

A regular meeting of Bloomsburg Town Council was held Monday, August 13, 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, Fred Trump and Eric Bower; Town Administrator William Lowthert; Director of Finance Heather Jacoby; Code Enforcement/Zoning/Planning Officer Ed Fegley; Superintendent of Public Works John Barton; Chief of Police Leo Sokoloski; Fire Chief Bob Rupp; Solicitor Jack Mihalik and Office Assistant Amy Seamans. Absent was Recycling Administrator Charles Fritz.

PROCLAMATION – RELAY FOR LIFE DAY – AUGUST 17-18, 2012

Mayor Knorr proclaimed the 24-hours of August 17-18, 2012 as Relay for Life Day in the Town of Bloomsburg and presented the proclamation to Patti Zwalkuski, Liz Miller and Ron Flick. Ms. Zwalkuski encouraged everyone to attend the event being held this year at the Bloomsburg Town Park.

EXECUTIVE SESSION

Council adjourned in Executive Session at 7:07 p.m. to discuss a matter that may lead to litigation. Press Enterprise reporter Pete Kendron asked Mayor Knorr to be more specific and Solicitor Mihalik stated that the attorney-client privilege states that consultations between a client and an attorney are confidential. The privilege is separate from the provisions of the Sunshine Act.

Mayor Knorr reconvened the meeting at 7:15 p.m.

MAYOR'S UPDATE

Mayor Knorr expressed since the Army Corps of Engineers recommends not pursuing a flood protection project, he met with Ed Edwards, Commissioner Chris Young, Commissioner Rich Ridgway and Bill Lowthert to discuss if the Bloomsburg Area Joint Flood Control Authority should continue its efforts. A meeting is tentatively set with state DEP officials in September to see if it could become a state project. In the meantime, Autoneum and Windsor are looking at individual plans.

APPROVAL OF JULY 23, 2012 COUNCIL MEETING MINUTES

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved the July 23, 2012 Council meeting minutes with no additions or corrections.

APPROVAL OF PAYMENT OF MONTHLY BILLS AND JULY PAYROLL AUTHORIZATION

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved payment of the following monthly bills and the July payroll authorization: General Fund, \$185,723.29; Debt Service Fund, \$5,986.69; Recycling Fund, \$24,889.54; Street Lighting Fund, \$11,892.28; Norris E. Rock Memorial Swimming Pool Fund, \$4,835.39; FFY 10 CDBG Program, \$702.40; FFY 11 CDBG Program, \$63,815.57; Day Care Project, \$2,737.40; Airport Fund, \$94,007.84; Liquid Fuels Fund, \$919.12 and the July payroll authorization in the amount of \$184,948.64.

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 URS Corporation, WMCS, Inc., Fisher Auto Parts, Inc., By-Crete and American Red Cross to the 2012 town vendor list.

APPROVAL OF PRINTING COSTS FROM BIRD PRINTING FOR NEW FLOOD BROCHURES

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved printing costs from Bird Printing in the amount of \$862 for new flood brochures.

APPROVAL OF PAYMENT TO HAY GROUP, INC FROM THE EMPLOYEES PENSION PLAN

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved payment to Hay Group, Inc. from the Employees Pension Plan in the amount of \$390 for actuarial and consulting services from April 1, 2013 to May 31, 2012.

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 \$925 and \$925 from the Employees Pension Plan for actuarial and consulting services from June 1 to July 31, 2012.

APPROVAL OF DEFERRING RENTAL PAYMENT FROM COLUMBIA AIRCRAFT SERVICES, INC. FOR AN ADDITIONAL THREE (3) MONTHS

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved deferring rental payment from Columbia Aircraft Services, Inc. for an additional three (3) months with the understanding a payback plan be presented at the October 3, 2012 Administrative/Finance Committee meeting.

APPROVAL OF PAYING 1.5% OF THE REQUIRED 3% LOCAL MATCH FOR THE HAZARD MITIGATION GRANT PROGRAM

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council approved paying 1.5% of the required 3% local match for the Hazard Mitigation Grant Program.

B. Kreisher asked what the total property value loss and the total tax base loss is going to be. B. Lowthert stated he wasn't sure but could find out.

Joe Martarano, East Tenth Street, asked how much 1.5% of the local match is. Mayor Knorr expressed \$30,000. He then asked if someone elevates their property, is the Town going to help them out since they are keeping the property on the tax rolls. If it's good for them, why isn't good for everyone? Mayor Knorr stated that the local match is part of the Hazard Mitigation Grant process.

Oren Helbok, East Fifth Street, stated that there seems to be only discussion on how to get people bought out and wondered why there has been no discussion on keeping the properties. He feels discussion and planning should have started right after the flood occurred.

APPROVAL OF REPAIRS TO LADDER TRUCK 42

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved repairs to ladder truck 42 in the amount of \$9,386.92.

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

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council approved payment to Larson Design Group, Inc. in the amount of \$405 for professional services of the Mill Race Culvert Removal Project through 06/30/12.

APPROVAL OF PAYMENT TO LARSON DESIGN GROUP, INC. FOR PROFESSIONAL SERVICES OF THE WEST THIRD STREET RECONSTRUCTION PROJECT

On a motion by S. Costa, seconded by C. Howell and voted on unanimously, Council approved payment to Larson Design Group, Inc. in the amount of \$9,046.50 for professional services of the West Third Street Reconstruction Project through 07/21/12.

APPROVAL OF PAYMENT TO LARSON DESIGN GROUP, INC. FOR PROFESSIONAL SERVICES OF THE TOWN PARK RESTROOM REPLACEMENT PROJECT WITH CDBG FUNDS

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 \$942.50 for professional services of the Town Park Restroom Replacement Project through 07/07/12 with CDBG funds.

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

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to WMCS, Inc. in the amount of \$35,730 for the Town Park Restroom Replacement Project with CDBG funds.

APPROVAL OF PAYMENT TO LARSON DESIGN GROUP, INC. 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 Larson Design Group, Inc. in the amount of \$689.60 for professional services of the Streater Recreation Improvements Project through 07/07/12 with CDBG funds.

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

On a motion by C. Howell, seconded by S. Costa and voted on unanimously, Council approved payment to URS Corporation in the amount of \$1,376.45 for professional services of the Streater Recreation Improvements Project through 06/29/12 with CDBG funds.

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

On a motion by B. Kreisher, seconded by D. Levan and voted on unanimously, Council approved the revised Change Order No. 1 from Dobrinski Brothers, Inc. for an additional five (5) construction days to the Phase 5 Airport Extension and Realignment Project.

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

On a motion by B. Kreisher, seconded by D. Levan and voted on unanimously, Council approved payment to Dobrinski Brothers, Inc. in the amount of \$41,999.53 for the Phase 5 Airport Extension and Realignment Project.

APPROVAL OF REQUEST FROM DANIEL AND KRISTEN BEYER TO RELOCATE THEIR UNOPENED DRIVEWAY IN CONJUNCTION WITH THE WEST THIRD STREET RECONSTRUCTION PROJECT

On a motion by B. Kreisher, seconded by C. Howell and voted on unanimously, Council approved a request from Daniel and Kristen Beyer of 367 West Third Street to relocate their unopened driveway in conjunction with the West Third Street Reconstruction Project.

APPROVAL OF QUOTE FROM SOKOL, INC. TO PAVE A PORTION OF WEST EIGHTH AND ONE HALF STREET

On a motion by S. Costa, seconded by C. Howell and voted on unanimously, Council approved a quote from Sokol, Inc. in the amount of \$6,692 to pave a portion of West Eighth and One Half Street.

APPROVAL OF BID FROM DON E. BOWER, INC. FOR THIRD STREET RECONSTRUCTION PROJECT

On a motion by F. Trump, seconded by B. Kreisher and voted on unanimously, Council approved the bid from Don E. Bower, Inc. in the amount of \$249,876 for the Third Street Reconstruction Project.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS

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 Chris and Amy Bennett to install a new aluminum fence at **398 Market Street**.

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 Vince DeMelfi to install vinyl siding and repair the laundry room area at **338-340 Center Street**.

On a motion by F. Trump, 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 the Bloomsburg Theatre Ensemble and the Columbia County Housing Corporation to remove two (2) windows and install a garage door at **236 Catherine Street**.

APPROVAL OF WAIVER – 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 the following waiver for Bloomsburg Industrial Ventures Sixth Street land development/incorporation: the proposed access drive is located closer than ten (10) feet to a drainage inlet [Sec. 22-502.10.J].

APPROVAL OF BLOOMSBURG INDUSTRIAL VENTURES SIXTH STREET LAND DEVELOPMENT/ INCORPORATION PLAN WITH CONTINGENCIES

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, and on the recommendation of the Planning Commission, Council approved Bloomsburg Industrial Ventures Sixth Street land development/incorporation contingent upon the following conditions being met: 1. A sewage facilities planning module must be approved by the PA DEP. A copy of the approval letter shall be provided. [404.B.2g and 404.D.1.a.2.f], 2. Financial security must be provided for all proposed site improvements. A construction cost estimate shall be submitted. [404.C], 3. An erosion and sedimentation pollution control plan (E&SPC) must be deemed adequate by the Columbia County Conservation District. [Sec. 22-404.B.2.f, Sec. 22-404D.1.a.17, Sec. 22-508.1.E and Sec. 22-804], and 4. Submission of a deed of incorporation for review by the solicitor.

APPROVAL OF STEVE SHANNON LAND DEVELOPMENT PLAN WITH CONTINGENCIES

On a motion by D. Levan, seconded by D. Knorr and voted on Six (6) (D. Levan, D. Knorr, S. Costa, C. Howell, B. Kreisher and E. Bower voting “Yes”) to One (1) (F. Trump voting “No”), and on the recommendation of the Planning Commission, Council approved Steve Shannon’s land development plan contingent upon the following conditions being met: 1. The plans shall be submitted to PennDOT to determine if any modifications to the existing access drive intersection with Millville Road, S.R. 4009, are required. If modifications are required, then they shall be shown on the plans and a copy of the Highway Occupancy Permit obtained shall be provided. [Sec.22-404.B.2.h, Sec. 22-502.10.B and Sec. 22-703.1.E.3], 2. Design calculations shall be provided for the proposed vegetated swale. Sec. 22-802.2.A], 3. The Post Development Rain Garden Routing flows for the 2-, 10-, and 25-year storm events as listed in the summary table on page 4 of the Stormwater Control Narrative do not correspond to the hydrographs provided within the report. As a result, the Pond & Bypass Combine and Results amounts for these storms are also incorrect within the table. The design now shows an increase in peak discharge rate for the 10-year storm event. [Sec.22-802.3.A], 4. The design of the proposed rain garden emergency spillway shall be revised to show that it can pass the 100-year inflow peak discharge rate assuming no storage below its invert elevation. Also, one (1) foot of freeboard must be provided above the maximum routed water surface elevation. [Sec.22-802.3.G], 5. A written agreement providing for the ownership and maintenance of all drainage and stormwater facilities must be provided. [Sec.22-805], and 6. The ‘Owner Maintenance Agreement for Drainage Facilities’, on the cover sheet, shall be revised to include the proposed rain garden/detention basin stormwater management facility. The Town Solicitor must review and concur with this language or determine if a separate agreement is necessary.

APPROVAL OF STREET VENDOR PERMIT FOR MARY GIRTON – NAPOLI PIZZA

On a motion by F. Trump, seconded by D. Levan and voted on unanimously, Council approved a street vendor permit for Mary Girton of Napoli Pizza to utilize Space #6 from July 1, 2012 through December 31, 2012.

APPROVAL OF “DO NOT BLOCK DRIVEWAY” SIGN BEING INSTALLED ON EAST SIDE OF JEFFERSON STREET ACROSS FROM 412 JEFFERSON STREET AND THE CURB BEING PAINTED YELLOW

On a motion by E. Bower, seconded by C. Howell and voted on unanimously, Council approved the installation of a “Do Not Block Driveway” sign being installed on the East side of Jefferson Street across from 412 Jefferson Street and the curb being painted yellow.

CITIZEN TO BE HEARD – CHUCK WAGNER – SKATE PARK UPDATE

C. Wagner stated that Mr. Gorby’s credentials were sent to B. Lowthert. Design plans with an artist rendering of the existing skate park with the addition of the concrete bowl were also emailed to Mr. Lowthert, but the files could not be printed. Mr. Wagner would be forwarding hard copies of the design plans to Mr. Lowthert. On a motion by B. Kreisher, seconded by D. Levan and voted on unanimously, Council approved the volunteers to continue with the construction of the concrete bowl. However, it was noted that the Town’s insurance provider has not been sent the requested information to date. It was to be understood by the Town Park Improvement Association that the skate park would not be open to the public until the insurance company agreed to cover skate park activities.

CITIZEN TO BE HEARD – OREN HELBOK

Oren Helbok, 705 East Fifth Street, asked Mayor Knorr when “Citizens to be Heard” were moved to the end of the agenda. Mayor Knorr stated that a few meetings ago it was decided, on a trial basis, to have citizens who call prior to the agenda being completed on the Friday before the meeting asking to speak on a particular matter will be listed at the beginning of the meeting and any other citizens who decide to speak at the meeting will be heard at the end of the meeting.

Mr. Helbok also asked Mayor Knorr for more specifics regarding the Executive Session at the beginning of the meeting. Mayor Knorr reiterated that the Executive Session was called in accordance with the Sunshine Act. Mr. Helbok disagreed and cited several court cases that he would be forwarding to the Town for review.

With no further business, the meeting adjourned at 9:09 p.m.

WILLIAM LOWTHERT
Town Administrator & Secretary