

A Public Hearing of Bloomsburg Town Council was held Monday, October 8, 2012, beginning at 6:00 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, Eric Bower and Fred Trump arriving at 6:10 p.m.; Town Administrator William Lowthert; Code Enforcement/ Zoning/Planning Officer Ed Fegley; Solicitor Jack Mihalik and Office Assistant Amy Seamans.

Mayor Knorr stated the purpose of this hearing is to take input from the public concerning an amendment to the zoning map of the Town to change the zoning district in the vicinity of Third Street from Commercial to Residential-Urban. E. Fegley distributed a drawing depicting the area.

D. Levan explained that the Community and Economic Development Committee were looking to protect the residential area on Third Street because a developer can currently build out to the curb. Currently only the south side of Third Street between East and Jefferson Streets is residential. She noted that Matt Zoppetti chose not to build out to the curb on his Third Street project.

Joe Gushen expressed that he owns property at 249 Center Street and he has approval to demolish the garage at the rear of the property and is looking to build a two-story building to house no more than a dozen students. The zoning change could impact him financially, but in the end, he stated that he's fine with whatever Council decides to do and would comply.

Matt Zoppetti wanted Council to know that according to the Municipalities Planning Code, he has a five-year window to complete his project on Third Street so this change would not affect this project. He asked Council why they would want to take away 25%-33% of the Commercial District. He doesn't see a problem or hasn't heard of anyone coming to Council asking for this change. There will be no change or positive growth coming out of this decision. What if Verizon goes out? Also, there are a lot of other areas of Town that need to be looked at like, Glen Avenue for example.

Jon White-Spunner, representing the Bloomsburg Theatre Ensemble, stated that they own a property at Pine and Strawberry Avenues that they use for rehearsals. They realize they would be grandfathered, but are concerned this would reduce the value in case they want to sell which they've had interest in the past.

Oren Helbok wondered about the history. He believes this area used to be Residential-Urban, but was changed to Commercial when the Technology Center tore down a house for parking. He would like to see the zoning the same on both sides of the street.

Sandy Davis doesn't think this whole area was Residential-Urban but knows that a portion from Market to Jefferson Streets was R-U in the 90's when she purchased a property in this area.

Planning Commission Member Mike Mertz feels this is a rush to judgment and wanted to know why this change is necessary. The members just received notice of this proposed change at their last meeting and have had no time to look into the matter.

Planning Commission Member Barry Thorne expressed that although they are only a recommending body, he personally takes it very seriously. He would like this to go back to planning so it could be studied. He asked Council to give them the courtesy of thirty or sixty days.

Virginia Thorne stated that she grew up in Bloomsburg back in the 40's and 50's and would walk this area often and it was always a mix of residential and businesses.

Matt Zoppetti expressed that Council should think about future transfer tax. He still doesn't see the positive side and feels it's a huge mistake and again, there are other things Council could do.

Sue O'Donnell of 155 West Third Street was happy to see that her side of the street was going to be changed to residential. At the very least, she would like Third Street in the area of Murray Avenue and Jefferson Street changed.

C. Howell and S. Costa agree that this proposed change should go back to planning.

B. Kreisher feels an alternative should be looked into like a five foot setback so the district doesn't need to be changed. Solicitor Mihalik stated that a portion of a district cannot be changed; the whole district would be affected.

E. Bower feels this is a student issue. More than one area should be looked at while we're doing it. D. Levan feels that would be unrealistic because it would take a lot of time.

Barry Thorne, now speaking as a resident, stated that economic growth is important and sometimes you have to spend money to make money.

Matt Zoppetti feels Council should look for positive change from the day they make the decision.

Mary Chamuris thinks E. Bower is correct. Council needs to look at the Comprehensive Plan and the big picture.

Mike Mertz feels eliminating any type of tax base is not wise.

Hearing no further public input, the Public Hearing adjourned at 6:55 p.m.

A regular meeting of Bloomsburg Town Council was held Monday, October 8, 2012, beginning at 7:04 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 Lowther; Director of Finance Heather Jacoby; Code Enforcement/Zoning/Planning Officer Ed Fegley; Superintendent of Public Works John Barton; Recycling Administrator Charles Fritz; Solicitor Jack Mihalik and Office Assistant Amy Seamans. Absent was Chief of Police Leo Sokoloski and Fire Chief Bob Rupp.

#### **MAYOR'S UPDATE**

Mayor Knorr thanked everyone that helped get the fair ready. He reminded everyone that the Bloomsburg University and Bloomsburg High School homecoming parade is at 11:00 a.m. this Saturday. The next 2013 budget workshop is scheduled for 5:00 p.m. on October 22<sup>nd</sup>. The first draft of the administration budget and the mayor's first draft of the budget will be presented.

#### **APPROVAL OF SEPTEMBER 10, 2012 COUNCIL MEETING MINUTES**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved the September 10, 2012 Council meeting minutes with no additions or corrections.

#### **APPROVAL OF PAYMENT OF MONTHLY BILLS AND SEPTEMBER 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 September payroll authorization: General Fund, \$195,675.14; Debt Service Fund, \$5,986.69; Recycling Fund, \$12,577.02; Street Lighting Fund, \$13,156.90; Norris E. Rock Memorial Swimming Pool Fund, \$4,112.34; FFY 11 CDBG Program, \$4,918.37; Day Care Project, \$2,737.40; Liquid Fuels Fund, \$910.18 and the September payroll authorization in the amount of \$174,843.59.

#### **APPROVAL OF ADDITION TO TOWN VENDOR LIST**

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved the addition of A. Duie Pyle, Inc., Electronic Measurement Labs, Inc., Jason Reynolds, Wilkes Pool Corp., Matthews Spring Water, Inc., and Harry A. Widger to the 2012 town vendor list.

#### **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 \$250 and \$250 from the Employees Pension Plan for actuarial and consulting services from August 1 through August 31, 2012.

#### **APPROVAL OF RENEWING ANNUAL ADVERTISING CONTRACT WITH PRESS ENTERPRISE**

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved renewing the annual advertising contract with the Press Enterprise at the \$10,000 level, which affords a 10% preprint discount.

#### **APPROVAL OF PAYMENT TO METRO TECHNOLOGY SERVICES, INC. FOR POLICE SOFTWARE MAINTENANCE FROM 2009-2011**

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved payment to Metro Technology Services, Inc. in the amount of \$2,000 for police software maintenance from 2009-2011.

#### **APPROVAL OF PAYMENT TO METRO TECHNOLOGY SERVICES, INC. FOR POLICE SOFTWARE MAINTENANCE FOR THE PERIOD 01/02/12 TO 01/01/13**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to Metro Technology Services, Inc. in the amount of \$2,942 for police software maintenance for the period 01/02/12 to 01/01/13.

#### **APPROVAL OF PURCHASE OF COMPUTER EQUIPMENT FROM MEPUSH, INC. FOR THE DUI BOOKING CENTER**

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved the purchase of computer equipment and Microsoft Office software from MePush, Inc. in the amount of \$1,360.93 for the DUI Booking Center. It was noted that this was a budgeted expense.

Steve Coladonato expressed that he uses LibreOffice which is free and has the same applications as Microsoft Office. He asked if someone would at least look into this since it could save the Town money. B. Lowther stated MePush, Inc. is familiar with open office applications, but he will check with them on why they don't recommend it.

#### **APPROVAL OF PAYMENT TO SEDA-COG FOR ADMINISTRATION SERVICES OF THE FFY 2011 CDBG ENTITLEMENT**

On a motion by D. Levan, seconded by S. Costa and voted on unanimously, Council approved payment to SEDA-COG in the amount of \$8,080 for administration services of the FFY 2011 CDBG Entitlement.

#### **APPROVAL OF REDUCING BLOOMSBURG SENIOR LIVING, PHASE I FINANCIAL SECURITY**

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved a financial security reduction for Bloomsburg Senior Living, Phase I in the amount of \$46,138.75.

#### **APPROVAL OF HIRING BETTY J. TEICHMAN AS A FULL-TIME SECOND SHIFT POLICE CLERK**

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved hiring Betty J. Teichman as a full-time second shift police clerk at an hourly rate of \$10.00.

#### **APPROVAL BID FROM MEPUSH, INC. FOR COMPUTER HARDWARE AND SOFTWARE**

On a motion by D. Levan, seconded F. Trump and voted on unanimously, Council approved the bid from MePush, Inc. in the amount of \$24,667.98 for computer hardware and software.

#### **EXECUTIVE SESSION**

Council adjourned into Executive Session at 7:33 p.m. to discuss the hiring of an Assistant Town Administrator/Assistant Secretary and reconvened at 7:41 p.m.

**APPROVAL OF HIRING LAUREN MARTZ AS AN ASSISTANT TOWN ADMINISTRATOR/ASSISTANT SECRETARY**

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved hiring Lauren Martz as an Assistant Town Administrator/Assistant Secretary at a salary of \$44,500.

Oren Helbok read aloud a petition signed by twenty people who are not in favor of the mid-year hiring.

**APPROVAL OF RENEWING AGREEMENT WITH REMIT CORPORATION FOR THE BILLING AND COLLECTION OF THE 2013 RECYCLING FEES**

On a motion by B. Kreisher, seconded by S. Costa and voted on unanimously, Council approved renewing the agreement with Remit Corporation for the billing and collection of the 2013 recycling fees at \$6.35 per bill.

**APPROVAL OF COLUMBIA CHILD DEVELOPMENT PROGRAM PAVING AN AREA AT THE DAYCARE FACILITY AT THEIR EXPENSE**

On a motion by F. Trump, seconded by B. Kreisher and voted on unanimously, Council approved the Columbia Child Development Program paving an area at the daycare facility at their expense.

**APPROVAL OF PAYMENT TO FORRESTER ENVIRONMENTAL, INC. FOR ASBESTOS INSPECTION OF THE BLOOMSBURG MUNICIPAL AIRPORT TERMINAL BUILDING**

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved payment to Forrester Environmental, Inc. in the amount of \$600 for an asbestos inspection of the Bloomsburg Municipal Airport terminal building.

**APPROVAL OF CHANGE ORDER FROM WMCS, INC. TO DECREASE THE CONTRACT PRICE FOR THE TOWN PARK RESTROOM REPLACEMENT PROJECT**

On a motion by B. Kreisher, seconded by D. Levan and voted on unanimously, Council approved a change order from WMCS, Inc. to decrease the contract price by \$1,250 for the Town Park Restroom Replacement Project.

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

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved payment to Dobrinski Brothers, Inc. in the amount of \$107,801.49 for Phase 5 of the Bloomsburg Municipal Airport Extension and Realignment Project.

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

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved payment to Dobrinski Brothers, Inc. in the amount of \$133,567.35 for Phase 5 of the Bloomsburg Municipal Airport Extension and Realignment Project.

**APPROVAL OF CHANGE ORDER FROM DOBRINSKI BROTHERS, INC. FOR OBSTRUCTION REMOVAL ASSOCIATED WITH PHASE 6 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT**

On a motion by F. Trump, seconded by E. Bower and voted on Six (6) (F. Trump, E. Bower, D. Knorr, S. Costa, C. Howell and B. Kreisher voting "Yes") to One (1) (D. Levan voting "No"), Council approved a change order from Dobrinski Brothers, Inc. in the amount of \$62,400 for obstruction removal associated with Phase 6 of the Bloomsburg Municipal Airport Extension and Realignment Project, contingent upon them guaranteeing completion of the Phase 5 and 6 projects by the end of this year.

#### **APPROVAL OF PAYMENT TO L.R. KIMBALL FOR PROFESSIONAL SERVICES FOR PHASE 5 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT**

On a motion by D. Levan, seconded by S. Costa and voted on Six (6) (D. Levan, S. Costa, D. Knorr, B. Kreisher, F. Trump and E. Bower voting “Yes”) to One (1) (C. Howell voting “No”), Council approved payment to L.R. Kimball in the amount of \$20,679.29 for professional services for Phase 5 of the Bloomsburg Municipal Airport Extension and Realignment Project.

#### **APPROVAL OF PAYMENT TO L.R. KIMBALL FOR PROFESSIONAL SERVICES FOR PHASE 6 OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT**

On a motion by D. Levan, seconded by F. Trump and voted on unanimously, Council approved payment to L.R. Kimball in the amount of \$397.05 for professional services for Phase 6 of the Bloomsburg Municipal Airport Extension and Realignment Project.

#### **APPROVAL OF BIDDING THE SALE OF A 2002 FORD F350 TRUCK WITH DUMP BODY ON MUNICIBID**

On a motion by S. Costa, seconded by D. Levan and voted on unanimously, Council approved bidding the sale of a 2002 Ford F350 truck with dump body on Municibid.com.

#### **APPROVAL OF PURCHASE OF VEHICLE SCANNER SOFTWARE UPGRADE FROM SNAP-ON TOOLS**

On a motion by S. Costa, seconded by C. Howell and voted on unanimously, Council approved the purchase of vehicle scanner software upgrade in the amount of \$1,249 from Snap-On Tools. J. Barton noted that the expense will be evenly shared between the Public Works, Police and Recycling Departments.

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

On a motion by F. Trump, seconded by B. Kreisher and voted on unanimously, and on the recommendation of the Bloomsburg Historic Architectural Review Board, Council approved a Certificate of Appropriateness for the final elevations of AAA Luxury Housing’s proposed new building at **17 East Main Street**.

On a motion by C. Howell, 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 Stacey Weiser to replace the front steps, railing and a concrete porch at **259-261 West Fifth Street**.

On a motion by F. Trump, seconded by B. Kreisher and voted on Six (6) (F. Trump, B. Kreisher, D. Levan, S. Costa, C. Howell and E. Bower voting “Yes”) to One (1) (D. Knorr voting “No”), and on the recommendation of the Bloomsburg Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Lon Edmonds to install vinyl siding on the structure at **220 Jefferson Street**.

On a motion by B. Kreisher, 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 Will Hanna to replace the wire fence at **416 Center Street** with a six foot wooden picket fence.

On a motion by B. Kreisher, seconded by S. Costa and voted on unanimously, Council approved a Certificate of Appropriateness for Betsy Hancock to replace the porch decking with the same pine tongue and groove material at **21 East Fifth Street**.

#### **DENIAL OF CERTIFICATE OF APPROPRIATENESS**

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 denied a Certificate of Appropriateness for Aaron Snyder to install a door from the second floor at **133 East Fifth Street**.

## **APPROVAL OF SERVICE ELECTRIC CABLEVISION LAND DEVELOPMENT PLAN WITH CONTINGENCIES**

On a motion by F. Trump, seconded by B. Kreisher and voted on unanimously, and on the recommendation of the Planning Commission, Council approved Service Electric Cablevision's revised land development plan contingent upon the following conditions being met: Chapter 22-Subdivision and Land Development Ordinance (SALDO): 1. The Columbia County Planning Commission shall review the plan and provide comments [Sec. 22-203], 2. Financial security must be provided for all proposed site improvements. The submitted construction cost estimate shall be approved by the Town Engineer [Sec. 22-403.1.A and Sec. 22-404.C.], 3. General Note #13 states that ownership and maintenance of the proposed roof leader within the site and within the Iron Street right-of-way area is the responsibility of Service Electric Cablevision. A written agreement may be necessary [Sec.22-805]. Chapter 27 – Zoning Ordinance: 1. General Note #2 states that the proposed use of the building is a "Tele-Communications Hub Facility". This use may not be permitted [Sec. 27-507.2.].

On a motion by F. Trump, seconded by D. Knorr and voted on unanimously, Council approved a ninety (90) day deadline from the date of this meeting that Service Electric Cablevision must have all of the contingencies met.

## **APPROVAL OF NINETY (90) DAY TIME EXTENSION – BLOOMSBURG UNIVERSITY – PEDESTRIAN BRIDGE PROJECT – LIGHTSTREET ROAD**

On a motion by D. Levan, seconded by D. Knorr and voted on unanimously, and on the recommendation of the Planning Commission, Council approved a ninety (90) day time extension for Bloomsburg University's Pedestrian Bridge Project plan.

On a motion by D. Levan and seconded by S. Costa, the meeting adjourned at 8:46 p.m.

WILLIAM LOWTHERT  
Town Administrator & Secretary