

A regular meeting of Bloomsburg Town Council was held Monday, December 14, 2009, beginning at 7:00 p.m. in Council Chambers, Town Hall, 301 East Second Street, Bloomsburg, PA. Present were Mayor Daniel Knorr; Council Members Diane Levan, Paul Kinney, Sylvia Costa, Kathy Shepperson, W. Carey Howell and William Kreisher; Town Administrator Carol Mas; Finance Specialist Theresa Baylor; Code Enforcement/Zoning Officer Ed Fegley; Chief of Police Leo Sokoloski; Superintendent of Public Works John Barton; Recycling Administrator Charles Fritz; Fire Chief Hugh Gross and Office Assistant Amy Seamans. Absent were Solicitor Jack Mihalik and Downtown Manager Megan Hummel.

CITIZEN TO BE HEARD – ATTORNEY PAT O’CONNELL FOR BLOOMSBURG LANDLORD’S ASSOCIATION

Attorney O’Connell stated he was retained by the Bloomsburg Landlord’s Association and was here this evening because the code office issued 30 citations to numerous student landlords for failing to obtain their regulated rental unit license. He informed Council on how this came about. In years past, applications were mailed to all regulated rental unit landlords and their inspections were scheduled and conducted over the summer. This year no packets of information were mailed. Attorney O’Connell asked why a forty cent postcard couldn’t have been mailed or an email sent or a phone call made to inform the landlords on how they were to obtain the packet of information. Attorney O’Connell stated he is looking for a Council Member to make a motion tonight to rescind all of the citations that were filed at the local district magistrate with a majority of members agreeing to the motion.

P. Kinney asked E. Fegley what happened and he had no comment because some of the citations are still pending hearings at the district magistrate office.

Council adjourned into Executive Session at 7:13pm for a legal discussion and reconvened at 7:22pm. Mayor Knorr informed Attorney O’Connell that Town Council is not ready to act on his request this evening and will let litigation take its course. Council will have their solicitor at the next meeting on December 21, 2009.

Fred Reck expressed that as far as he knows everyone who had received a citation had their inspections. He feels this matter is more of an oversight and not an issue of hiding. Landlords are small business owners willing to work with the town and pleaded with Council to reconsider.

Sue Edmonds commented that the code office calls landlords about tenants having parties, etc. so they should’ve called us about this matter.

Rich Ridgway stated that he’s been doing this for 30 years and the ordinance has never been enforced – now they are and we are paying for it.

2010 BUDGET DISCUSSION

Council adjourned into Executive Session at 7:47pm to discuss the possible termination or layoff of employees in reference to the 2010 budget and reconvened at 8:31pm. Mayor Knorr expressed that no employees will be terminated at this time because of a possible retirement.

Attorney O’Connell asked Council if the proposed budget reflects an increase of the regulated rental unit license fee from \$25.00 to \$50.00. Mayor stated that it does. Attorney O’Connell informed Council that he has been directed by the Bloomsburg Landlord’s Association to file a suit.

B. Kreisher suggested that the town should impose a \$50 per dorm room bed fee to the university.

APPROVAL OF NOVEMBER 23, 2009 COUNCIL MEETING MINUTES

On a motion by S. Costa, seconded by P. Kinney and voted on unanimously, Council approved the November 23, 2009 Council meeting minutes with no additions or corrections.

APPROVAL OF PAYMENT OF MONTHLY BILLS AND NOVEMBER PAYROLL AUTHORIZATION

On a motion by P. Kinney, seconded by C. Howell and voted on unanimously, Council approved payment of the following monthly bills and the November payroll authorization: General Fund, \$102,639.61; Recycling Fund, \$22,527.88; Library Fund, \$5,000.00; Street Lighting Fund, \$11,181.71; Norris E. Rock Memorial Pool, \$172.81; Capital Projects, \$284.56; FFY 08 CDBG Entitlement Program, \$4,250.00; FFY 09 CDBG Entitlement Program, \$11,380.00; Day Care Project, \$3,562.00; Airport Expansion Project, \$51,869.93; Liquid Fuels, \$2,503.65 and the November payroll authorization in the amount of \$162,414.92.

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 HACC-Central PA Community College to the Town Vendor list.

DENIAL OF REQUEST FOR FREE PARKING ON EAST STREET FROM MAIN STREET TO FIFTH STREET

On a motion by P. Kinney, seconded by K. Shepperson and voted on Three (3) (P. Kinney, K. Shepperson and S. Costa voting "Yes"), to Four (4) (D. Knorr, D. Levan, C. Howell and B. Kreisher voting "No"), Council denied the request for free parking on East Street from Main Street to Fifth Street.

On a motion by D. Levan, seconded by P. Kinney and voted on Three (3) (D. Levan, P. Kinney and S. Costa voting "Yes") to Four (4) (D. Knorr, K. Shepperson, C. Howell and B. Kreisher voting "No"), Council denied free parking on the west side of East Street from Main Street to Fifth Street.

DENIAL OF REQUEST OF WINDSOR FOODS FOR REFUND OF A PENALTY ASSESSED FOR THE LATE PAYMENT OF PROPERTY TAXES

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council denied the request of Windsor Foods for a refund of a penalty assessed for the late payment of property taxes.

APPROVAL OF PURCHASE OF 2009 COMPLETE COLLECTION OF I-CODE MANUALS FOR THE CODE ENFORCEMENT DEPARTMENT

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved the purchase of the 2009 complete collection of I-Code manuals in the amount of \$585.26 for the Code Enforcement Department.

APPROVAL OF PROPOSAL FROM BROWN AND BROWN INSURANCE FOR 2010 AUTO/LIABILITY PACKAGE INSURANCE COVERAGE THROUGH PRAETORIAN INSURANCE COMPANY

On a motion by C. Howell, seconded by D. Levan and voted on unanimously, Council approved a proposal from Brown and Brown Insurance for 2010 auto/liability package insurance coverage through Praetorian Insurance Company in the amount of \$50,455.00 with up to \$1,000 additional to cover enhancements to property coverage.

APPROVAL OF PROPOSAL FROM HIGGINS INSURANCE FOR 2010 WORKERS
COMPENSATION INSURANCE COVERAGE THROUGH EMC INSURANCE COMPANY

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved a proposal from Higgins Insurance for 2010 workers compensation insurance coverage through EMC Insurance Company in the amount of \$76,499.00.

APPROVAL OF ENDING PROBATIONARY PERIOD OF FINANCE SPECIALIST THERESA
BAYLOR

On a motion by C. Howell, seconded by P. Kinney and voted on unanimously, Council approved ending the probationary period of Finance Specialist Theresa Baylor effective December 22, 2009.

APPOINTMENT OF VINCE DEMELFI TO THE BLOOMSBURG HISTORIC ARCHITECTURAL
REVIEW BOARD

On a motion by C. Howell, seconded by P. Kinney and voted on Six (6) (C. Howell, P. Kinney, D. Levan, S. Costa, K. Shepperson and B. Kreisher voting "Yes") to One (1) Abstention (D. Knorr "Abstaining"), Council appointed Vince Demelfi to the Bloomsburg Historic Architectural Review Board as the licensed real estate broker with a term expiring on December 31, 2010.

APPROVAL OF ADDITION TO THE DECEMBER 9, 2009 ADMINISTRATIVE/FINANCE
COMMITTEE MEETING MINUTES

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, Council approved adding the recommendation of the appointment of Vince Demelfi to the Historic Architectural Review Board to the December 9, 2009 Administrative/Finance Committee meeting minutes.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved a certificate of appropriateness for Bonnie Adams to install replacement windows in the structure located at 338 Jefferson Street.

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved a certificate of appropriateness for Cliff and Linda Childs to replace the attic window and fan in the structure located at 17 West Fifth Street.

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved a certificate of appropriateness for Basil Robbins to replace the second and third floor windows in the structure located at 168 East Fifth Street.

DENIAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by P. Kinney, seconded by K. Shepperson and voted on Six (6) (P. Kinney, K. Shepperson, D. Levan, S. Costa, C. Howell and B. Kreisher voting "No") to One (1) (D. Knorr voting "Yes"), Council defeated a motion to approve the denial of a Certificate of Appropriateness for Rosemary Hummel to replace the double front doors in the structure at 351 East Second Street.

APPROVAL OF CERTIFICATE OF APPROPRIATENESS

On a motion by P. Kinney, seconded by D. Levan and voted on Six (6) (P. Kinney, D. Levan, K. Shepperson, S. Costa, C. Howell and B. Kreisher voting "Yes") to One (1) (D. Knorr voting "No"), Council approved a certificate of appropriateness for Rosemary Hummel to replace the double front doors with Pella fiberglass wood grain doors with plain half windows in the structure located at 351 East Second Street.

APPROVAL OF WAIVER – BLOOMSBURG HOSPITAL – SUBDIVISION

On a motion by D. Levan, seconded by C. Howell and voted on unanimously, and on the recommendation of the Planning Commission, Council approved a waiver from Section 22-403.1 requiring the submittal of a preliminary subdivision plan and a waiver from Section 22-403.(A) (aa) for the requirement to supply proof of potable water to the subject property.

APPROVAL OF BLOOMSBURG HOSPITAL SUBDIVISION

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 Bloomsburg Hospital's subdivision contingent upon the two lots to the west of the lot #1 must be identified (403.1.A.2.l and m) and written confirmation guaranteeing service must be provided from the Bloomsburg Municipal Authority Wastewater Treatment plant (403.1.A.2.w)

APPROVAL OF ADVERTISING FOR BIDS FOR AN ENERGY EFFICIENT LIGHTING PROJECT AT THE RECYCLING CENTER

On a motion by P. Kinney, seconded by S. Costa and voted on unanimously, Council approved advertising for bids for an energy efficient lighting project at the Recycling Center.

APPROVAL OF THE INTENT TO AWARD THE BIDS FOR THE TOWN PARK TENNIS PARK COURT CONSTRUCTION PROJECT

On a motion by D. Levan, seconded by K. Shepperson and voted on unanimously, Council approved the intent to award the base bid (\$259,445.52), alternate #1 bid (\$52,655.00) and alternate #2 bid (\$52,500.00) from Sokol, Inc. in the total amount of \$364,600.52 for the Town Park Tennis Court Construction Project.

APPROVAL OF ADVERTISING FOR BIDS FOR THE NEXT CONSTRUCTION PHASE OF THE BLOOMSBURG MUNICIPAL AIRPORT EXTENSION AND REALIGNMENT PROJECT

On a motion by P. Kinney, seconded by D. Levan and voted on unanimously, Council approved advertising for bids for the next construction phase of the Bloomsburg Municipal Airport Extension and Realignment Project.

With no further business, the meeting adjourned at 9:50pm.

CAROL L. MAS
Town Administrator & Secretary