design plans and C. Wagner stated that he would need to check with Mr. Gorby. C. Wagner asked if the volunteers, who are willing to work, could keep working until the insurance company is satisfied.

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved the volunteers to continue with the understanding that Mr. Gorby submit stamped design plans, proof of insurance and credentials with his company information and designer information to Town Administrator B. Lowthert.

#### **APPROVAL OF JULY 9, 2012 COUNCIL MEETING MINUTES**

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council approved the July 9, 2012 Council meeting minutes with no additions or corrections.

#### **APPROVAL OF RETROACTIVE WAGE INCREASE FOR NORRIS E. ROCK MEMORIAL SWIMMING POOL CLERK CHRISTINE MICCIO**

On a motion by E. Bower, seconded by D. Levan and voted on unanimously, Council approved a wage increase for Norris E. Rock Memorial Swimming Pool Clerk Christine Miccio to \$9.27.hour retroactive to June 14, 2012.

#### **APPROVAL OF PAYMENT TO FIRST COLUMBIA BANK AND TRUST COMPANY FROM THE POLICE AND EMPLOYEES PENSION PLANS FOR QUARTERLY TRUSTEE FEES**

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved payment to First Columbia Bank and Trust Company in the amount of \$3,634.84 from the Police Pension Plan and \$2,875.21 from the Employees Pension Plan for quarterly trustee fees.

#### **APPROVAL OF PROPOSAL FROM LARSON DESIGN GROUP TO COMPLETE CONTRACT DOCUMENTS FOR THE THIRD STREET RECONSTRUCTION PROJECT**

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved a proposal from Larson Design Group, Inc. in the amount of \$4,860 to complete contract documents, bidding and construction administration services for the Third Street Reconstruction Project.

B. Lowthert reported that the standard sidewalk width has been finalized at 4', where it needs replaced. This not only will make a 1 ½' to 3' tree lawn, it also keeps the cost down for the property owner. Six maple trees will need to be removed but five serviceberry trees will be planted. It was also determined that two stormwater inlets will need to be replaced at the Railroad Street intersection. The curbs and sidewalks will be done by fair week, but paving may not be completed until later in the year.

#### **APPROVAL OF PROPOSAL FROM HUMMEL AND LEWIS, PC TO UNDERTAKE TITLE SEARCHES AS REQUIRED BY PEMA/FEMA FOR HAZARD MITIGATION GRANT PROGRAM**

On a motion by F. Trump, seconded by C. Howell and voted on unanimously, Council approved a proposal from Hummel and Lewis, PC in the amount of \$2,750 to complete the title searches on the eleven properties in the 900 Block of West Main Street as required by PEMA/FEMA for the Hazard Mitigation Grant Program. B. Lowthert noted that the expense is reimbursable.

#### **CITIZEN TO BE HEARD – ALEX DUBIL**

Alex Dubil asked what was the status of bikes riding on the sidewalks in the downtown. He witnesses adults riding bikes on the sidewalks all the time, as well as police officers. Mayor Knorr asked A. Seamans to place the issue on the next Public Safety Committee agenda.

Being no further business, the meeting adjourned at 8:07 p.m.

WILLIAM LOWTHERT  
Town Administrator and Secretary