

A regular meeting of Bloomsburg Town Council was held Monday, October 9, 2017, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Presiding was Mayor Sandy Davis; Council Members Fred Trump; Sylvia Costa; William Kreisher; James Huber; Joe Martarano and Carey Howell; Town Manager/Secretary Lauren Martz; Director of Human Resources/Assistant Secretary Tracy Lanzafame; Director of Finance/Treasurer Lisa Dooley; Administrative Assistant Bobbi Erlston; Chief of Police Roger Van Loan; Code Enforcement Officer Ralph Magill; Director of Governmental Services/Recycling Coordinator Charles Fritz; Public Works Superintendent John Barton, and absent was Fire Chief Bob Rupp.

EXECUTIVE SESSION 7:03 p.m.-7:35 p.m.

An executive session was called at 7:03 to discuss a Settlement Proposal of a Drug Rehab Center located in the Town of Bloomsburg. The Council reconvened at 7:35 p.m. Mr. Mihalik stated that further discussion would be held in the future regarding this topic once parameters could potentially be established among the parties.

CITIZENS TO BE HEARD –

BRIAN BOOK-Municipal Authority Act 537 Plan Discussion

Brian Book discussed with Council the need for the Municipal Authority to update the Act 537 Plan. Mr. Book assured the Council that updating the 537 Plan will provide a more cost effective and efficient way to remove waste sludge from the plant. Bloomsburg University and Scott Township have both agreed to participate by offering to pay 15%-20% each for the cost of the project. The Municipal Authority would be responsible for paying about 65% of the total cost of the project.

FORREST BENNETT, FRED GAFFNEY, OREN HELBOK-Town Manager Ordinance

Forrest Bennett spoke in opposition of passing the Town Manager Ordinance due to the public not having the opportunity to be fully involved in the public process of modifying the structure of the government. Mr. Bennett also brought to the Councils attention that he has numerous right-to-know requests that have not been answered thus far. He also stated that he has emails and attorney invoices he believes are in violation of the Sunshine Act as well.

Fred Gaffney spoke in opposition of passing the Town Manager Ordinance because of the lack of public process and involvement. He stated that he has asked that ALL Agenda materials for Committee meetings be posted on the website and be made available to the public so that citizens can better choose which meetings they need to attend and catch issues that are of interest to them in a timely manner – not after the fact.

Oren Helbok read the following prepared letter:

Members of Council –

For years now, my fellow citizens have stood here and asked for inclusion in the process that

Council uses when making decisions that all 14,000 of us have to live by. And time and again this Council has rebuffed us. We would like to see – and we deserve to see – agendas of committee meetings before they take place, so we can choose to go to the right meetings and not have to attend EVERY meeting, just in case some issue of importance comes up out of the blue. We would like to see – in fact we have the legal right to see, and you have the legal obligation to provide – minutes of the committee meetings; the newly-formed Personnel committee has met, and it has deliberated, and no minutes have seen the light of day. We have asked that the agendas for these very Council meetings get made public before the deadline to sign up as citizens to be heard; one can only know what will appear on the agenda if one has regular face-to-face communication with people in Town Hall, and of course not everyone does – and how many can in a Town of 14,000 people? It remains the fact that the average citizen would need a crystal ball to know if an issue of importance to her will come up.

Tonight I stand before you once again appalled at how this Council has handled an issue that many of us have told you IS important to us, namely the ordinance change redefining the job description of the Town Manager. You tried to rush changes through over the summer – without any committee deliberation, without any input from the citizenry. Citizens got wind of the effort only when it appeared on a Council meeting agenda, and we stood here and told you NO. The effort got pushed into something approximating the appropriate channel, with committee deliberations open to the public, not to mention the Town’s employees. But open communication did not continue, private e-mail conversations among Council members did continue (including racking up thousands of dollars of bills from lawyers included on the e-mails), and a committee which had nothing to do with the earlier discussions decided, out of the blue, to approve and forward for advertisement a version of the ordinance change that NO ONE in the public had seen until the agenda for this meeting came out.

You have once again attempted to ram through a significant change to our ordinance – ours, the citizens’, not yours to do with as you please. Your “process” stinks.

The current mayor and the current Manager do not get along; one does not need a crystal ball to see that. I do not often traffic in conspiracy theories, but in this case I will make an exception. I believe that the current mayor, Ms. Davis, and the current vice president of Council, Mr. Howell, made a deal: They would rewrite the Town Manager ordinance to change how Council oversees the Manager, and then they could together choose how to oversee the Manager, aiming to make her life miserable enough that she would quit, or to find excuses to discipline her and have her fired – and in either case Sandy Davis would offer herself as the logical, experienced replacement. Mayor Davis, look me in the eye and tell me and my fellow citizens that you do not want the Manager’s job – and if you do not, why you insist on controlling it with such an iron fist.

Oren B. Helbok

705 East 5th Street, Bloomsburg

APPROVAL OF SEPTEMBER 11, 2017 COUNCIL MEETING MINUTES

On a motion by F. Trump, seconded by J. Huber, and voted on unanimously, the Council approves the September 11, 2017 Town Council meeting minutes.

APPROVAL OF PAYMENT OF MONTHLY BILLS AND AUGUST PAYROLL AUTHORIZATION

On a motion by S. Costa, seconded by C. Howell, and voted on unanimously, Council approved payment of the following monthly bills and the September payroll authorization: General Fund, \$153,261.14; Recycling Fund, \$14,082.88; Street Lighting Fund, \$10,713.10; Fire Fund, \$17,620.43; Norris E. Rock Memorial Swimming Pool Fund, \$1,875.53; Liquid Fuels Fund, \$25,624.36; Debt Service Fund, \$105,331.21; Howard Company, \$16,470.00; LTS Plumbing & Heating Inc., \$7,077.50; LTS Plumbing & Heating Inc., \$9,433.50; T-Ross Brothers Construction, \$74,148.75; Strosser Architecture, \$950.00; and the September payroll authorization in the amount of \$209,996.25.

APPROVAL OF RECYCLING CENTER BEING CLOSED TO THE PUBLIC EVERY WEDNESDAY AND ONLY OPEN ONE SATURDAY PER MONTH

On a motion by J. Huber, seconded by S. Costa, and voted 5 'yes' votes, and 2 'no' votes by C. Howell and F. Trump, the Council approved the Recycling Center be closed to the public every Wednesday and only open one Saturday per month starting January 1, 2018.

APPROVAL OF BID TO NORTHEASTERN TECHNOLOGIES FOR THE TOWN HALL SECURITY CAMERA SYSTEM

On a motion by C. Howell, seconded by S. Costa, and voted on unanimously, Council approved the bid in the amount of \$27,782.93 from Northeastern Technologies for the Town Hall Security Camera System.

APPROVAL OF ADVERTISEMENT OF C. HOWELL'S DRAFT OF THE TOWN MANAGER ORDINANCE

On a motion by J. Huber, seconded by S. Costa, and voted on 6 'yes' votes and 1 'no' vote by B. Kreisher, Council approved the advertisement of C. Howell's draft of the Town Manager Ordinance.

APPROVAL OF PAYMENT TO BALLARD SPAHR FOR LEGAL SERVICES

On a motion by C. Howell, seconded by J. Martarano, and voted on unanimously, Council approved the payment to Ballard Spahr in the amount of \$2,832.40 for legal services.

APPROVAL TO SELL 2005 FORD EXPLORER ON MUNICIBID

On a motion by C. Howell, seconded by S. Costa, and voted on unanimously, Council approved to sell a 2005 Ford Explorer on Municibid in the amount of \$825.00.

APPROVAL OF PAYMENT TO HUMMEL, LEWIS, & SMITH, LLP

On a motion by J. Martarano, seconded by F. Trump, and voted on unanimously, Council approved the payment to Hummel, Lewis, & Smith, LLP. In the amount of \$4,590.19 for legal services.

APPROVAL OF CERTIFICATES OF APPROPRIATENESS

On a motion by F. Trump, seconded by C. Howell, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Paula Gilbert to Replace Attic Window at 439 Jefferson Street.

On a motion by C. Howell, seconded by S. Costa, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Lorraine Pantella to install a fence at 409 Center Street.

On a motion by F. Trump, seconded by C. Howell, and voted on 6 'yes' votes, and 1 abstention by S. Costa, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Sylvia Costa to replace a slate roof at 339 Jefferson Street.

On a motion by F. Trump, 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 construct a parking structure at 64 E. Ridge Avenue.

On a motion by F. Trump, seconded by C. Howell, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Matt Zoppetti to Construct Parking Structure at Center & Ridge Avenue.

On a motion by F. Trump, seconded by C. Howell, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Halima Amin to Replace Roof Material at 437-439 West Street.

On a motion by F. Trump, seconded by C. Howell, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Cleveland Hummel to Replace Rear Porch Floor at 3 E. 5th Street.

On a motion by S. Costa, seconded by J. Huber, and voted on unanimously, and on the recommendation of the Historic Architectural Review Board, Council approved a Certificate of Appropriateness for Simon Sachar to Install a Fence at 147 W. 4th Street.

APPROVAL OF ADRIENNE MAEL – SUBDIVISION/LOT INCORPORATION

On a motion by J. Martarano, seconded by J. Huber, and voted on unanimously, and upon the recommendation of the Planning Commission, Council conditionally approved the plan contingent upon the following items being met:

1. Chapter 22- Subdivision and Land Development Ordinance (SALDO): Approval Blocks

Must be signed by the Planning Commission and Town Council.

2. The Submitted 'Deed of Incorporation' shall be Approved by the Town Solicitor.

APPROVAL OF BLOOMSBURG UNIVERSITY – LAND DEVELOPMENT – WALLER BUILDING

On a motion by J. Huber, seconded by C. Howell, and voted on unanimously, and upon the recommendation of the Planning Commission, Council conditionally approved the plan contingent upon the following items being met:

1. Chapter 22 – Subdivision and Land Development Ordinance (SALDO):
 - 1a. The Surveyor Certification Provided on the Cover Sheet Shall be Signed. [Sec. 22-404.B.(1)(a)5) and Sec. 22-404.D.(1)(a)4)].
 - 1b. The Certification of Ownership Statement Provided on the Cover Sheet Shall be Signed and Notarized. [Sec. 22-404.B.(1)(a)7), Sec. 22-404.B.(1)(a)8) and Sec. 22-404.D.(1)(a)5)]
 - 1c. An Approval Letter From the PA DEP Shall be Provided for the Sewage Planning Exemption for the Proposed Sanitary Sewer Connection to the Existing Line. [Sec. 22-404.B.(2)(g) and Sec. 22-404.D.(1)(a)20)f)]
 - 1d. The Design of the Proposed Sanitary Sewer Lateral Installation Shall be Approved by the Municipal Authority. [Sec. 22-704.1.B.]
 - 1e. A Written Agreement for Operation and Maintenance of all Proposed Drainage and Storm Water Management Facilities Associated with this Project shall be Provided and Executed Between the University and the Town. [Sec. 22-805.]
2. The 'SALDO Modification Requested' Note Provided on sheet No. 1 Should be Completed as Applicable After Actions are Taken by the Planning Commission and Council.

APPROVAL OF PAYMENT #4 TO WOLYNIEC CONSTRUCTION FOR PH. VI STREET LIGHTING PROJECT

On a motion by F. Trump, seconded by S. Costa, and voted on unanimously, Council approved the payment #4 to Wolyniec Construction in the amount of \$264,191.92 for the Ph. VI street lighting project.

APPROVAL OF VERIZON WIRELESS SMALL CELL TOWER INSTALLATION LOCATIONS ON TRAFFIC SIGNALS STRUCTURES AT FOUR INTERSECTIONS: (MAIN AND MARKET, FIFTH AND MARKET, MAIN AND WEST, MAIN AND EAST) IN TOWN FOR THE PREPARATION OF SUPPLEMENT AGREEMENTS TO THE VERIZON MASTER LEASE AGREEMENT.

On a motion by B. Kreisher, seconded by J. Huber, and voted on unanimously, Council approves Verizon Wireless Small Cell Tower Installation Locations on Traffic Signals Structures at Four Intersections: (Main and Market, Fifth and Market, Main and West, Main and East) in Town for the Preparation of Supplement Agreements to the Verizon Master Lease Agreement.

APPROVAL OF PAYMENT TO T-ROSS BROTHERS CONSTRUCTION FOR CHANGE ORDER #1 FOR ADDITIONAL DOOR LOCK CORES FOR EXISTING DOORS

On a motion by C. Howell, seconded by B. Kreisher, and voted on 5 'yes' votes and 2 'no' votes by J. Martarano and S. Davis, Council approves payment to T-Ross Brothers Construction in the amount of \$1,667.29 for Change Order #1 for additional door lock cores for existing doors.

APPROVAL OF PAYMENT TO T-ROSS BROTHERS CONSTRUCTION FOR CHANGE ORDER #2 FOR SECOND FLOOR CEILING GRID REPLACEMENT IN THE HALLWAYS

On a motion by B. Kreisher, seconded by S. Costa, and voted on 4 'yes' votes, and 3 'no' votes by J. Huber, S. Davis, and J. Martarano, Council approved payment to T-Ross Brothers Construction in the amount of \$1,855.34 for Change Order #2 for second floor ceiling grid replacement in the hallways.

APPROVAL OF PAYMENT TO T-ROSS BROTHERS CONSTRUCTION FOR CHANGE ORDER #3 FOR GROUND FLOOR ENTRY FLOORING AND PAINT

On a motion by B. Kreisher, seconded by F. Trump, and voted on 5 'yes' votes, and 2 'no' votes by J. Martarano and S. Davis, Council approved payment to T-Ross Brothers Construction in the amount of \$2,997.36 for Change Order #3 for ground floor entry flooring and paint.

APPROVAL OF SUBMISSION OF A TENTATIVE ALLOCATION FOR A BLOCK GRANT REQUEST REGARDING APRON PHASE 1 DESIGN UP TO BUT NOT EXCEEDING \$204,000 (LOCAL SHARE ROUGHLY \$10,200)

On a motion by F. Trump, seconded by B. Kreisher, and voted on unanimously, Council approves to submit a tentative allocation for a block grant request regarding Apron Phase 1 Design up to but not exceeding \$204,000 (local share roughly \$10,200).

APPROVAL OF AN APPLICATION TO FEMA FOR FUNDING FOR THE FLOOD MITIGATION EXPANSION PROJECT

On a motion by J. Huber, seconded by B. Kreisher, and voted on unanimously, the Council approves an application to FEMA for funding for the Flood Mitigation Expansion Project.

APPROVAL OF BORTON LAWSON'S PHASE II ENGINEERING AGREEMENT FOR THE FLOOD MITIGATION EXPANSION PROJECT.

On a motion by B. Kreisher, seconded by J. Huber, and voted on unanimously, the Council approves of Borton Lawson's Phase II Engineering agreement for the Flood Mitigation Expansion Project in the amount of \$550,000.

APPROVAL OF PAYMENT TO HOWARD COMPANY FOR CHANGE ORDER #4 FOR SECOND FLOOR ELECTRICAL PANEL

On a motion by S. Costa, seconded by B. Kreisher, and voted on unanimously Council approves payment in the amount of \$892.31 for Change Order #4 for second floor electrical panel.

APPROVAL OF FREE PARKING DURING THE HOLIDAY SEASON

On a motion by F. Trump, seconded by C. Howell, and voted on unanimously, Council approves Free Parking During the Holiday Season with Main Street, free parking beginning Friday 11/24/17 thru 01/01/18, 2-hour parking limit enforced. Municipal lots free parking beginning Saturday 12/16/17 thru 01/01/18. All meters to be bagged by DBI and removed no later than 10:00 AM 01/02/18 by DBI. DBI should coordinate the meter bagging with Elise Hughes at the Parking Enforcement Office.

APPROVAL TO RELEASE THE REMAINDER OF THE FINANCIAL SECURITY FOR DIRTY DIAPERS LAND DEVELOPMENT

On a motion by B. Kreisher, seconded by F. Trump, and voted on unanimously, the Council approves to release the remainder of the financial security for Dirty Diapers Land Development in the amount of \$6,387.96.

APPROVAL OF THE RESIGNATION OF MICHAEL HATEM FROM THE PLANNING COMMISSION

On a motion by C. Howell, seconded by F. Trump, and voted on unanimously, the Council approves the Resignation of Michael Hatem from the Planning Commission.

APPROVAL TO SWITCH THIRD PARTY UCC CONSULTANTS FROM COMMONWEALTH CODE INSPECTION SERVICES TO BARRY ISETT ASSOCIATES

On a motion by B. Kreisher, seconded by C. Howell, and voted on unanimously, the Council approved to switch Third Party UCC Consultants from Commonwealth Code Inspection Services to Barry Isett Associates.

APPROVAL OF PAYMENT TO JOHN R. VARALY AICP, VARALY ASSOCIATES PROFESSIONAL PLANNING CONSULTANTS

On a motion by C. Howell, seconded by J. Huber, and voted on unanimously, the Council approves payment to John R. Varaly AICP, Varaly Associates Professional Planning Consultants in the Amount of \$1,500.00 for Professional Planning Services.

APPROVAL OF RAY VOUGHT'S RESIGNATION FROM THE TOWN OF BLOOMSBURG'S PLANNING COMMISSION

On a motion by C. Howell, seconded by F. Trump, and voted on unanimously, the Council approves of Ray Vought's resignation from the Town of Bloomsburg's Planning Commission effective October 2, 2017.

Being no further business, the meeting adjourned at 9:52.

Lauren Martz
Town Manager/Secretary