

## **PUBLIC HEARING – FFY 2012 CDBG-DR BUDGET MODIFICATION**

A Public Hearing of Bloomsburg Town Council was held Monday, September 14, 2015 beginning at 6:34 p.m. in Council Chambers, Town Hall, 301 E. Second Street, Bloomsburg, PA. Present were Mayor Sandy Davis; Council Members W. Carey Howell, Diane Levan, Sylvia Costa, and Bill Kreisher; Town Administrator William Lowthert, and Administrative Assistant Amy Seamans. Absent were Council Members Fred Trump and Eric Bower.

In absence of a representative from SEDA-COG, W. Lowthert explained the FFY 2012 CDBG-DR budget modification. The Town plans to abandon the Snyder's Run Storm Water Relocation Project and turn back \$487,500.00 due to the cost estimate being \$2.5 million. The Municipal Authority Mitigation Project to protect some electrical equipment will also be abandoned due to a change in engineers and project costs. The \$48,180 will be reallocated to the Airport Terminal Building Reconstruction Project.

Hearing no public comment, the Hearing adjourned at 6:40 p.m.

A regular meeting of Bloomsburg Town Council was held Monday, September 14, 2015, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 E. Second Street, Bloomsburg, PA. Present was Mayor Sandy Davis presiding; Council Members W. Carey Howell, Diane Levan, Bill Kreisher, Sylvia Costa, Fred Trump, and Eric Bower; Town Administrator William Lowthert; Code Enforcement Officer Kyle Bauman; Chief of Police Roger Van Loan, Environmental Services Coordinator Charles Fritz; Superintendent of Public Works John Barton; Director of Finance Lisa Dooley; Fire Chief Bob Rupp; Administrative Assistant Amy Seamans, and Solicitor Jack Mihalik.

### **ADOPTION OF RESOLUTION NO. 09-14-15.01 – SUPPORTING SENATE BILL 535 AND HOUSE BILL 71 FOR LOCAL USE OF RADAR**

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council adopted Resolution 09-14-15.01 supporting Senate Bill 535 and House Bill 71 for local use of radar in Pennsylvania.

### **ADOPTION OF RESOLUTION NO. 09-14-15.02 – SETTING VARIOUS FEES**

On a motion by S. Costa, seconded by C. Howell and voted on unanimously, Council adopted Resolution 09-14-15.02 to include a television recycling fee of \$10 per television for non-residents to the existing various fees resolution.

### **APPROVAL OF 2012 CDBG-DR MODIFICATION**

On a motion by D. Levan, seconded by B. Kreisher and voted on unanimously, Council approved the following modifications to the FFY 2012 Community Development Block Grant Disaster Recovery Program: abandon the Snyder's Run Storm Water Relocation Project and turn back \$487,500.00, abandon the Municipal Authority Mitigation Project and reallocate the \$48,180.00 from that project to the Airport Terminal Building Reconstruction Project.

### **APPROVAL OF AUGUST 24, 2015 COUNCIL MEETING MINUTES**

On a motion by S. Costa, seconded by C. Howell and voted on unanimously, Council approved the August 24, 2015 Council meeting minutes with no additions or corrections.

### **APPROVAL OF PAYMENT OF MONTHLY BILLS AND AUGUST 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 August payroll authorization: General Fund, \$155,658.55; Debt Service Fund, \$51,506.10; Recycling Fund, \$32,102.97; Street Lighting Fund, \$9,841.35; Fire Fund, \$13,406.68; Day Care Project, \$9,117.63; Norris E. Rock Memorial Swimming Pool, \$6,892.91; Liquid Fuels Fund, \$10,048.43; 2011 CDBG Entitlement, \$488.34; 2012 CDBG-DR Fund, \$13,303.68; and the August payroll authorization, \$211,823.94.

### **APPROVAL OF PAYMENT TO REMIT CORPORATION**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to Remit Corporation in the amount of \$3,994.65 for recycling fee collection services.

#### **APPROVAL OF DEDICATING CAPITAL PROJECTS FUNDS TOWARDS THE AIRPORT TERMINAL BUILDING PROJECT**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved dedicating Capital Projects Funds currently at \$22,982.98 towards the Airport Terminal Building Reconstruction Project.

#### **APPROVAL OF PAYMENT TO SEDA-COG FOR ADMINISTRATION OF FFY 2014 CDBG ENTITLEMENT**

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved payment to SEDA-COG in the amount of \$13,530 for administration of the Town's FFY 2014 CDBG Entitlement.

#### **APPROVAL OF PROPOSAL FROM BE EQUIPMENT, INC.**

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved a proposal from BE Equipment, Inc. in the amount of \$13,530 for repairs to the baler and conveyor at the Recycling Center.

#### **APPROVAL OF GOING FEDERAL DIRECT WITH THE TOWN'S CDBG PROGRAM**

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved Going federal direct with the Town's CDBG Program on the recommendation of SEDA-COG. W. Lowthert explained that the Town will received an estimated additional \$80,000 going directly through HUD instead of going through DCED. He also reminded Council that the Town must complete a 5-year community development plan as a requirement. The plan is estimated to cost \$20,000-\$30,000 which CDBG funds can be used.

#### **APPROVAL OF A SIX-MONTH EXTENSION OF JOSHUA DOMBROSKY'S PROBATION**

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved a six-month extension of Joshua Dombrosky's probationary Officer II status.

#### **APPROVAL OF THE POLICE PENSION PLAN MINIMUM MUNICIPAL OBLIGATION FOR 2016**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved the Police Pension Plan Minimum Municipal Obligation requirement for 2016 in the amount of \$172,135 with an estimated State Aid in the amount of \$131,682.

#### **APPROVAL OF THE TOWN EMPLOYEES PENSION PLAN MINIMUM MUNICIPAL OBLIGATION FOR 2016**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved the Town Employees Pension Plan Minimum Municipal Obligation requirement for 2016 in the amount of \$10,129 with an estimated State Aid in the amount of \$127,809.

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

On a motion by C. Howell, seconded by E. Bower and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Michael Howe to remove the rolled roofing material that is currently in place, access the condition of the sheeting material and make any needed repairs and then install GenTite rubber roof material at 243 East Fourth Street.

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

On a motion by F. Trump, seconded by E. Bower and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Patricia Ferry to replace the porch floor with 1x3x1 Azek tongue and groove flooring; replace the handrail with a molded cap rail and replace the crossbuck rails with wooden spindles; install new lattice work around the bottom of the porch area, and replace the front storm door with an aluminum full glass style storm door at 438 Center Street.

## **APPROVAL OF CERTIFICATE OF APPROPRIATENESS**

On a motion by C. Howell, 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 Matt Zoppetti to demolish the dilapidated portion of the existing structure located at the rear of 51 East Main Street. The retaining walls on both sides of the area will be repaired once the structure is removed and a faux stone finish will be installed. The area will be used for parking for the buildings tenants.

## **APPROVAL OF MODIFICATIONS – JOHN O. COATES – LAND DEVELOPMENT – 602 HONEYSUCKLE LANE**

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following modifications for John O. Coates land development at 602 Honeysuckle Lane: [Sec. 22-702] to allow property corner markers in lieu of the required monuments. [Sec. 22-705 and Sec. 22-706] to allow a curb/sidewalk combination in lieu of the required separate vertical concrete curb and sidewalk.

## **APPROVAL OF WAIVER – BLOOMSBURG HOSPITAL PROPERTIES, INC. – SUBDIVISION – LOT INCORPORATION – HONEYSUCKLE LANE**

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, and on the recommendation of the Planning Commission, Council approved the following waiver for Bloomsburg Hospital Properties, Inc. subdivision and lot incorporation on Honeysuckle Lane: Bearings and distances of lot lines for the “Residue” lot shall be provided on a plan having a maximum scale of 1” = 100’. [Sec. 22-403.1.A.(2) and Sec. 22-403.1.A.(2)(c)].

## **APPROVAL OF WAIVER – BLOOMSBURG HOSPITAL PROPERTIES, INC. – SUBDIVISION – LOT INCORPORATION – HONEYSUCKLE LANE**

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 Hospital Properties, Inc. subdivision and lot incorporation on Honeysuckle Lane: Existing found survey monuments and markers shall be shown and labeled on the plan for the “Residue” lot. [Sec. 22-403.1.A.(2)(h)].

## **APPROVAL OF WAIVER – BLOOMSBURG HOSPITAL PROPERTIES, INC. – SUBDIVISION – LOT INCORPORATION – HONEYSUCKLE LANE**

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 Hospital Properties, Inc. subdivision and lot incorporation on Honeysuckle Lane: Monuments shall be set at the intersections of lines forming angles in the boundary of the lot. [Sec. 22-702.].

## **APPROVAL OF BLOOMSBURG HOSPITAL PROPERTIES, INC. HONEYSUCKLE LANE SUBDIVISION AND LOT INCORPORATION PLAN WITH CONTINGENCIES**

On a motion by D. Levan, seconded by B. Kreisher and voted on unanimously, and on the recommendation of the Planning Commission, Council approved Bloomsburg Hospital Properties Inc. Honeysuckle Lane subdivision and lot incorporation plan contingent upon the following conditions being met: the ‘Certificate of Ownership and Acknowledgement of Subdivision/Incorporation Plan’ provided on the plan shall be signed by the owner and notarized. [Sec. 22-403.1.A.(2)(s) and Sec. 22-403.1.A.(2)(t)], and waivers shall be listed on the plan.

## **APPROVAL OF WAIVER – DIRTY DIAPERS, LLC – LOT INCORPORATION – LAND DEVELOPMENT – 150 EYER 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: The “Rebar Set” call-outs at the property corners shall be revised to be concrete monuments. [Sec. 22-702.] The applicant requests the use of rebar instead of concrete monuments.

**DENIAL OF WAIVER – DIRTY DIAPERS, LLC – LOT INCORPORATION – LAND DEVELOPMENT – 150 EYER STREET**

On a motion by D. Levan, seconded by C. Howell and voted on Six (6) (D. Levan, C. Howell, S. Davis, C. Howell, S. Costa, and E. Bower voting “Yes”) to One (1) (F. Trump voting “No”), and on the recommendation of the Planning Commission, Council denied the following waiver: Sidewalks shall be installed along all streets. [Sec. 22-504. and Sec. 22-706.] The applicant requests a modification to not provide sidewalks along Eyer Street and Millville Road-Glenn Avenue intersection.

**APPROVAL OF DIRTY DIAPERS, LLC 150 EYER STREET LOT INCORPORATION AND LAND DEVELOPMENT PLAN WITH CONTINGENCIES**

On a motion by C. Howell, seconded by B. Kreisher and voted on Six (6) (C. Howell, B. Kreisher, S. Davis, D. Levan, S. Costa, and E. Bower voting “Yes”) to One (1) (F. Trump voting “No”), and on the recommendation of the Planning Commission, Council approved Dirty Diapers, LLC 150 Eyer Street lot incorporation and land development plan contingent up on the following conditions being met: An erosion & sediment pollution control plan must be prepared and deemed adequate by the Columbia County Conservation District. Copies of the plan and adequacy letter shall be provided. [Sec. 22-403.1.A.(1), Sec. 22-508.1.E. and Sec. 22-804.]; the ‘Certificate of Ownership, Offer of Dedication and Acknowledgement of Incorporation/Land Development Plans’ shall be signed by the Owner and notarized. [Sec. 22-403.1.A.(2)(s) and Sec. 22-403.1.A.(2)(t)]; The plan proposes to connect a drainage pipe which conveys runoff from the proposed building roof area to an existing inlet at the intersection of Millville Road (SR 0042) and Glen Avenue. Based on the inlet’s location, it is not clear if it is owned and maintained by PennDOT or the Town. If the structure is a PennDOT inlet, then approval from PennDOT shall be obtained for the proposed connection. [Sec. 22-403.1.A.(2)(z)]; sidewalks shall be installed along all streets (as approved by PennDOT). [Sec. 22-504. and Sec. 22-706.]; Re-grading and lining of storm water management facilities discussed at the August 27 meeting of the Planning Commission must be approved by the Town Engineer and shown on the plan. Any appropriate notes shall be included under ‘Storm Water Management Facilities Construction and Maintenance Responsibilities’ on the Cover Sheet, and the ‘Concrete Dumpster Pad’ note on Sheet 3 shall be revised to specify ‘vinyl fence’ only.

**APPROVAL OF BLOOMSBURG LITTLE LEAGUE ASSOCIATION TO INSTALL NEW POLES AND LIGHTS AT THE MAJOR BALL FIELD IN TOWN PARK**

On a motion by F. Trump, seconded by B. Kreisher and voted on Six (6) (F. Trump, B. Kreisher, S. Davis, C. Howell, S. Costa, and E. Bower voting “Yes”) to One (1) Abstention (D. Levan “Abstaining”), Council approved the Bloomsburg Little League Association to install new poles and lights at the major ball field in Town Park.

**APPROVAL PAYMENT TO SOKOL, INC. FOR THE 2015 STREET RESURFACING PROJECT**

On a motion by F. Trump, seconded by B. Kreisher and voted on unanimously, Council approved payment to Sokol, Inc. in the amount of \$183,356.90 for the 2015 Street Resurfacing Project. It was noted the bid amount was \$178,949.15.

**APPROVAL OF PAYMENT TO ARC ELECTRIC CONSTRUCTION CO., INC.**

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved payment to Arc Electric Construction Co., Inc. in the amount of \$58,863.78 for the Town Hall Generator Project from the Debt Service Fund.

**APPROVAL OF PAYMENT TO LARSON DESIGN GROUP, INC. FOR THE HANDICAP RAMP AND CURB-CUT PROJECT**

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved payment to Larson Design Group, Inc. in the amount of \$927.97 for professional services of the Handicap Ramp and Curb-Cut Project through 08/29/15 with CDBG funds.

#### **APPROVAL OF PAYMENT TO LARSON DESIGN GROUP, INC. FOR THE FISHING CREEK STABILIZATION PROJECT**

On a motion by F. Trump, seconded by S. Costa and voted on unanimously, Council approved payment to Larson Design Group, Inc. in the amount of \$2,849.12 for Professional Services of the Fishing Creek Bank Stabilization Project through 08/29/15 with CDBG-DR Funds.

#### **APPROVAL OF PAYMENT TO LARSON DESIGN GROUP, INC. FOR FORT MCCLURE BOULEVARD RECONSTRUCTION PROJECT**

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved payment to Larson Design Group, Inc. in the amount of \$733.82 for professional services of the Fort McClure Boulevard Reconstruction Project through 08/29/15 with CDBG-DR Funds.

#### **APPROVAL OF PROPOSAL FROM DENT PLUMBING & HEATING, INC.**

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved a proposal from Dent Plumbing & Heating, Inc. in the amount of \$4,990 for the replacement of the air conditioning unit in the Police Department.

#### **COLUMBIA COUNTY HOUSING AND REDEVELOPMENT AUTHORITY SIDEWALK CLOSURE**

Chief Van Loan reported that he approved the Columbia County Housing and Redevelopment Authority to close the sidewalks on West Sixth Street between West and Jefferson Streets and on West Street between West Sixth Street and Sterner Avenue for safety purposes during their construction project, but wanted to make Town Council aware that they will be closed for one year.

#### **RESOLUTION SUPPORTING THE LEGALIZATION OF MEDICINAL CANNABIS IN PENNSYLVANIA**

Council discussed a resolution that was drafted by a member of the general membership of the Pennsylvania State Association of Boroughs (PSAB). D. Levan questioned if the PSAB is actually supporting this. Mayor Davis would like more information and statistics. F. Trump made a motion to approve passing the resolution, seconded by E. Bower and voted on Three (3) (F. Trump, E. Bower and B. Kreisher voting “Yes”) to Four (4) (S. Davis, C. Howell, D. Levan and S. Costa voting “No”), the motion to approve was defeated. The issue will be placed back on the Public Safety Committee meeting agenda for further discussion.

#### **REGULATING UNMANNED AIRCRAFT IN TOWN**

Council briefly discussed the need for a local ordinance to regulate unmanned aircraft “drones” in the Town limits. Chief Van Loan expressed that his department would not be able to enforce federal laws. W. Lowthert will contact the PSAB and PML to find out if any other municipalities have adopted one and obtain a copy. The matter will remain on the Public Safety Committee agenda.

#### **FIRE DEPARTMENT REPORT**

Chief Rupp reported that the Bloomsburg Fire Department was awarded a grant from FEMA in the amount of \$216,000 for the purchase of 40 new air packs.

#### **FLOODPLAIN MANAGEMENT ANNUAL PROFESS REPORT**

The report was distributed to Council for informational purposes.

#### **CITIZENS TO BE HEARD**

Myra Golomb, 147 Eyer Street, expressed that she has lived on Eyer Street for 25 years. She is one of ten owner occupied homes and soon to be one of seven after the three homes are demolished for the housing project. The street used to be a nice neighborhood and she raised her three children in this house, but not anymore. The students have no respect for this neighborhood or anywhere in Town; she’s embarrassed to tell people that she lives in Bloomsburg. Every weekend is block party weekend. Sunday morning, when you drive on Iron Street, there is trash everywhere. Who wants to live next to a trash dump? She has adapted to the changes over the years, such as Campus Beer opening on North Iron Street and the neon

light from Papa John's shining in her window, but now with a building being built in front of her home, she will have no view. The property values on Eyer Street are worthless and she asked, who would want to buy a home on this street now?

Rita Nevel, 153 Eyer Street, stated that she has lived on Eyer Street for 57 years and has seen many changes to the neighborhood over the years. Currently, the residents only have permit parking for five days of the week. When the new student housing building is built, she would like permit parking seven days a week. She wants to know that, if she goes to church on Sunday, that she will have a parking space when she gets home. The students have their friends visit on the weekends and she knows all of the parking spaces will be taken. This matter will be placed on the next Public Safety Committee meeting for discussion.

Ella Ackerman, 115 East Fourth Street, stated she has been a student at the university for the past 2 ½ years. She feels progress has been made in Town and that Bloomsburg is a college Town. The university brings in income to the Town. She knows that there are students that are disrespectful and would like to know what can be done. E. Bower responded that she can go to the Community Government Association on campus and get involved. Eric Ness of Bloomsburg University stated that CGA can only control the property they own and the area everyone is referring to is owned by private landlords.

Vince DeMelfi, 211 West Main Street, feels the Town zoning regulations need to be looked at to address this matter. He also expressed that, while he was in Gettysburg this past weekend, he was amazed how their college blends with Town.

Fire Chief Rupp expressed that his department continues to have issues with being able to contact a local representative for some of the large student housing owners.

#### **EXECUTIVE SESSION**

Mayor Davis adjourned the meeting into Executive Session to discuss a police personnel matter and a possible real estate transaction at 8:47 p.m. and reconvened the meeting at 9:45 p.m.

Being no further business, the meeting adjourned at 9:45 p.m.

William Lowthert  
Town Administrator/Secretary